

ORDINANCE READOPTING AND SUPPLEMENTING PRIOR ORDINANCES
GOVERNING THE DISPOSAL OF TREES AND LEAVINGS FROM TREES

WHEREAS, that certain ordinance of the City of Aberdeen dated September 15, 1959 and found in City Minute Book 3 at page 229 declares it to be the public policy of the City of Aberdeen to refrain from collecting dead or fallen trees on private property unless arrangements are made therefor with the proper city official for a special charge based on the labor and equipment required to handle such dead or fallen trees, which official shall consider whether the labor and equipment available to the City is sufficient to perform the requested task and if so, the proper charge to be made therefore; and

WHEREAS, that certain City Ordinance dated November 6, 1984, and found in Ordinance Book 4 at page 1 further declares it to be the duty and responsibility of all customers and establishments in the City to see that tree trimming contractors, tree surgeons, landscapers and the like remove all of the rubbish, trimmings, and trash resulting from their operations on premises in Aberdeen immediately following their operations so as to leave the same free and clear of all rubbish, trimmings and debris; and

WHEREAS, it appears to the Mayor and Board that the aforesaid ordinances provide for a fine of \$25.00 for the violation of any of the provisions thereof, and are silent as to any means of enforcing the removal of trees and leavings therefrom by private resources; and

WHEREAS, it further appears that the City is still lacking in sufficient equipment and manpower and funds to enable the City to pick up, remove and dispose of said trees and leavings therefrom which are left on premises or deposited by private owners and by those employed by such private owners or those who have purchased trees from such private owners;

NOW THEREFORE, be it hereby Ordered by the Mayor and Board of Aldermen of the City of Aberdeen, Mississippi:

Section 1. The hereinabove Ordinances and provisions thereof are hereby readopted ratified and affirmed;

Section 2. Any person or other entity who shall contract with any owner or lessee of privately owned property within the limits of the City of Aberdeen for the removal or the cutting and removal of any tree or cutting or branches from any tree shall make application at the office of the City Clerk for, and shall obtain, a permit for such activity from the City of Aberdeen. There shall be no charge for such application or for the granting of a permit thereunder, but the same shall state the name and address of the applicant, the name of the property owner or lessee with whom the applicant is contracting and the time limits within which the contract shall be performed.

Section 3. There is hereby levied against any such owner and contractor who shall cut any tree or trees and fail to remove to outside of the limits of the City the said tree or trees and all cuttings and leavings therefrom a charge of \$75.00 for each load of such refuse that must thereafter be removed by the Street Department of the City, which charge shall be the joint and several obligation of such property owner and contractor.

Section 4. This ordinance shall take effect and be enforced from and after its passage in the manner and as provided by the law.

The foregoing Ordinance having been first reduced to writing was read and considered by Sections, each of said Sections being adopted by the following vote, to-wit;

Alderman voting "Yea": Wilchie Clay, Cloyd Garth, Willie Cook, Dee Riley, Kelly Tucker. Alderman voting "Nay": None. Alderman absent and not voting: NONE

SO ORDAINED By the Mayor and Board of Aldermen of the City of Aberdeen Mississippi, this the 16th day of July, 1996.

W.M. Tisdale
Mayor

ATTEST:

Susan Honeycutt
City Clerk

