

A TREE MANAGEMENT ORDINANCE FOR THE CITY OF HAMILTON, ALABAMA  
 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON, ALABAMA, AS FOLLOWS:

The City Council recognizes that trees are an asset to the City, providing a more healthful and beautiful environment in which to live. They provide oxygen, shade, esthetics and a priceless psychological benefit to the urban setting. Trees are beneficial in attracting new industry, residents and visitors. When the proper varieties are grown in the right place, they enhance the value and marketability of property, and promote the stability of desirable neighborhoods. It is further recognized that valuable advice and guidance to the Mayor and Council will result from the appointment of a Tree Management Commission.

Section 1. Definitions

Street Trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Park Trees: "Park trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas, owned by the City, or to which the public has free access as a park.

Section 2. Creation and Establishment of a City Tree Commission

There is hereby created and established a City Tree Commission for the City of Hamilton, Alabama, which shall consist of five members, appointed by the Mayor with the approval of the Council.

Section 3. Term of Office

The term of the five persons to be appointed by the Mayor shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. Following the initial appointment, two members shall be appointed annually to serve for three years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term. Members shall serve until their successors are appointed.

Section 4. Meetings

The Commission shall provide in its minutes for regular periodic meetings. Meetings may also be called by the Mayor or by any three of the Commission members, after giving not less than three days notice of the date, time and place of the special meeting.

Section 5. Duties and Responsibilities

The Tree Commission shall make recommendations to the Mayor and City Council on the needs of the municipality in connection with its tree planting program; shall recommend the type and kind of trees to be planted upon municipal streets, parks, and other public places within the municipality; shall assist the Mayor and Council in providing information regarding the protection, maintenance, removal and planting of trees on public property and, where requested by the owner, on private property; shall meet with the City Council and assist in making a master street plan by recommending the use and species of trees; shall recommend to the Mayor and City Council which trees are considered unwanted wood trees, and identify and recommend removal of dead, dying, diseased, or insect infested trees; and shall make studies and report back to the Mayor and City Council with recommendations on matters concerning trees in the municipality.

Section 6. Penalties

Any person causing damage to any tree or shrub planted in accordance with this ordinance shall be guilty of a misdemeanor; and upon conviction thereof shall be fined a sum sufficient to restore any damage resulting from the violation, not to exceed \$500.00 per tree or shrub damaged.

Section 7. Appeals

Appeals of arbitration, decision, or other actions by the Tree Commission may be made to the Mayor and City Council of the City of Hamilton, Alabama.

This Ordinance shall take effect as provided by law, after passage, approval and publication.

ADOPTED AND APPROVED, this the 10th day of October, 1989.