

TITLE 6 ENVIRONMENTAL CONTROL AND CONSERVATION
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ARTICLE 1. GENERAL PROVISIONS.

§ 6-3-1 DEFINITIONS.

In this chapter:

- (1) BOARD means the Urban Forestry Board.
- (2) CURBLINE means the boundary of a street or alley used for vehicular traffic.
- (3) DAMAGE means injury to a tree including: uprooting; severance of the root system or main trunk; storage of material or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; pruning or removal of more than 25 percent of the living tissue; or surrounding with impervious paving materials.
- (4) OWNER means the record owner of real property or the occupant or a person with the right to exercise control over the property.
- (5) PLAN means the Comprehensive Urban Forest Plan.
- (6) PUBLIC PROPERTY means real property owned or controlled by the city with unrestricted public access, excluding a utility or drainage easement on private property.
- (7) PUBLIC TREE means a tree with at least two-thirds of its trunk diameter on public property.
- (8) TREE means a self-supporting woody perennial plant, excluding a bush or shrub, with a trunk diameter measured at four and one-half feet above grade of:
 - (a) not less than three inches; or
 - (b) not less than two inches if planted by or on behalf of the city.
- (9) TREE VALUE means the appraised value of a tree based on the latest edition of the Guide for Plant Appraisal by the Council of Tree and Landscape Appraisers.
- (10) URBAN FORESTER means a city employee qualified as a forester.

Source: 1992 Code Sections 10-6-4, 15-10-3, and 16-7-1 ; Ord. 031023-10; Ord. 031211-11.

§ 6-3-2 URBAN FORESTER.

The city manager shall designate an urban forester.

Source: 1992 Code Section 15-10-4; Ord. 031023-10; Ord. 031211-11.

§ 6-3-3 ADMINISTRATION AND ENFORCEMENT.

Except as otherwise specified, the urban forester shall administer and enforce this chapter.

Source: 1992 Code Sections 10-6-3 and 15-10-4(E) and (H); Ord. 031023-10; Ord. 031211-11.

§ 6-3-4 DUTIES OF URBAN FORESTER.

The urban forester shall:

- (1) manage the city's urban forest;
- (2) administer the plan;
- (3) supervise and coordinate with responsible city departments to plant, maintain, or remove trees on public property;
- (4) grant or deny administrative approval to maintain or remove a public tree, and establish conditions of performance;
- (5) supervise and inspect work performed under an administrative approval granted under this article; and
- (6) remove a tree or plant planted in violation of this chapter.

Source: 1992 Code Sections 15-10-4(A), (B), (F), and (G), and 15-10-5(C); Ord. 031023-10; Ord. 031211-11.

§ 6-3-5 COMPREHENSIVE URBAN FOREST PLAN.

- (A) With the assistance of the urban forester, the board shall develop and revise the plan.
- (B) The Environmental Board and Parks and Recreation Board shall review the plan and make recommendations to the board.
- (C) The urban forester shall provide administrative staff services to the board in connection with the plan.

Source: 1992 Code Sections 15-10-4(A) and (C); Ord. 031023-10; Ord. 031211-11.

§ 6-3-6 STANDARDS OF CARE FOR A TREE OR PLANT ON PUBLIC PROPERTY.

- (A) The urban forester shall develop a standard of care for trees or plants on public property. Standards developed under this section shall be based on the current edition of the National Arborists Association's Standards for Tree Care or other nationally recognized standard.

- (B) Before a standard is adopted by the board, the board shall review the standard at a public hearing.
- (C) The urban forester shall make a copy of the standards and related rules available to the public.

Source: 1992 Code Section 15-10-4(D); Ord. 031023-10; Ord. 031211-11.

§ 6-3-7 INTERFERENCE WITH URBAN FORESTER.

A person may not hinder or obstruct the urban forester in the performance of the urban forester's official duties.

Source: 1992 Code Section 15-10-11; Ord. 031023-10; Ord. 031211-11.

§ 6-3-8 PENALTY.

A person who violates this article commits a Class C misdemeanor and is subject to the penalty prescribed by Section 1-1-99 (*Offenses; General Penalty*) not to exceed \$100 for each offense. Each occurrence of a violation of this article is a separate offense.

Source: 1992 Code Section 15-10-99(B) and (C); Ord. 031023-10; Ord. 031211-11.

ARTICLE 2. RESTRICTIONS ON TREE OR PLANT MAINTENANCE.

