

## 8.30.090 Penalties

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### 8.30.090 – Penalties

- A. Any violation of this Chapter shall be punishable by a fine of not more than \$500.00 for each violation.
- B. Unauthorized removal of trees: If a tree is removed prior to approval of a Tree Preservation Plan or other approval, and the City Administrator or his designee determines the removed tree was of a species or condition that would have justified approval of a Tree Preservation Plan or other approval to remove it if application had been made, the penalties hereof shall not apply.
- C. Replacement Trees. In addition to any fine that may be assessed, each tree of six inches or more DBH which is removed in violation of this Chapter shall be replaced with trees of at least a three inch (3”) caliper selected from the list of Approved Trees according to the following schedule. The diameter of removed trees shall be determined by the average stump diameter where cut at six inches (6”) from surrounding ground level.

<b>Existing Tree’s Stump Diameter</b>	<b>Number of replacement trees</b>
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36 inches or more	One for each inch of stump diameter
More than 30 but less than 36 inches	11
More than 24 but less than 30 inches	9
More than 18 but less than 24 inches	7
More than 12 but less than 18 inches	5
At least 6 but less than 12 inches	3

- D. Location of replacement trees. The location of replacement trees shall be as determined by the City Administrator or his designee. If it is determined that an insufficient onsite area exists to support some or all of the replacement trees, then prior to issuance of any building permit, site development permit or approval of a plat of subdivision or planned unit development the property owner shall pay the cost of the replacement trees that cannot be accommodated onsite to the City. The funds collected from such payments shall be used for the sole purpose of planting trees at other locations determined by the City.
- E. Suspension of Permits: The City may suspend any and all building permits issued by the City and issue stop work orders with respect to any parcel of land where it has been determined that the provisions of this ordinance are not being complied with.

(2014-M-27 : § 1; 2001-M-73 : § 1)