

ARTICLE X. –TREE PROTECTION AND PRESERVATION

Division 1-Generally

Sec 5-401. - Purpose and intent of article.

(a) This article is intended to prevent the reduction of a healthy tree canopy, educate citizens and property owners on the value and methods of tree protection, lessen the impact of tree removal, and provide recourse to the City and its citizens for the unauthorized removal of healthy specimen trees.

(b) It shall be unlawful to cut down, damage, poison or in any manner destroy or cause to be destroyed any tree covered by this article, except in accordance with the provisions of this article.

(c) The provisions of this article shall apply to any person removing one or more trees on any lot or tract of land within the City, including but not limited to property owners, all tree removal companies, utility companies or persons in the business of tree removal or construction.

Sec. 5-402. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Arborist Report means a letter from an arborist identifying and indicating the condition of one or more trees on a site, along with any recommendations by the arborist as to tree health, protection, removal or other relevant matter.

Buildable area means that portion of a lot which is not located within any minimum required yard, landscaped area or buffer; that portion of a lot wherein a building may be located according to current zoning requirements.

Boundary Tree: A tree growing on a property boundary line between two lots resulting in joint ownership by the adjacent property owners when the trunk exists on each property, or a tree that

has 20 percent or more of its critical root zone extending across a property boundary and into an adjacent property regardless of whether or not the trunk is located on the property line.

Conifer tree means any tree with needle leaves and a woody cone fruit including, but not limited to pine, juniper and cedar species.

Construction Zone: The area within the limit of disturbance created by development activity and the area extending five (5) feet in each direction from a proposed building, structure or pavement on an approved Site Plan.

Critical root zone means the minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone (CRZ) will typically be represented by a circle centering on the tree's trunk with a radius equal in feet to one (1) times the number of inches of the trunk diameter. Example: The typical CRZ radius of a tree which has a trunk diameter of twenty (20) inches is twenty (20) feet.

CRZ Disturbance: any activity that disturbs the existing grade or surface of the ground within the CRZ, or is likely to cause damage to roots, including but not limited to trenching, excavation, filling, paving, construction of structures, compaction of the ground, driving vehicles or equipment, storage of construction materials, etc.

Density factor means a unit of measure used to prescribe the calculated tree coverage on a site.

Development activity means any alteration of the natural environment which requires the approval of a development or site plan and issuance of a development permit. Development activity shall also include the thinning or removal of trees from undeveloped land in conjunction with a forest management program, and the removal of trees incidental to the development of land or to the marketing of land for development.

Diameter breast height (DBH) means the diameter in inches of a tree measured at between four (4) and four and one-half (4½) feet above the existing grade.

Drip line means an imaginary, perpendicular line that extends downward from the outermost tips of the tree branches to the ground. The circular area of land surrounding the tree from the trunk to the outermost branches.

Enforcement officer means the city manager or the manager's duly authorized representative.

Hardwood tree for the purposes of this article, means any tree that is not coniferous (cone bearing) shall be classified as a hardwood.

Limit of Disturbance: any activity that disturbs the existing grade or surface of the ground as indicated on a grading or erosion control plan.

Non-exempt Tree: A tree that does not meet any of the requirements for exemption as listed in applicable sections of this article; i.e., a protected tree.

Person means any individual, partnership, corporation, association or other legal entity, including the plural as well as singular, and including utility companies and all tree removal companies and persons removing trees on behalf of others.

Prescription means any type of site or tree instruction developed by an arborist certified by the International Society of Arboriculture or State Registered Forester that is aimed at preserving tree(s).

Project means any work on a subject site that requires a building, demolition or land disturbance permit.

Specimen Tree: A hardwood tree with trunk DBH of thirty (30) inches or greater, or a conifer tree with trunk DBH of thirty-six (36) inches or greater. When an arborist report finding that a particular tree is in worse than "Fair" condition is provided to the enforcement officer, such tree shall not be considered a specimen.

Tree means any self-supporting, woody, perennial plant usually having a single trunk diameter of two (2) inches or more and which in the city would normally grow to an overall height of a minimum of fifteen (15) feet at maturity.

Tree planting list means the recommended species of trees as adopted by the board of mayor and commissioners.