§ 6-3-21 PLANTING RESTRICTED AT STREET CORNER.

- (A) This section only applies to property located at a street corner intersection within a ten-foot setback from the curblin and 40 feet along the curblin from the intersection.
- (B) A person may not place, maintain, or permit a plant:
 - (1) more than two feet taller than the level of the ground surrounding the plant; or
 - (2) on property more than one foot above the level of an adjacent street.

Source: 1992 Code Section 16-7-40 ; Ord. 031023-10; Ord. 031211-11.

§ 6-3-22 PLANTING RESTRICTED BY FIRE HYDRANT.

A person may not place, maintain, or permit a tree or plant within five feet of a fire hydrant.

Source: 1992 Code Section 16-7-42 ; Ord. 031023-10; Ord. 031211-11.

§ 6-3-23 PLANTING RESTRICTED BY SIDEWALKS.

- (A) A person may not place, maintain, or permit a tree or plant to overgrow or obstruct a sidewalk to prevent public use of the area.
- (B) A person shall trim tree limbs growing over a sidewalk at a minimum clearance of 14 feet above the street level measured at the nearest curblin.

Source: 1992 Code Sections 16-7-41 and 16-7-43; Ord. 031023-10; Ord. 031211-11.

§ 6-3-24 STANDARD OF MAINTENANCE.

A person shall maintain a tree or plant under this article to be compatible with the aesthetic character of the public right-of-way.

Source: 1992 Code Section 16-7-44 ; Ord. 031023-10; Ord. 031211-11.

§ 6-3-25 NOTICE OF OBSTRUCTION OF PUBLIC RIGHT-OF-WAY.

- (A) The urban forester may issue written notice of obstruction of public right-of-way by a tree or plant to an owner. Notice under this section must include:
 - (1) a description of the corrective action required; and
 - (2) a statement that the corrective action must be complete not later than the 10th day after receipt of the notice.
- (B) An owner shall remove an obstruction to the public right-of-way not later than the 10th day after receipt of a notice of obstruction.

Source: 1992 Code Section 15-10-6(A); Ord. 031023-10; Ord. 031211-11.

§ 6-3-26 AUTHORITY TO MAINTAIN PUBLIC RIGHT-OF-WAY.

- (A) If an owner fails to comply with a notice issued under Section 6-3-25 (*Notice of Obstruction of Public Right-of-Way*), the urban forester may trim or remove a tree or plant over a street or an adjacent sidewalk or public easement to:
 - (1) provide a minimum clearance of 14 feet above the street level;
 - (2) provide an unobstructed view for traffic; or
 - (3) remove overgrowth or obstructions to public use.
- (B) The city manager may determine when a tree or plant requires trimming or removal under this section.

Source: 1992 Code Sections 15-10-6(A) and (C), 16-7-41, and 16-7-45; Ord. 031023-10; Ord. 031211-11.

ARTICLE 3. NUISANCE TREE OR PLANT.

§ 6-3-41 DISEASED TREE OR PLANT.

A tree or plant infected by a lethal disease communicable to another tree or plant is a public nuisance. A tree under this section includes firewood.

Source: 1992 Code Section 10-6-1; Ord. 031023-10; Ord. 031211-11.

§ 6-3-42 OWNER'S DUTY TO ABATE NUISANCE.

A person may not knowingly permit or maintain a tree or plant that is a public nuisance on land owned by or under the supervision or control of the person. A person must remove a diseased tree or plant, or abate the nuisance created by the tree or plant on property owned by or under the person's supervision or control as required by the urban forester.

Source: Section 10-6-2; Ord. 031023-10; Ord. 031211-11.

§ 6-3-43 INSPECTION BY URBAN FORESTER.

The urban forester may inspect private property to determine if a tree or plant located on the property is a nuisance.

Source: 1992 Code Section 10-6-3; Ord. 031023-10; Ord. 031211-11.

§ 6-3-44 RIGHT OF ENTRY AND REMOVAL.

Except as provided in Section [6-3-45](#) (*Owner's Consent to Entry*), the urban forester may:

- (1) enter property during regular business hours to inspect a tree or plant; and
- (2) remove a specimen to analyze for the existence of infection.

Source: 1992 Code Section 10-6-3; Ord. 031023-10; Ord. 031211-11.

§ 6-3-45 OWNER'S CONSENT TO ENTRY.

