

Amendment 84-4

AN ORDINANCE TO PROVIDE
FOR THE ORDERLY CUTTING OF TREES

AN ORDINANCE TO PROVIDE FOR THE ORDERLY CUTTING OF TREES IN THE CITY OF SKY VALLEY, STATE OF GEORGIA; TO PROVIDE FOR THE APPROPRIATE SIZE OF TREES TO BE TRIMMED AND CUT; TO PROVIDE FOR THE PRESERVATION OF THE NATURAL BEAUTY AND RUSTIC ATMOSPHERE OF THE RESIDENTIAL SECTIONS OF SKY VALLEY, GEORGIA; TO PROHIBIT THE UNLAWFUL CUTTING OF TREES; TO PROVIDE FOR NECESSARY PENALTIES AND FINES FOR THE UNLAWFUL CUTTING OF TREES; TO REPEAL OTHER ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

BE IT ORDAINED BY THE DULY ELECTED CITY COUNCIL OF THE CITY OF SKY VALLEY, GEORGIA, AND THE SAME IS HEREBY ORDAINED:

- 1 -

That it shall be unlawful from the effective date of this ordinance for any person, corporation, contractor, homeowner, maintenance man, legal entity or any agent of the above to cut, poison, eliminate or in any way dispose of any tree from a lot located within the city limits of Sky Valley, Georgia for any purpose. This ordinance shall not include any tree with a diameter of less than 6" or any other tree approved for cutting by the Building Official of the said City provided that any such cutting shall be approved only for the purpose of constructing a residential dwelling on said lot which shall adhere to all other building codes and regulations adopted by the city of Sky Valley, Georgia.

The provision for approval by the Building Official for the cutting of trees notwithstanding it shall be unlawful to cut any tree without first obtaining a "TREE CUTTING PERMIT" from the said Building Official. The Building Official shall be authorized to inspect each lot for which an application to cut trees is made and to first mark each tree which may be cut, and in that event, it shall be unlawful to cut any tree not marked by the said Building Official regardless of the permit obtained.

Any person, firm, corporation or agent who shall violate the provisions of this ordinance, or fail to comply therewith, or otherwise demolish or move any tree contrary to this ordinance, shall be guilty of a misdemeanor. Upon conviction of any act prohibited herein, any appropriate court, within sound discretion, may cause any person, firm, corporation or agent in violation of this ordinance to replace any tree cut in violation of this ordinance or pay the actual cost of replacement of said trees all in addition to the normal penalties provided by law for the violation of misdemeanors.

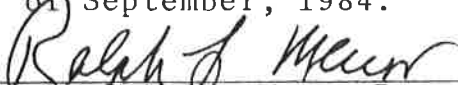
This ordinance shall repeal all former ordinances dealing with the cutting of trees for the purpose of clearing lots for construction of improvements upon real property and when this ordinance shall come in conflict with other ordinances involving zoning or building codes concerning items other than the cutting of trees, then this ordinance shall prevail only when it is more restrictive than the other ordinance for which it has come in conflict.

The purpose of this ordinance is to assure the continued preservation of the natural beauty, rural atmosphere and scenic mountain beauty of the city of Sky Valley, Georgia, and in that regard, the Building Official is granted certain discretion in the permitting of cutting of trees which shall so preserve the natural integrity of the property and assure a continuation of its scenic beauty.

This ordinance shall become effective when approved by the City Council and signed into law as provided by the City Charter of the city of Sky Valley, Georgia.

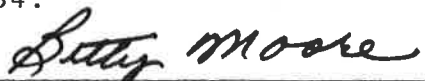
In the event any portion of this law shall be deemed or found to be unconstitutional, then all other parts of the law shall survive and be of full force and effect.

Passed, approved and adopted before the Mayor Pro tem and City Council on the 4TH day of September, 1984.


RALPH MERROW, Mayor Pro tem

I, BETTY MOORE, City Clerk for the City of Sky Valley, do hereby certify that the above and foregoing is a true and correct copy of that certain ordinance of like style and effect passed on the 4TH day of September, 1984 by the Mayor Pro tem and City Council of the City of Sky Valley and that the same was signed into law by the Mayor of said city on the 4TH day of September, 1984.

IN WITNESS WHEREOF, I have hereunto affixed my signature on the 4TH day of Sept, 1984.


BETTY MOORE, City Clerk of
Sky Valley, Georgia