

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND THE CITY OF SANDY SPRINGS TREE PROTECTION
ORDINANCE AND ADMINISTRATIVE GUIDELINES REGARDING
THE COLLECTION OF RECOMPENSE**

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on March 21, 2006 at 7:00 p.m. as follows:

SECTION 1. That the City of Sandy Springs has adopted the Tree Protection Ordinance and Administrative Guidelines formerly in effect in Fulton County; and

SECTION 2. That the Mayor and City Council find that it is important to maintain the tree canopy of the City of Sandy Springs; and

SECTION 3. That the Mayor and City Council have determined that the current amount of recompense is excessively high for those trees that have been endangered but not removed; and

SECTION 4. That an amendment to the Code of Ordinances, Article 14, is hereby adopted and approved as follows:

Chapter 14, *Tree Protection, C, Revegetation, 2, Specimen Tree Recompense*, (a), of Sections II, III, and IV of the Administrative Guidelines are hereby amended as follows:

The first sentence of the second paragraph shall be deleted in its entirety and a new sentence shall be inserted to read "If a specimen tree or trees are removed without permission or the City Arborist determines that the damage to the root protection zone of a specimen tree results in a specimen tree having less than a 50% chance of surviving for two (2) years, the unit value of the specimen tree is doubled and that becomes the unit value that must be compensated for."

In addition, a paragraph shall be added following the second paragraph to read as follows:

If the root protection zone of a specimen tree is disturbed without permission, and the City Arborist has determined that the tree has a greater than 50% chance of surviving for two years, and the violator has submitted an acceptable prescription for continued maintenance of the endangered tree, then 50% of the unit value of the specimen tree is the unit value that must be compensated for. The recompense generated shall be divided equally with 50% of the recompense amount deposited into the Tree Replacement Fund and 50% of the recompense amount deposited into an escrow account. The half deposited into the Tree Replacement Fund is forfeited as restitution for the encroachment of the root protection zone; the half deposited into the escrow account shall be returned to the violator after a period of two (2) years with the submittal and acceptance by the City Arborist of an affidavit by the certified arborist certifying that the tree has not declined beyond the natural aging process or that no other decline has occurred which could have been prevented by the property owner. The violator will have one (1) year following the end of the aforementioned two (2) year period to make application to the City for fund deposited into the escrow account. In the event no application is made within the one (1) year period, the amount placed in escrow will be forfeited to the Tree Replacement Fund.

SECTION 5. That the First Reading of this Ordinance was on March 7, 2006; and,

SECTION 6. That this Ordinance shall be effective March 21, 2006.

ORDAINED this the 21st day of March, 2006.

Approved:

Eva Galambos
Eva Galambos, Mayor

Attest:

Janette R. Marchiafava
Janette R. Marchiafava, City Clerk
(Seal)