- (A) Except as provided in Subsection (C), the urban forester may not enter property without the permission of the owner.
- (B) Before entering private property to conduct an inspection, the urban forester must:
 - (1) locate the owner of property that is occupied or make a reasonable effort to locate the owner of unoccupied property;
 - (2) inform the owner that the urban forester has a right of entry; and
 - (3) request permission to enter the property.
- (C) If the owner of private property refuses to permit inspection by the urban forester, the city may exercise any available legal remedy to secure entry.

Source: 1992 Code Section 10-6-3; Ord. 031023-10; Ord. 031211-11.

§ 6-3-46 NOTICE OF ABATEMENT.

- (A) Subject to the provisions of Section [6-3-48](#) (*Review of Recommendation to Remove Protected Tree*), the urban forester shall send written notice of abatement to the owner of property containing a nuisance tree or plant. Notice under this section must include:
 - (1) a statement identifying the nuisance tree or plant;
 - (2) a description of the required corrective action to abate the nuisance;
 - (3) a statement that the owner must abate the nuisance not later than the 10th business day after the date of the notice; and
 - (4) a statement that any cost incurred by the city to abate the nuisance will be assessed against the owner as a lien against the property.
- (B) Except as provided in Subsection (C), the urban forester must serve notice of abatement by registered mail or personal delivery.
- (C) If the urban forester cannot locate the owner of property containing a nuisance tree or plant, the urban forester may post notice under this section on the nuisance tree or plant.

Source: 1992 Code Sections 10-6-4, 10-6-6, and 10-6-7; Ord. 031023-10; Ord. 031211-11.

§ 6-3-47 APPEAL OF NOTICE OF ABATEMENT.

- (A) The owner of property containing a nuisance tree or plant may appeal a notice of abatement to the board in writing delivered to the urban forester within the time allowed to complete abatement of the nuisance.
- (B) If an owner requests an appeal of a notice of abatement within the time allowed to complete abatement of the nuisance, the urban forester shall schedule a meeting of the board to consider the appeal.

- (C) An appeal under this section shall stay the urban forester's decision and notice of abatement.
- (D) The board may overrule, sustain, or modify the urban forester's decision. If the board determines that a tree or plant constitutes a nuisance, the board shall determine the date by which the action necessary to abate the nuisance must be completed.

Source: 1992 Code Section 10-6-5; Ord. 031023-10; Ord. 031211-11.

§ 6-3-48 REVIEW OF RECOMMENDATION TO REMOVE PROTECTED TREE.

- (A) Not later than the 10th business day before delivery of owner notification under Section [6-3-46](#) (*Notice of Abatement*), the urban forester shall submit to the city arborist a written request for review of removal of a protected tree under the jurisdiction of [Subchapter B, Article 1](#) (*Tree and Natural Area Protection*) of Chapter [25-8](#) (*Environment*) of the Code.
- (B) The city arborist shall respond to the urban forester with written comments not later than the 10th day after the date the request for review was submitted.

Source: 1992 Code Section 10-6-8; Ord. 031023-10; Ord. 031211-11.

§ 6-3-49 PUBLIC RIGHT TO ABATE NUISANCE.

- (A) If an owner fails to abate a nuisance by the date specified by the urban forester or board, the urban forester may take corrective action to abate the nuisance.
- (B) The City shall assess costs incurred under this section against the owner and as a lien against the property.

Source: 1992 Code Section 10-6-6; Ord. 031023-10; Ord. 031211-11.

§ 6-3-50 NOTICE OF COST OF PUBLIC ABATEMENT.

If the city has incurred an expense under Section [6-3-49](#) (*Public Right to Abate Nuisance*), the urban forester shall deliver a statement of expense to an owner by certified mail or personal delivery.

Source: 1992 Code Section 10-6-6; Ord. 031023-10; Ord. 031211-11.

§ 6-3-51 OWNER'S DUTY TO REIMBURSE COST OF PUBLIC ABATEMENT.

- (A) The owner shall reimburse the City for the cost of abatement of a nuisance under this article.
- (B) Not later than the 30th day after the date a statement of expense is mailed under Section [6-3-50](#) (*Notice of Cost of Public Abatement*), an owner must:
 - (1) pay the full amount of the statement to the Parks and Recreation Department; or
 - (2) execute a written agreement with the Parks and Recreation Department to pay the full amount of the statement of expense not later than the expiration of six months after the date the statement was mailed.

