

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF CHAMBLEE, GEORGIA, UNIFIED DEVELOPMENT ORDINANCE, TITLE 3: DEVELOPMENT AND PERMITTING; CHAPTER 320, BUFFERS, LANDSCAPING AND TREE PROTECTION, BY REVISING SECTION 320-34 TO REQUIRE PROPERTY OWNERS TO PLACE A PUBLIC NOTICE OF TREE REMOVAL PERMIT ON THEIR PROPERTY.**

WHEREAS, Section 26 of the Charter of the City of Chamblee grants the City of Chamblee the power to regulate and to license the erection and construction of buildings and all other structures; and

WHEREAS, Section 27 of the Charter of the City of Chamblee grants the City of Chamblee the power to pass zoning laws and ordinances, pursuant to which the City may define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the enforcement of such standards; and

WHEREAS, the Mayor and City Council find that amendments to the ordinance regulating Buffers, Landscaping and Tree Protection are necessary to preserve the environment, protect safety of the citizens, and prevent nuisances;

BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHAMBLEE, GEORGIA THAT THE FOLLOWING PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE, TITLE 3: DEVELOPMENT AND PERMITTING, CHAPTER 320, BUFFERS, LANDSCAPING AND TREE PROTECTING, BE AMENDED AS FOLLOWS:

**SECTION 1.** Section 320-34 of the City of Chamblee Code of Ordinances is hereby amended to include new subsection (b) as follows:

(b) The city approved and issued tree removal permit and the associated public notice sign must be present in physical form at least five days prior to and on the day or days in which approved tree removal is executed; the city issued public notice sign must be staked in a location in the property which is visible and legible from a frontage street. Additionally, the applicant shall mark each tree to be removed with flagging tape at the time of the sign posting. The five-day pre-posting requirement shall not apply to emergency tree removals authorized by the Planning and Development Director pursuant to Section 320-30(b)(2).

**SECTION 2.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3.** If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

The foregoing was proposed by Council member \_\_\_\_\_ with a motion that the same be adopted. Said motion was seconded by Council member \_\_\_\_\_. Same was then put to a vote and \_\_\_\_\_ Council members voted in favor of the Ordinance and \_\_\_\_\_ Council members voted against the Ordinance. Said motion was thereupon declared passed and duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Cherron Bouie  
City Clerk, City of Chamblee, Georgia

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024

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The Honorable Brian Mock  
Mayor, City of Chamblee, Georgia

Approved as to form:

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Irene B. Vander Els, Esq., City Attorney  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_