

ORDINANCE NO. 2022-01

**AN ORDINANCE BY THE CITY OF PINE LAKE TO AMEND THE TREE CONSERVATION ORDINANCE SO AS TO AUTHORIZE THE CITY COUNCIL TO SERVE AS THE PINE LAKE TREE AUTHORITY BOARD; TO REVISE THE DEFINITION OF QUALIFIED PROFESSIONAL; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Pine Lake Tree Conservation Ordinance ("Ordinance") enacted in 2007 provides standards and procedures regulating removal of trees in order to preserve and protect the City of Pine Lake's natural environment; and

**WHEREAS**, the Ordinance places responsibility for administration of the Ordinance with the Director of Administration and the City Arborist, and establishes a Tree Advisory Board to administer appeals from any applicant or adjacent property owner directly impacted by an action of the City Arborist; and

**WHEREAS**, the Tree Authority Board has rarely, if ever, been called upon to perform its administrative appeal duty; and

**WHEREAS**, Section 3.11 of the Charter of the City of Pine Lake states that, except as otherwise provided by law, no person holding an elective office in the city shall serve on any City board, commission or authority; and

**WHEREAS**, because it rarely meets and acts, the City Council enacts this law as an exception to Section 3.11 of the Charter of the City of Pine Lake; and

**WHEREAS**, the current definition of Qualified Professional is not accurate;

**NOW THEREFORE, BE IT ORDAINED** by the City of Pine Lake as follows:

**Section 1.** The Mayor and Council adopt and make the findings in the "Whereas" paragraphs the factual findings of the Mayor and Council.

**Section 2.** Section 22-252 of the Code of Ordinances of the City of Pine Lake is amended by striking the definitions of "Qualified Professional" and "Tree Authority Board" and inserting in lieu thereof as follows:

*"Qualified Professional: Any individual possessing a degree in forestry, urban forestry, landscape architecture, or horticulture, ~~having been trained by the City of Pine Lake in the implementation of this article, and tree protection in building construction. The City Arborist shall certify and maintain a list of Qualified Professionals.~~ and certified by the International Society of Arboriculture."*

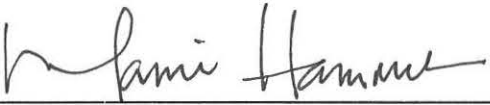
"Tree Authority Board (TAB): A board consisting of Pine Lake residents, established by City Council, which presides in conjunction with the city administration to oversee the permitting of tree removal. The Mayor and City Council are explicitly authorized to appoint the Mayor and City Council to serve as the Pine Lake Tree Authority Board."

**Section 3.** All ordinances and portions of ordinances in conflict with the terms of this ordinance are hereby repealed as to the subject matter of this ordinance.

**Section 4.** This ordinance shall become effective upon its approval by the City Council and signature by the Mayor.

ADOPTED this 11<sup>th</sup> day of January, 2022.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA



Mayor Melanie Hammet

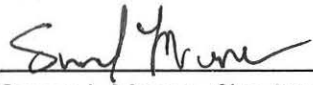
ATTEST:



Peggy Merriss, Acting City Clerk  
(SEAL)



Approved as to Form:



Susan J. Moore, City Attorney