Tree Canopy: The area of ground directly beneath the crown spread of a tree; for the purposes of this ordinance the canopy shall be measured the same as the critical root zone (CRZ).

Tree Impact: Any tree disturbance that proposes or has the potential to affect 20% or more of a tree's critical root zone. This applies to trees on the property subject to the permit, boundary trees on adjoining lots or verge trees in the public right-of-way.

Tree protection zone means all lands that fall outside the buildable area of a parcel, including driveways and parking areas, all areas of a parcel required to remain in open space, and/or all areas required as yard areas, buffers or landscaped areas according to the provisions of the zoning ordinance of the city, or by conditions of zoning and variance approval, and/or these administrative guidelines.

Verge Tree: A publicly-owned tree growing within the right-of-way, and between the sidewalk and curb.

Sec. 5-403. – Critical root zone protection.

(a) In order to prevent harm or damage to specimen trees located in the tree protection zone during development activity, no encroachment, placement of solvents, material, construction machinery or temporary soil deposits shall be allowed within six (6) feet of the drip line of any specimen tree within the zone. Fencing, barricades, or other substantial devices shall be used to adequately protect trees during construction and any development activity.

(b) No trenching for utilities or drainage, trenching of silt fence, parking, material storage or other construction activities are allowed within the CRZ of protected trees as indicated on plans.

(c) The following activities would not constitute disturbance to the CRZ:

- 1) Removal and replacement of driveway or sidewalk pavement within the same footprint, with no excavation or earthwork.
- 2) Construction of structures over existing foundations.
- 3) Installation of chain-link, wood or PVC property fencing.
- 4) Use of staked hay bales or compost filter sock (wattles or coir rolls) for erosion control during construction.
- 5) Jack-and-bore utility construction.

Sec. 5-404. – Tree Bank Fund.

(a) There is hereby established a Tree Bank Fund to be maintained by the City. Such fund shall be used for the purchase, placement and care of trees as provided for by this article.

(b) The city shall be responsible for selecting the species and size of the trees and for selecting the location and making arrangements for planting any trees purchased and planted using tree bank funds. Such trees shall be located on property within the city which is under the control of the city or another governmental entity. The precise timing and location of planting shall be determined at the discretion of the enforcement officer.

Sec. 5-405. – Variance.

(a) Variance from the requirements set forth in this section may be granted by the enforcement officer upon his determination that such requirements would create a special hardship in the use of the site. The enforcement officer shall make diligent effort to review various alternatives which would allow compliance with this article, and may suggest the relocation of new structures planned for the site. Following this effort, if the enforcement officer determines that a variance is justified, the officer shall be empowered to reach an agreement wherein the applicant may make a contribution to the city tree bank fund. The amount of the contribution by the applicant shall be equal to the fair market value of the number, size, and type of trees that would be required by this article to be planted on the site to meet the tree density requirement, plus labor to secure and plant the trees and to maintain the trees for a period of two (2) years after they are planted.

(b) *Special hardship.* As used in this section, a special hardship will be deemed to exist when, in the opinion of the enforcement officer, the planting of the trees required by this article will create unusual problems due to particular features of the site, including, but not limited to, the following:

- (1) There is inadequate space on the site to permit the normal, anticipated growth and spread of the trees proposed for the site;
- (2) The topography of the site makes planting of the trees particularly difficult or survival of the trees unlikely;
- (3) The placement of the trees would create unsafe conditions for vehicular traffic.

(c) Every effort shall be made to assure that the property under development comes as nearly as possible into full compliance with this article. Should it be necessary to grant a variance, in no instance shall more than fifty (50) percent of the required tree density for a particular lot or tract be met through this alternative method. If the variance is granted, the limitation on the percentage of conifers planted shall still apply, and no more than twenty-five (25) percent of whatever trees are planted shall be conifers.

Sec. 5-406. – Appeals.

(a) Any person adversely affected by a decision of the enforcement officer in the enforcement or interpretation of this article may appeal such decision to the board of appeals. Such appeal shall be taken by filing written notice thereof with the enforcement officer within ten (10) days after the decision of the enforcement officer. Each such appeal shall be accompanied by payment of the fee established for appeals to said board under section 15 of the city's zoning ordinance and shall be conducted pursuant to the rules and procedures for such appeals.

