

LMCO 102.12 (D) – Schedule of Penalties

1. Any violation of LMCO §102 *et seq.* involving the removal of a live public tree shall constitute an offense and be subject to a fine as calculated below. For the purposes of calculating fines, DBH (Diameter at Breast Height) shall be the top diameter of the stump less than four and one-half feet above the ground. Each day a violation continues after a deadline for compliance has passed shall constitute a separate offense. Each tree in an offense involving multiple trees shall constitute a separate offense.

DBH OF TREE REMOVED	FINE
Less than or equal to 24"	\$250 per tree
Greater than 24" up to and including 36"	\$500 per tree
Greater than 36" up to and including 48"	\$750 per tree
Greater than 48"	\$1,000 per tree

2. Any other violation of LMCO §102 *et seq.* other than the removal of a live public tree shall be subject to a fine of \$250.00 per violation. Each day a violation continues after a deadline for compliance has passed shall constitute a separate, related offense. Each tree in an offense involving multiple trees shall constitute a separate offense.

3. The total amount of fines imposed with respect to any single offense or multiple related offenses may not exceed \$10,000.

4. In addition to the foregoing monetary penalties set out in this Section, when a violation of this ordinance results in the injury, mutilation or death of a live public tree, the cost of repair or replacement, and/or the appraised dollar value of such tree shall be borne by the person who violated the ordinance.

5. The fines established in this schedule of penalties may be adjusted not more than once every two years by the Division of Community Forestry to reflect increases in the most recently published Consumer Price Index, provided that the maximum total imposed may not exceed \$10,000.