

## ORDINANCE NO. 1223

### AN ORDINANCE TO PROVIDE FOR THE PUBLIC HEALTH, SAFETY, WELFARE AND AESTHETIC BEAUTY OF THE CITY OF FAIRHOPE, ALABAMA BY AMENDING ORDINANCE NO. 1193

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
FAIRHOPE, ALABAMA, as follows:**

#### **TREE ORDINANCE**

**Amend 15. Steps for Approval:**

Add under section b.

9. Locations, species, and sizes of all trees, shrubs, and other landscape vegetation on public rights-of-ways adjacent to the development.

**Amend V Tree Protection Requirements to the following:**

**V. Tree Protection Requirements:**

**Applicability:** The following requirements apply to all properties inside the Central Business District regardless of use. Outside the Central Business District, these requirements apply to all properties, regardless of use, except those listed below:

- Properties zoned R-A RESIDENTIAL – AGRICULTURAL.
- Single-family residences in property zoned for single-family use.

**Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**X. Effective Date:** This Ordinance shall be in full force and effect upon its adoption and publication as provided by law.

ADOPTED THIS 9th DAY OF August, 2004

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Timothy M. Kant, Mayor

Attest:

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Geniece W. Johnson, City Clerk/Treasurer