(b) If the appellant or the enforcement officer is dissatisfied with the decision of the board of appeals, such decision may be appealed to DeKalb County Superior Court by writ of certiorari. In such event, no permit shall issue pursuant to this article until such appeal is finally resolved.

Sec. 5-407. – Penalty

Any person violating or failing to comply with any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties as provided in this article. When this article does not specify a penalty, the penalty upon conviction shall be imposed pursuant to section 1-8 of the city code. In addition thereto, such person may be enjoined from continuing the violation. Each tree cut, damaged or poisoned shall constitute a separate offense.

Division 2: Tree Protection and Preservation on Non-Single-Family Lots

Sec. 5-408. – Applicability of division.

The provisions of this division shall apply to trees on any lot or tract of land which is zoned in any category other than R-12 or R-24.

Sec. 5-409. - Permit required; application procedure.

(a) No person shall remove, cause to be removed, poison, damage, trim or transplant any tree located on property subject to this division without first having submitted an application, including all information required by this article, and receiving a permit for the activity proposed.

(b) Prior to the commencement of any development activity or activity described in subsection (a) of this Section upon any lot or tract of land which is subject to this division, the owner or agent responsible for such property shall submit an application for a permit. Each application submitted shall include the following:

(1) *Identification.* The name, address and telephone number of the owner or tenant of the property shall be shown as well as the lot number and street address of the tract of land included in the application.

(2) *Site plan.* A map or plat drawn to scale prepared and sealed by a registered surveyor or certified engineer, and in the case of proposed construction, the intended location of any structures and any related site development which would require the removal of any trees from the site.

(3) *Tree survey.* The submitted site plan shall show the location of every existing tree on the property which is two (2) inches or greater at diameter breast height. The tree survey shall clearly identify any trees which the applicant proposes to remove in connection with construction and/or related site development. In the event of a development activity which does not involve construction, every existing tree on the property which is two (2) inches or greater at diameter breast height shall be shown, and the proposal shall identify all trees for which removal is proposed. In all cases, the tree survey shall identify the species of each tree and the diameter of the trunk of each tree at breast height. Example: Ten-inch red maple, eight-inch pin oak, six-inch white pine, etc.

(4) *Density calculation sheet.* A sheet provided by the city upon which the person shall show the density factor prior to any development activity, the density of trees which will remain if the development activity is permitted, and the density of trees which will need to be added to meet the requirements of this division.

(c) Upon review of the complete application, the enforcement officer may issue a permit if one (1) or more of the following conditions is found to exist:

(1) The tree is located in an area where a structure or improvement will be placed in accordance to an approved plan, and the tree cannot be relocated on the site because of

age, type or size of tree.

- (2) The tree is diseased, as certified by an arborist report.
- (3) The tree is injured, as certified by an arborist report.
- (4) The tree is in danger of falling on or close to existing or proposed structures, as certified by an arborist report.
- (5) The tree interferes with existing utility service.
- (6) The tree creates unsafe vision clearance for vehicular movement.
- (7) The tree conflicts with other ordinances or regulations.

(d)The enforcement officer, in reviewing applications for removal and relocation of trees, may suggest possible alternative which might prevent the loss of particular trees.

(e)When a permit for removal is granted, it shall be the responsibility of the applicant to see that all debris from the trees cut or substantially damaged shall be removed from the site in a timely manner, including the removal of any portion of the tree stump above the original natural grade or elevation of the land.

Sec. 5-410. - Trees required.

(a) For every tract of land covered by this division, a mathematical calculation will be made to determine the area of the tree protection zone. As a condition of granting a permit, the enforcement officer shall require the applicant to provide a density factor of no less than four (4) inches of tree diameter, measured at diameter breast height, per one thousand (1,000) square feet of area in the tree protection zone. This may be accomplished by calculating the diameter breast height of trees already existing in the tree protection zone, plus any trees transplanted from the buildable area of the tract or from elsewhere. If the resulting total tree diameter for the tree protection zone is less than four (4) inches per one thousand square feet (1000 sq. ft.), tree planting shall be required to meet the minimum density.

(b) In fulfilling the planting requirements of this division, the following rules shall apply:

- (1) As there is a desire to expand the presence of hardwoods, no more than twenty-five (25) percent of trees planted to meet the requirements shall be conifers.