Source: 1992 Code Section 10-6-6; Ord. 031023-10; Ord. 031211-11.

§ 6-3-52 NOTICE OF LIEN.

- (A) If the City has incurred an expense under Section [6-3-49](#) (*Public Right to Abate Nuisance*), the urban forester shall file a certified notice of lien with the county clerk in the county in which the property containing a nuisance tree or plant is located. A notice of lien under this section must include:
 - (1) a description of the property;
 - (2) a statement of expenses incurred by the City;
 - (3) a description of the work performed by the City; and
 - (4) the name of the owner of the property.
- (B) A lien under this section is superior to a lien against the property, except a lien for ad valorem taxes or street improvements.
- (C) Interest on the lien amount accrues at the rate of 10 percent annually.

Source: 1992 Code Section 10-6-7(A); Ord. 031023-10; Ord. 031211-11.

§ 6-3-53 EXECUTION OF JUDGMENT AND FORECLOSURE.

- (A) The City may file suit against the owner of property subject to costs incurred under Section [6-3-49](#) (*Public Right to Abate Nuisance*) to:
 - (1) obtain a personal judgment against the owner; and
 - (2) foreclose on the lien against the property established under Section [6-3-52](#) (*Notice of Lien*).

- (B) Not later than the 60th day before the date of a foreclosure sale under this section, the City shall mail notice to each record mortgage holder on the property by certified mail. Notice under this section shall state that the city has a priority lien for costs incurred to abate a public nuisance.

Source: 1992 Code Sections 10-6-6, and 10-6-7(B) and (C); Ord. 031023-10; Ord. 031211-11.

§ 6-3-54 PENALTY.

A person who violates this article commits a Class C misdemeanor and is subject to the penalty prescribed by Section [1-1-99](#) (*Offenses; General Penalty*).

Source: 1992 Code Section 10-6-4; Ord. 031023-10; Ord. 031211-11.

ARTICLE 4. PUBLIC TREES.
Division 1. General Provisions.

§ 6-3-61 DUTY TO PROTECT PUBLIC TREE.

- (A) Except as provided in Section [6-3-77](#) (*Exceptions to Requirement for Administrative Approval*) a person on public property may not:
- (1) damage, top, cut, carve, transplant, or remove a public tree;
 - (2) allow a harmful substance to contact a public tree;
 - (3) set fire to a tree or permit a fire to burn that could injure a public tree; or
 - (4) place or store impervious cover or material that impedes the passage of water, air, or nutrients to the roots of a public tree.
- (B) Except as provided by ordinance or rule, a person who excavates or performs construction on public property shall surround each public tree in the work area with a fence built at least four feet tall and at least two feet distant from the perimeter of the tree trunk. A person may not allow building material, dirt, or other debris to accumulate inside the fence.

Source: 1992 Code Section 15-10-7; Ord. 031023-10; Ord. 031211-11.

§ 6-3-62 RESTRICTION ON LOCATION OF TREE ON PUBLIC PROPERTY.

A person may not plant a tree on public property within:

- (1) 10 lateral feet of an overhead utility line if the tree may reach a height of 20 feet; or
- (2) five lateral feet of an underground utility line.

Source: 1992 Code Section 15-10-6(B); Ord. 031023-10; Ord. 031211-11.

§ 6-3-63 LIABILITY FOR DAMAGE TO A PUBLIC TREE.

- (A) A person who damages a public tree is liable to the City for the loss of tree value.
- (B) If the damage to a public tree results in treatment or removal of the tree, a person who damages the tree is liable for the cost of treatment or removal.
- (C) The urban forester may determine the tree value of a public tree and assess the cost against the person who caused the damage.
- (D) As prescribed by Section [6-3-91](#) (*Appeal of Action of Urban Forester*), a person may appeal the urban forester's determination of the tree value to the board.
- (E) The damages authorized by this section are cumulative of other remedies available to the City.
- (F) The urban forester shall deposit damages recovered under this section to the Planting for the Future Trust in Agency Fund to plant public trees.

Source: 1992 Code Section 15-10-8; Ord. 031023-10; Ord. 031211-11.

§ 6-3-64 TREE USE IN CAPITAL IMPROVEMENTS.

