

Chapter 65: TREE PROTECTION

65.1 SCOPE

This Chapter shall apply to the cutting or removal of trees and to those who provide such services for compensation. **(Adopted 2-8-11, Effective 4-1-11)**

65.2 DEFINITIONS

Excessive Removal of Trees: The removal, by any means, of all or substantially all the trees and/or woody shrubs from one acre or 25 percent of the acreage of a lot or tract of land, whichever is greater.

Tree Services: The removal of portions or the entirety of trees or other woody vegetation by any means, including, without limitation, cutting, trimming, topping, pruning, grading, and the application of chemicals.

Tree Services Provider: Any person or entity who provides tree services for compensation.

65.3 PROHIBITIONS

It shall be unlawful for any person or other entity to provide tree services within the Town of Lake Lure unless such services comply with applicable regulations contained in this Code of Ordinances. The excessive removal of trees, as defined herein, is likewise prohibited, except when done pursuant to a forest management plan prepared or approved by a forester registered in accordance with N.C.G.S. Chapter 89B. A copy of such forest management plan shall be filed with the Tree Protection Officer prior to the removal of trees.

65.4 LICENSURE REQUIRED FOR TREE SERVICES PROVIDERS

No person or entity may be a tree services provider within the Town of Lake Lure without first obtaining a license to do so in accordance with this Section.

65.4.1 APPLICATION

Any person or entity desiring to be a tree services provider in the Town of Lake Lure shall make application for a license to do so upon forms provided by the Town and shall pay a license fee which shall be set by resolution of Town Council. Such person or entity shall be required to demonstrate knowledge of good tree management principles, particularly those contained in the Town's Tree Management Handbook, and with Town regulations concerning trees and landscaping.

65.4.2 SUSPENSION OR REVOCATION

The failure of a tree services provider to abide by Town regulations concerning trees and landscaping or to follow the guidance of the Tree Management Handbook shall, in addition to any other penalties provided by this Code, be grounds for the suspension or revocation of the license for such tree services provider.

65.4.3 EXCEPTION

The licensure required in this Section shall not apply to a forester registered by the State of North Carolina pursuant to N.C.G.S. Chapter 89B.