(2) In determining the tree density factor, no tree of less than two (2) inches at diameter breast height shall be counted, and no trees planted to meet the requirements of this division shall be less than two (2) inches in diameter at breast height, nor less than eight (8) feet tall at time of planting.

(3) New trees required shall not be located in one (1) particular area of the property but shall, as much as possible, be planted across the entire tract in a manner acceptable to the enforcement officer.

(4) Where specimen trees exist on the tract, every effort shall be made to avoid their removal.

(5) When parking areas are developed on a tract, every effort shall be made to protect existing trees or newly planted trees from damages by motor vehicles. This may be accomplished through the use of curbing or other devices. In addition, efforts shall be made to avoid the placement of impervious material in a tree's critical root zone area.

(6) All trees used to meet the density factor shall be maintained properly to ensure their survival, and any such tree which dies within two (2) years of the date the project receives final approval shall be replaced, at the property owner's expense, with trees of sufficient diameter to maintain the density factor.

(7) Nothing in this division shall be construed to allow the removal of vegetation in a required buffer, except for authorized buffer improvements.

Sec. 5-411. - Density calculations.

Each application for a permit to remove, trim or transplant trees as required under this division shall be accompanied by a calculation which will determine the number and size of the trees required to comply. The application shall indicate the size of the tract and the size of the area to be developed. The difference shall be the tree protection zone. The application shall also indicate the number and size of trees necessary to meet the requirements of the article, the number and size of the trees to be left on the tract, and the number and size of the new trees which will be required to comply.

Example: On a ten thousand-square-foot lot, an applicant desires to construct a building with three thousand-square-feet of ground floor area, resulting in a tree protection zone of seven thousand (7,000) square feet. At a rate of four (4) inches of DBH per one thousand (1,000) square feet, the applicant would need twenty-eight (28) inches of tree measured at diameter breast height. In this

example, the lot already has three (3) trees which will remain after the development activity, and these measure nine (9) inches, five (5) inches and four (4) inches in DBH for a total of eighteen (18) inches; therefore, additional trees with DBH totaling ten (10) inches are needed to satisfy the density requirement. This could be accomplished by planting two (2) trees with DBH of three (3) inches and two (2) trees with DBH of two (2) inches.

(1) Calculation of required tree density:

Size of Lot: _____	square feet
Size of Structure: _____	square feet
Difference: _____	square feet (Tree Protection Zone)

(Trees required: 4 inches at diameter breast height per 1,000 square feet)

a. (Tree Protection Zone ÷ 1000 sq. feet) × 4 inches = _____ inches
(Required Density)

(2) Density of existing trees:

a.	Density of existing trees on lot proposed for development:	_____ inches
b.	Density of trees to be removed:	_____ inches
c.	Density remaining after development activity:	_____ inches

Note: These figures come from a separate sheet supplied by applicant on which there appears a list of every tree on the site greater than two (2) inches at diameter breast height. List must show the species and diameter of every tree and a notation of all trees to be left in the Tree Protection Zone, with a total of the diameter of those trees.

(3) Additional density of trees needed:

From (1)a, density of trees required:	_____inches
From (2)c, density remaining after development activity:	_____inches
Additional density needed:	_____inches

Sec. 5-412. - Inspection of site; final approval.

(a) The enforcement officer shall review the application which shall, upon filing, be deemed to constitute consent from the applicant to the enforcement officer and his designees to enter upon the subject property for the purposes of inspection. In reviewing the application, the enforcement officer may consult with the environmental committee, landscape architects, foresters, and others as he may deem necessary and advisable.

(b) Upon completion of the development activity, the enforcement officer or his designee shall inspect the property to determine compliance with the permit and tree density requirement. If the enforcement officer finds that the project does not meet the requirements of this article or that it varies from what was proposed in the application, he shall withhold final approval of the project and notify the applicant of the deficiencies which must be corrected. The applicant shall take prompt action to bring the project into compliance.

(c) When the enforcement officer is satisfied that the project is in compliance, he shall grant his final approval in writing. It shall be the responsibility of the applicant to see that all trees included in the calculation to fulfill the tree density requirement of this article, whether new or existing trees, remain alive for a period of two (2) years from the date of the final approval. Trees that die shall be replaced and the tree density requirement shall be maintained throughout the two-year period.