- (A) The director of the Transportation, Planning, and Sustainability Department shall:
- (1) dedicate one percent of actual construction cost of a new roadway or capacity expansion project that increases the total lane miles in the city's road system to plant trees; and
 - (2) create an additional fund to tend trees planted under this section for two years from the date the trees are planted.
- (B) The director of the Transportation, Planning, and Sustainability Department may only fund tree use or care from general obligation road project bond proceeds authorized by ordinance.

- (C) The urban forester shall consult with the director of the Transportation, Planning, and Sustainability Department on the inclusion of trees in the development, planning, and design of a capital improvement to the city's road system.

Source: 1992 Code Section 15-10-9; Ord. 031023-10; Ord. 031211-11.

§ 6-3-65 COOPERATIVE AGREEMENT TO PLANT TREES.

Except as prescribed by Chapter [14-11](#) (*Use of Right-of-Way*), the urban forester may enter into an agreement with a non-profit organization to allow the organization to plant trees on public property.

Source: 1992 Code Section 15-10-5(G); Ord. 031023-10; Ord. 031211-11.

Division 2. Administrative Approvals.

§ 6-3-71 ADMINISTRATIVE APPROVAL REQUIRED.

- (A) Except as provided in Section [6-3-77](#) (*Exceptions to Requirement for Administrative Approval*), a person must obtain approval from the urban forester to maintain, remove or damage a tree on public property.
- (B) A person must complete work on a tree on public property:
 - (1) in compliance with the terms of the administrative approval; and
 - (2) within the time period prescribed by the administrative approval.

Source: 1992 Code Sections 15-10-5(A)(1) and (3); Ord. 031023-10; Ord. 031211-11.

§ 6-3-72 APPLICATION FOR ADMINISTRATIVE APPROVAL.

A person must file an application with the urban forester on a form approved by the urban forester not less than the fifth business day before the person intends to begin work on public property that may affect a public tree.

Source: 1992 Code Section 15-10-5(A)(2); Ord. 031023-10; Ord. 031211-11.

§ 6-3-73 PROCEDURE FOR ADMINISTRATIVE APPROVAL.

- (A) If the urban forester determines that an application for administrative approval demonstrates that proposed work on a tree on public property is in compliance with Section [6-3-6](#) (*Standards of Care for a Tree or Plant on Public Property*), the urban forester shall grant an administrative approval. An administrative approval granted under this section must contain an expiration date.
- (B) If the urban forester fails to act on an application for administrative approval on or before the 15th business day, an administrative approval based on the terms of the application is granted.
- (C) The urban forester may not charge a fee for processing an application for administrative approval.

Source: 1992 Code Sections 15-10-5(A)(1), (2), and (3); Ord. 031023-10; Ord. 031211-11.

§ 6-3-74 ANNUAL ADMINISTRATIVE APPROVAL.

- (A) The urban forester may grant an annual administrative approval, effective from January 1st to December 31st to an applicant who regularly maintains trees on public property.
- (B) An administrative approval granted under this section:
 - (1) must require compliance with Section [6-3-6](#) (*Standards of Care for a Tree or Plant on Public Property*); and
 - (2) may not permit removal of a public tree.
- (C) The urban forester may refuse to grant an annual administrative approval to a person who has violated the terms of this article.
- (D) A person granted an annual administrative approval must file quarterly reports with the urban forester describing the work completed during the reporting period.

Source: 1992 Code Section 15-10-5(B); Ord. 031023-10; Ord. 031211-11.

§ 6-3-75 REQUIREMENT TO REPLACE TREE.

- (A) The urban forester may require a person who requests administrative approval to remove a tree on public property to plant a replacement tree or make a payment equal to the value of a replacement tree.
- (B) The urban forester may waive the requirements of this section if the urban forester determines that the applicant cannot afford to plant a replacement tree.

- (C) If a person fails to plant a replacement tree required under this section, the urban forester may plant the replacement tree and collect all charges incurred by the city from the person.
- (D) The urban forester shall deposit funds collected under this section in the Planting for the Future Trust in Agency Fund to plant public trees.

Source: 1992 Code Section 15-10-5(D); Ord. 031023-10; Ord. 031211-11.

§ 6-3-76 REVOCATION OF APPROVAL FOR NON-COMPLIANCE.

- (A) The urban forester may revoke an administrative approval if the applicant fails to comply with the terms of this article, the application, the administrative approval, or a rule.
- (B) The urban forester shall send written notice to the applicant before approval is revoked. Notice under this section must include a statement that the applicant may request a hearing under Section [6-3-91](#) (*Appeal of Action of Urban Forester*) before approval is withdrawn.

