

Chapter 5

CHRISTMAS TREE SALES

3-5-1: LICENSE REQUIRED:

It shall be unlawful for any person to engage in the business of selling fir or evergreen trees or trees commonly called "Christmas trees", in the city without first obtaining a license therefor. If a presently licensed business sells Christmas trees, a second license shall be obtained under the provisions of this chapter. (1995 Code § 14-6-1)

3-5-2: WRITTEN CONSENT TO CUT TREES REQUIRED:

It shall be unlawful for any person to sell at any time or to offer for sale in the city any fir, evergreen or Christmas tree cut or procured from or within the public domain of the United States, or of the state, or from any private lands within or without the state, without written authority having been first obtained from the United States, state, or from the owner of such private lands, as the case may be, to cut and remove such trees. (1995 Code § 14-6-2)

3-5-3: APPLICATION FOR LICENSE:

Any person desiring a license to sell and dispose of such trees within the city shall make application therefor at the city. The provisions set forth in chapter 1 of this title shall be controlling as to all matters relating to the requirements for application and issuance of a license, exemptions, prorations, renewals, etc. Such application shall also specifically state and set forth the source of title to the trees to be sold and whether said trees, or any of them, were cut or procured within any public domain of the United States, or of the state, or from any private lands, either within or without the state. Applicants shall be required in connection with such application to furnish the city with evidence of ownership of such trees and/or authority to cut and procure the same from the public domain or from private lands. (1995 Code § 14-6-4)

3-5-4: ISSUANCE OF LICENSE; FEE FOR LICENSE; LICENSE TERM:

Upon satisfactory showing made by the applicant that he has a bona fide title to said trees and that the same were not obtained illegally or in violation of any laws of the United States, or of the state, or any law, rule, or regulation of the state or county from which such trees have been obtained, and that applicant has authority to cut and procure the same from either the public domain or from private land, the city shall grant to such applicant a license

upon the payment of a fee of twenty five dollars (\$25.00). Such license shall be valid for a period of sixty (60) days from November of each year. (1995 Code § 14-6-6)

3-5-5: CLEANUP DEPOSIT:

At the discretion of the city council, a cleanup deposit of fifty dollars (\$50.00) shall be required of the licensee to assure the removal of unsold trees and related debris remaining on the premises at the conclusion of the license period. Said deposit shall be refunded to the licensee, provided the premises are left clean and free of said unsold trees and related debris as determined by inspection. (1995 Code § 14-6-6)

3-5-6: POSSESSING OR SELLING UNTAGGED TREES UNLAWFUL:

It shall be unlawful for any person to have in his possession for sale, or to sell or offer for sale in the city, trees from the sources described in section 3-5-2 of this chapter, unless the same shall have been officially tagged with a tag furnished or approved either by the United States forest service or the department of forestry of the state. (1995 Code § 14-6-3)

3-5-7: PENALTY:

Violation of the provisions of this chapter is a class B misdemeanor and, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. (1995 Code § 14-6-7; amd. 2003 Code)