Sec. 5-413. – Exemptions

(a) The following shall be exempt from the provisions of this division:

- (1) The routine or seasonal pruning or transplanting of trees.
 - (2) In the case of emergencies, such as hurricane, windstorm, flood, freeze or other disasters, whether for one (1) lot or the entire city, the enforcement officer shall be authorized to waive these requirements upon finding that such a waiver is necessary so that public or private work to restore order in the city will not be impeded.
 - (3) The removal of trees from horticultural properties such as farms, nurseries or orchards; however, this exception shall not be interpreted to include lumber harvesting incidental to development of the land.
 - (4) The necessary removal of trees by a utility company within dedicated utility easements other than a public right of way; however, for utility work within street rights-of-way or on public property, compliance with this article is required.
 - (5) The removal of trees on public rights-of-way conducted by or on behalf of a federal, state, county, municipal or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public rights-of-way.
 - (6) The removal of trees from golf courses, lakes, detention ponds and drainage easements.
- (b) When a tree is or threatens to become a danger to human life or property, the applicant may submit an arborist report to such effect. When a tree is certified as dangerous by an arborist report, a permit to remove such tree will be issued without requiring the applicant to pay a fee or plant any replacement tree(s).

Sec. 5-414. – Fees.

The fee schedule to review applications for permits covered in this division shall be as follows:

- 1) Site of 1 acre or less in size\$25.00
- 2) Site greater than 1 but less than 5 acres\$50.00
- 3) Site greater than 5 acres:
 - For first 5 acres\$.75.00
 - For each additional acre\$5.00

**Division 3. TREE PROTECTION AND PRESERVATION ON SINGLE-FAMILY ZONED LOTS
(R-12/R-24)**

Sec. 5-415. – Applicability of division.

The provisions of this division shall apply to any person removing trees or causing the removal of trees on any lot or tract of land which is zoned single-family (R-12/R-24), including property owners, tree removal companies, utility companies or persons in the business of tree removal or construction.

Sec. 5-416. – Permit required; Application procedure.

A permit is required to remove any tree(s) from single-family property within the City. One or more of the following subsections, or an exemption pursuant to Section 5-420 will apply, depending on the facts and circumstances.

(a) Tree Removal Notification:

When development activity is not contemplated, property owners in single family residential zoning districts are allowed to remove up to three (3) healthy, protected non-exempt trees during any calendar year without any recompense or replanting being required. A Tree Removal Notification shall be filed with the City prior to removal. This will allow the City to track number, type, and size of trees removed. The City will issue a permit for such tree removal without requiring a tree replacement/conservation plan and without requiring payment of a permit fee. If tree removal notification is identified as happening after the fact, there will be a \$1,000 penalty per tree removed without a permit.

(b) Tree Removal Permit:

If a property owner seeks to remove more than three (3) non-exempt trees during any calendar year, or proposes activities requiring a Demolition Permit, Building Permit or Land Disturbance Permit, the subject property is subject to a Tree Removal Permit and must comply with the residential tree replacement/conservation plan requirements of subsection (c) of this Section. The permit shall be required before any tree removal, land disturbance or site development activities causing tree impact to a protected tree can occur.

(c) Tree Replacement/Conservation Plan

A tree replacement/conservation plan shall be submitted with all tree removal permit applications made pursuant to Subsection (b) of this Section. Such plan shall be prepared and signed by a certified arborist, registered landscape architect, or registered forester.

A tree replacement /conservation plan must indicate the following:

- 1) Location, species and DBH of all existing trees over eight (8) inches, over twelve (12) inches for genus pinus including on-site trees, boundary trees, and verge trees.
- 2) Limit of disturbance.
- 3) Existing and proposed structures.
- 4) Existing and proposed grades.
- 5) Location of new construction, impervious paved surfaces, erosion control measures, and utilities.
- 6) All trees proposed to be removed.
- 7) Identify the Critical Root Zone for all trees to remain.
- 8) Tree replacement locations and plant schedule as required.
- 9) Tree Protection details and specifications, for the protection of trees to remain, per City Standards.
- 10) 40 percent minimum total canopy coverage per lot calculation.

(d) Tree Protection.

