

CITY OF ST. GEORGE

BY COUNCIL MEMBER MONACHELLO:

ORDINANCE NO. 2025-017

TO ENACT TITLE 12, CHAPTER 6 RELATIVE TO REMOVAL OF DEAD OR DISEASED TREES AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, R.S. 33:5062 authorizes municipalities to “enact ordinances requiring property to be maintained in a safe and sanitary condition, including ordinances for the cutting, destruction, or removal of noxious weeds or grass or other deleterious unhealthful, or noxious growths on any sidewalk or banquette and on any lot, place, or area within the municipality”;

WHEREAS, the St. George City Council recognizes well-maintained and properly placed shrubs, vegetation and trees are beneficial to the community and improperly placed shrubs, vegetation or trees and dead, diseased, dying or decaying shrubs, vegetation and trees can be hazardous to life or property;

WHEREAS, to protect the public health, safety and welfare of its residents and to protect property within St. George, it is necessary to provide for procedures regarding maintenance and removal of shrubs, vegetation and trees which pose a threat to the public health, safety and welfare or to property; and

WHEREAS, when property owners fail to maintain or remove shrubs, vegetation or trees which pose a threat to the public health, safety or welfare or to property it may be necessary for the City to maintain or remove shrubs, vegetation or trees to protect the public health, safety and welfare or property.

NOW, THEREFORE, BE IT ORDAINED by the St. George City Council, State of Louisiana, as follows:

Section 1. Enactment

**TITLE 12. NUISANCES
CHAPTER 6. MAINTENANCE AND REMOVAL OF HAZARDOUS
SHRUBS, VEGETATION AND TREES**

Sec. 12:601. Definitions.

The following terms when used in this Chapter shall have the following meanings unless the context clearly indicates a different meaning:

Dead means determined by the Building Official to no longer be living or able to be restored.

Diseased, dying or decaying means determined by the Building Official to have been injured by accident, insects, fire, chemicals, or other cause that could threaten the health of a shrub, vegetation

or tree to a degree that the shrub, vegetation or tree or portions of thereof present a danger to life or property.

Tree means any woody plant with a single trunk or stem and root system.

Sec. 12:603. Maintenance of shrubs, vegetation and trees.

- (a) The owner of any property on which any shrub, vegetation or tree is planted which overhangs any street, right-of-way or property not owned by such owner shall prune the branches in a manner to prevent obstructing light from any streetlight, interfering with any utility, obstructing the view of any intersection, traffic control device or sign and to prevent damage to any public property and sidewalk.
- (b) The owners of any property on which any shrub, vegetation or tree is planted shall remove all dead, diseased or dangerous shrubs, vegetation, trees, and any broken or decayed limbs which fall on public property, sidewalk or private property of another or present a potential hazard to life or property.
- (c) The owners of any property on which any shrub, vegetation or tree is planted shall properly dispose of any removed, broken or decayed limbs and of any limbs which fall on public property, sidewalk or private property of another or present a potential hazard to life or property.

Sec. 12:605. Removal of hazardous shrubs, vegetation, or trees.

- (a) The City shall be authorized to prune any shrub, vegetation, or tree on public or private property determined by the Building Official to be obstructing the light from any streetlight, interfering with any utility or obstructing the view of any intersection, traffic control device or sign or causing damage to any public property or sidewalk.
- (b) The City shall be authorized to remove any dead or diseased shrub, vegetation, or tree on public or private property or any sidewalk determined by the Building Official to be obstructing light from any streetlight, interfering with any utility or obstructing the view of any street intersection, traffic control device or sign or causing damage to any public property or sidewalk.
- (c) The City shall be authorized to remove any shrub, vegetation or tree on public or private property or any sidewalk which constitutes an imminent hazard to life or property, or harbors insects or disease posing a potential threat to other shrubs, vegetation or trees within St. George.
- (d) The City shall notify the owners of the property on which any shrub, vegetation or tree requiring pruning or removal is planted by sending written notice to all owners at their mailing address on the last property tax assessment and the occupant of the property, if any, at the property address or by placing a notice at the property.
- (e) If the property owner fails to remove the shrub, vegetation, or tree within 10 calendar days of receipt of notice or sooner date in the notice, if the shrub, vegetation, or tree poses an

imminent danger to life or property, the City shall be authorized to prune or remove any shrub, vegetation or tree.

- (f) Notice to the property owner and occupant shall not be required when immediate pruning or removal of the shrub, vegetation or tree is necessary to protect life or property.

Sec. 12:607. Assessment of costs of pruning, removal and disposal to property owners.

- (a) After pruning or removal of any shrub, vegetation, or tree, the City Clerk shall send the property owner an accounting of all costs incurred for the pruning or removal and disposal of any shrub, vegetation or tree.
- (b) The City shall assess interest on all unpaid costs at the legal interest rate set forth in R.S. 13:4202. If the costs remain unpaid after 45 days, the amount of the unpaid costs and interest shall be submitted to the assessor to be included on the tax roll as an assessment against the property.

Sec. 12:609. Penalty.

- (a) Noncompliance with this Chapter may be enforced pursuant to the administrative procedures set forth in Title 4 of the Code of Ordinances. Noncompliance with any provision of this Chapter shall be subject to a fine of up to \$500 per occurrence. Each day of noncompliance shall constitute a separate occurrence.
- (b) Assessment of a fine pursuant to this Chapter shall be in addition to any costs and fees assessed pursuant to this Chapter. Nothing in this Chapter shall limit the City's authority to seek any relief afforded by law in a court of competent jurisdiction including for recovery of damage to public property or sidewalk.

Section 2. Conflicts. This ordinance shall supersede any ordinance or parts of ordinances in conflict with this Ordinance.

Section 3. Severability. If any section, subsection, sentence, clause, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 4. Effective Date. This Ordinance affecting the public health, safety and welfare shall be effective upon approval of the mayor or upon expiration of the delay for this Ordinance to be vetoed, if not vetoed.

This Ordinance having been submitted to a vote on April 22, 2025, the vote thereon was as follows: Ayes: Cook, Edmonds, Himmel, Monachello; Nays: None; Absent: Heck

Introduced to the City Council on April 8, 2025.


Lorraine Beaman, City Clerk

Delivered to Mayor on April 25, 2025.

Lorraine Beaman
Lorraine Beaman, City Clerk

Approved:

Dustin Yates
Dustin Yates, Mayor

Received from Mayor on April 28, 2025.

Lorraine Beaman
Lorraine Beaman, City Clerk

Ordinance published in The Advocate on the 1st day of May, 2025.