

## 21.72.100-110 Enforcement

- A. **Application.** This section shall apply in addition to the provisions of RMC Chapter 1.14, *Enforcement and Penalties*.
- B. **Remediation.** Any person who removes a tree in violation of the conditions of a tree removal permit or in violation of this chapter shall be subject to penalties pursuant to this section and the provisions of Chapter 1.14 RMC, Enforcement and Penalties; remedial measures, such as tree replacement requirements and fines. For the purpose of code enforcement, if a tree has been removed and only the stump remains, the size of the tree removed shall be the diameter of the top of the stump. The following provisions shall apply in instances where such remedial measures are required:
1. The applicant shall satisfy the permit provisions as specified in RZC 21.72.020060, ~~Permits~~Permitting Approach-Required and may be subject to Delinquent Permit Fees consistent with the provisions of RMC 1.14.060.E.
  2. Remedial measures must conform to the purposes and intent of this subsection. In addition, remedial measures must meet the standards specified in RZC 21.72.080040, Tree Replacement, except that the number of replacement trees for significant trees damaged, destroyed, or removed shall be as follows:

Table 21.72.100A110A Replacement Tree Requirements	
Size of Removed Tree	Number of Replacement Trees Required
6 inches	2
Greater than 6 inches to 9-ten inches	36
Greater than 9ten inches to 12-20 inches	48
Greater than 12-20 inches to 16-30 inches	510
Greater than 16-30 inches	612

Replacement trees shall be replanted with trees as follows:

Table 21.72.100A110B Replacement Tree Size	
Type	Size
Deciduous	3 inches in diameter at breast height (d.b.h.) 2-1/2 inch caliper
Evergreen	12-6 feet in height

3. Remedial measures must be completed within the time frame specified by the Administrator.
4. The cost of any remedial measures necessary to correct violation(s) of this chapter shall be borne by the property owner and/or applicant any other person(s) who violates these provisions. Upon the applicant's failure to implement required remedial measures, the Administrator may redeem all or any portion of any security submitted by the applicant to implement such remedial measures, pursuant to the provisions of RZC 21.76.090.F, Performance Assurance.

- C. **Penalties.** The Administrator ~~may~~ shall establish a tree value ~~impose a penalty of up to \$3,000 per tree for each removal of or damage to significant and landmark trees removed or damaged~~ in violation of this chapter. This amount shall be based upon appraised tree value per industry standard trunk formula method in the current edition of "Guide for Plant Appraisal" published by the International Society of Arboriculture, or its successor entity, that is current at the time of the violation. The City shall take the average of three separate signed appraised values submitted by arborists on the applicant's behalf. The penalty amount shall be doubled (or tripled) for tree removal contractors working on behalf of a property owner and may include but not be limited to tree removal and grinding contractors and arborists. Violations of this chapter shall be enforced through RMC 1.14, *Enforcement and Penalties*.

## **21.72.110-120 Maintenance**

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- A. All required replacement trees and relocated trees shown on an approved permit shall be maintained in healthy condition by the property owner throughout the life-required bonding period of the project, unless otherwise approved by the Administrator in a subsequent permit. Applicants proposing tree removal and replacement shall post the required bonds per RZC 21.76.090.F.4.
- B. **Cutting and Pruning.**
1. Protected trees shall not be topped. Topping of trees shall be considered tree removal and shall be subject to remediation. This does not include pruning fruit trees to encourage the production of fruit.
  2. Street trees maintained by the City as part of the Street Tree Program shall be cut or pruned only under the supervision of the City ~~of Redmond Parks Department~~. Tree removal permits are required for street trees. All other street trees are governed under Section 21.32.090, Street Trees and RMC Chapter 6.12, Noxious Weed Control and Tree Regulations.
  3. Pruning and maintenance of protected trees shall be consistent with best management practices in the field of arboriculture and further the long-term health of the tree.
  4. Excessive pruning shall not be allowed ~~unless necessary to protect life and property as it often results in new growth that has a weaker connection and is more likely to fail in the future.~~ Excessive pruning resulting in tree die-off shall be considered tree removal and shall be subject to remediation as described in this section.