The tree replacement/conservation plan will indicate the protection of any trees to remain outside the construction zone. The tree replacement/conservation plan will indicate any areas of disturbance for construction activities, and provide for tree protection fencing at the edge of the CRZ of remaining trees.

Sec. 5-417. Canopy coverage required.

- (a) The tree replacement/conservation plan shall indicate a minimum 40 percent total canopy coverage of the lot, including existing trees that are retained, boundary trees, and newly

planted trees. The canopy coverage provided by newly planted trees shall be calculated at maturity as defined based on the canopy chart in subsection (b).

(b) Canopy Chart:

(i) Canopy Trees that provide a 1,900 SF Credit (+/-50' estimated diameter at maturity).

Carya aquatic
Carya Cordiformis
Carya glabra
Carya ovata
Carya tomentosa
Fagus grandiflora
Liriodendron tulipifera
Nyssa sylvatica
Quercus coccinea
Quercus hemispherica
Quercus lyrata
Quercus michauxli
Quercus muehlenbergii
Quercus nuttalli
Quercus pagoda
Quercus phellos
Quercus prinus
Quercus rubra
Quercus shumardii
Quercus x comptoniae
Tilia Americana
Tilia heterophylla
Ulmus Americana

(ii) Canopy Trees that provide a 1,200 SF Credit (+/-40' estimated diameter at maturity)

Acer barbatum
Acer rubrum
Acer saccharum
Aesculus flava
Betula nigra

Ginko biloba
Magnolia acuminata
Magnolia grandiflora
Metasequoia glyptostroboides
Taxodium ascendens
Taxodium disticum
Ulmus alata

(c) Newly planted trees are subject to the following conditions if they are to be counted towards canopy coverage:

(i) Trees to be counted for replacement shall be 3 inch caliper, minimum, at time of planting.

(ii) Potential canopy size assumes an open area, not constricted by impervious surfaces or heavy canopy coverage.

(iii) Potential canopy size assumes a typical coverage for that species at maturity.

(iv) List of Canopy trees are from the City's approved trees for streets and parks. Other trees may be selected by the applicant and are subject to approval by the City enforcement officer.

Sec. 5-418. Specimen tree recompense.

(a) In addition to the above requirements, projects which require a building, demolition or land disturbance permit that removes, or causes disturbance to specimen trees outside of the construction zone shall be required to provide a recompense payment to the City's Tree Bank Fund. For each specimen tree removed, or subject to disturbance of the CRZ of 20% or greater, the recompense payment shall be as follows:

(1) Specimen trees (other than pine): \$100, plus \$60 per caliper inch.

(2) Specimen pines: \$100, plus \$30 per caliper inch.

(b) When a specimen tree is removed pursuant to Section 5-416(a), without paying specimen recompense pursuant to this Section, no permit for building, demolition or land disturbance on the lot from which such specimen was removed will be granted until either:

- (1) One year after such removal, or
- (2) the amount of recompense that would have been required to remove such specimen tree is paid to the City Tree Bank Fund.

Sec. 5-419. Verge tree impacts.

For projects requiring the disturbance of more than 20% of the CRZ of verge trees, the applicant must provide the following:

- (a) Notice to the City indicating the need for the disturbance based on permitted construction. Only if the impacted tree cannot be treated by a certified arborist's prescription will the City allow removal of impacted verge trees by the applicant.
- (b) For any proposed prescription, the length shall be for one year. A copy of the prescription shall be submitted to the City with construction plans.

Sec. 5-420. Exemptions.

When an arborist report is provided to the City certifying that certain trees meet the criteria listed in this Section, a permit will issue and such tree(s) may be removed without counting against the limit of three healthy tree removals per year and without a permit fee being required;

- (a) Trees (other than genus pinus-pine tree) having a trunk diameter (DBH) of eight (8) inches or less. In the case of a multi-trunk tree trunk diameter shall be determined by measuring the largest trunk diameter (DBH);
- (b) Pine Trees (genus pinus) having a trunk diameter (DBH) of twelve (12) inches or less;
- (c) Dead trees;
- (d) Diseased, severely damaged or otherwise declining trees;

- (e) Trees considered non-native invasive species as defined by the State of Georgia Exotic Pest Plan Council; or
- (f) Trees, not otherwise exempt, that constitute an immediate hazard or create an emergency situation, being an imminent threat to the safety of persons or property.