

STATE OF GEORGIA)

COUNTY OF CHATHAM)

AN ORDINANCE TO AMEND CHAPTER 42. ENVIRONMENT, ARTICLE VI. TREE PROTECTION, SECTION 42-204. LANDSCAPE PLAN OF THE CODE OF ORDINANCES FOR THE CITY OF POOLER, GEORGIA; TO REPEAL CONFLICTING ORDINANCES; TO SET AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCILMEMBERS OF THE CITY OF POOLER, GEORGIA, do hereby ordain as follows:

I.

That the Code of Ordinances of the City of Pooler be amended by deleting Section 42-204 (6), in its entirety and substituting in lieu thereof the following:

(6) Location, size and types of trees, shrubs and groundcover to be planted on the site. Developers are encouraged to incorporate: natural earth forms, native vegetation, dumpster and parking area screening and hidden light sources.

II.

That the Code of Ordinances of the City of Pooler be amended by adding to Section 42-204 the following:

(7) All trees and landscaped areas shall be provided with a means for delivery of water in a quantity that is sufficient to establish and maintain the viability of the plants.

(8) In-ground irrigation systems installed which supply water to all newly planted trees and plant material shall result in a 20-percent reduction of the landscape establishment bond.

(9) A water supply is not required for areas of established trees and other vegetation that are retained for green space, provided that site grading or development activities will not result in damage to said areas.

III.

That the Code of Ordinances of the City of Pooler be amended by adding Section 42-204.1

Section 42.204.1 Requirements for certificate of occupancy, maintenance and perpetual compliance.

(1) Final Inspection. The Park and Tree Superintendent shall make a final inspection of trees and landscaping for completeness prior to issuance of the certificate of occupancy.

(2) Two-year tree and landscape establishment bond

(a) A two-year tree and landscape establishment bond shall be posted with the Public Works Department after the Park and Tree Superintendent approves the trees and landscaping at the final inspection and prior to issuance of the Certificate of Occupancy. At the end of 12 months, an inspection will be scheduled for continued compliance.

(b) Two years after the date of the bond, the Park and Tree Superintendent will inspect the site and make a determination of whether the required trees and landscaping are viable, in which case the bond will be released. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the city shall use the bond to the extent necessary to bring the property into compliance with the provisions of this ordinance.

(3) Perpetual compliance. All sites are required to remain in compliance with the approved landscape plan and are subject to inspection by the city for this purpose. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the city will seek administrative or judicial relief, as appropriate.

IV.

All ordinance and parts of ordinances in conflict herewith are expressly repealed.

V.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

VI.

This ordinance shall be effective upon its approval by the Mayor and Councilmembers of the City of Pooler.

ADOPTED this 17th day of December, 2012.

Michael F. Lamb
Mayor

Attest:

Martha Lamb
CLERK OF COUNCIL