Source: 1992 Code Sections 15-10-5(A)(3) and (E); Ord. 031023-10; Ord. 031211-11.

§ 6-3-77 EXCEPTIONS TO REQUIREMENT FOR ADMINISTRATIVE APPROVAL.

- (A) A city department or city contractor may maintain public trees in compliance with Section [6-3-6](#) (*Standards of Care for a Tree or Plant on Public Property*).
- (B) A person may remove a tree or limb if a hazardous or dangerous condition exists because the tree or limb has fallen or is in imminent danger of falling.
- (C) A person may remove a fallen tree or limb that blocks pedestrian or vehicular travel on a street or sidewalk.
- (D) A public utility may remove a fallen tree or limb or a tree or limb that is in danger of falling to restore service or prevent damage to a utility line or facility.
- (E) A person who complies with Section [6-3-62](#) (*Restriction of Location of Tree on Public Property*) or Section [6-3-64](#) (*Tree Use in Capital Improvements*) may perform work authorized by a site plan, subdivision development, or other development permit issued by the City.
- (F) The urban forester may permit a person to perform minor maintenance on a public tree in compliance with Section [6-3-6](#) (*Standards of Care for a Tree or Plant on Public Property*).

Source: 1992 Code Sections 15-10-5(F) and 15-10-7; Ord. 031023-10; Ord. 031211-11.

Division 3. Appeal Process and Penalty

§ 6-3-91 APPEAL OF ACTION OF URBAN FORESTER.

As prescribed by Section [6-3-93](#) (*Procedure for Appeal to Board*), a person may appeal to the board the urban forester's:

- (1) determination of conditions in an administrative approval;
- (2) denial of an application for an administrative approval; or
- (3) revocation of an administrative approval.

Source: 1992 Code Section 15-10-10(A); Ord. 031023-10; Ord. 031211-11.

§ 6-3-92 APPEAL OF TREE VALUE.

As prescribed by Section [6-3-93](#) (*Procedure for Appeal to Board*), a person may appeal the urban forester's determination of tree value under Section [6-3-63](#) (*Liability for Damage to a Public Tree*) or Section [6-3-75](#) (*Requirement to Replace Tree*) to the board.

Source: 1992 Code Sections 15-10-5(D), 15-10-8(A), and 15-10-10(A) and (B); Ord. 031023-10; Ord. 031211-11.

§ 6-3-93 PROCEDURE FOR APPEAL TO BOARD.

- (A) A person must file a written notice of appeal under Section [6-3-91](#) (*Appeal of Action of Urban Forester*) or Section [6-3-92](#) (*Appeal of Tree Value*) not later than the 10th day following the urban forester's determination.
- (B) The board shall hold a hearing not later than the 30th day following receipt of a notice of appeal, or at the earliest available date. The appellant shall be permitted to present evidence and testimony at the hearing. The board may overrule, sustain, or modify the urban forester's determination.

- (C) The board shall send written notice of a hearing to the appellant, including the date and time of the hearing and a statement that the person may present evidence and testimony.

Source: 1992 Code Sections 15-10-5(D), 15-10-8(A), and 15-10-10(A) and (B); Ord. 031023-10; Ord. 031211-11.

§ 6-3-94 APPEAL OF BOARD DECISION.

- (A) A person may appeal a decision of the board to the Planning Commission.
- (B) The Planning Commission shall hold a hearing not later than the 30th day following receipt of a notice of appeal, or at the earliest available date. The appellant shall be permitted to present evidence and testimony at the hearing. The Planning Commission may overrule, sustain, or modify the board's decision.
- (C) The Planning Commission shall send written notice of a hearing to the appellant, including the date and time of the hearing and a statement that the person may present evidence and testimony.
- (D) An appeal under this section shall stay the board's decision and work is suspended.

Source: 1992 Code Section 15-10-10(C); Ord. 031023-10; Ord. 031211-11.

§ 6-3-95 PENALTY.

A person who violates this article commits a Class C misdemeanor and is subject to the penalty prescribed by Section [1-1-99](#) (*Offenses; General Penalty*) not to exceed \$100 for each offense. Each occurrence of a violation of this article is a separate offense.

Source: 1992 Code Section 15-10-99(B) and (C); Ord. 031023-10; Ord. 031211-11.