

## **Sec. 8107-25 - Tree Protection Regulations**

(All Sec. 8107-25 and Subsections added by ORD. 3993 - 2/25/92)

### **Sec. 8107-25.1 - Purpose**

Ventura County recognizes that trees contribute significantly to the County's unique aesthetic, biological, cultural, and historical environment as well as its air quality. It is the County's specific intent through the regulations that follow, to encourage the responsible management of these resources by employing public education and recognized conservation techniques to achieve an optimal cover of healthy trees of diverse ages and species while practically reconciling conflicting demands for alternative uses.

### **Sec. 8107-25.2 - Definitions**

For purposes of Sec. 8107-25 et. seq., the following definitions shall apply:

Alter - To prune, cut, trim, poison, over-water, or otherwise damage or invade the protected zone of a tree or to cause such alterations. Invasion of the protected zone shall include such activities as trenching, digging, placement of heavy equipment, vehicles, or materials within the protected zone. (AM. ORD. 4092 - 6/27/95)

Certification - Written documentation signed by an appropriate expert (as determined by the Planning Director), which states in a manner consistent with this ordinance, his/her opinion that there is no reasonable and appropriate alternative to altering or removing a given tree. (AM. ORD. 4092 - 6/27/95)

Commercial Agriculture - A for-profit farming enterprise consisting of tree and crop production for feed, food, fiber, fuel, shelter, and ornament, and including floriculture, horticulture, aquaculture, or animal husbandry established and conducted in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the County.

Dead Wooding - Removal of broken, diseased, dying, and dead plant material. (ADD. ORD. 4092 - 6/27/95)

Dripline - The area created by extending a vertical line from the outermost portion of the limb canopy to the ground.

Emergency - A situation in which a tree or its limbs are determined to pose an imminent threat to public safety, property or to the health of a protected tree. (AM. ORD. 4092 - 6/27/95)

Farm Plan - A plan for new commercial agriculture in text and map form which outlines, among other things, proposed compliance with grading regulations such as the Hillside Erosion Control Ordinance, irrigation, crop types and locations, and phasing of implementation. The plan should also include any bids for contract services such as surveying, engineering, land preparation, and planting.

Fell - To cut, push, or pull down, or otherwise topple a tree. (ADD. ORD. 4092 - 6/27/95)

Forest Resource Management Plan - A long-term forest and land management plan and guidelines in text and map form which outlines among other things, compliance with the Tree Protection Regulations, improvement project plans, tree harvesting on a sustaining yield basis, and phasing of implementation. The plan shall also include plans

for the conservation of soil, vegetation, water, and fish and wildlife habitat and other factors as necessary. (AM. ORD. 4092 - 6/27/95)

Girth - The circumference in inches of a tree's trunk, limb, or root. The girth of a trunk is measured at a mid-point four and one-half feet between the uphill and downhill side of the root crown. Where an elevated root crown is encountered which enlarges the trunk at four and one-half feet above grade, the trunk shall be measured above the crown swell where the normal trunk resumes. Girth of limbs shall be measured just beyond the swell of the branch where the limb attaches to the main trunk or their supporting limbs. (AM. ORD. 4092 - 6/27/95)

Heritage Tree - Any species of tree with a single trunk of ninety (90) or more inches in girth or with multiple trunks, two of which collectively measure seventy-two (72) inches in girth or more. In addition, species with naturally thin trunks when full grown (such as Washington Palms), species with naturally large trunks at an early age (such as some date palms), or trees with unnaturally enlarged trunks due to injury or disease (e.g., burls and galls) must be at least sixty feet tall or 75 years old to be considered as a heritage tree. (AM. ORD. 4092 - 6/27/95)

Historical Tree - Any tree or group of trees identified by the County or a city as a landmark, or identified on the Federal or California Historic Resources Inventory to be of historical or cultural significance, or identified as contributing to a site or structure of historical or cultural significance.

Introduced Protected Trees - Trees which appear on Table 1 "PROTECTED TREES" but which have been planted by man for purposes of affecting the environment, architecture, climate or aesthetics of a given place and are, therefore, considered landscape features. (ADD. ORD. 4092 - 6/27/95)

ISA Standards - Pruning standards promulgated by the International Society of Arboriculture. (AM. ORD. 4092 - 6/27/95)

Multiple Trunk Tree - A tree which has two (2) or more trunks forking below four and one-half (4.5) feet above the uphill side of the root crown. (ADD. ORD. 4092 - 6/27/95)

Native Trees - Any trees indigenous to Ventura County not planted for commercial agriculture.

Necessary Agricultural Operations - Those activities which are performed solely for the benefit of commercial agriculture. Excluded from this definition are activities such as clearing land for future subdivision, development of nonagricultural uses, and harvesting of native trees or their limbs for various commercial purposes.

Offsets - Methods of mitigation and/or replacement for the alteration, felling, or removal of a protected tree. (ADD. ORD. 4092 - 6/27/95)

Protected Trees - Any trees from among the species or any heritage or historical tree listed in Table I (following definitions) with one or more differentiated trunks which meets the dimensional standards therein and which is situated on land with the applicable zoning shown on Table I. (AM. ORD. 4092 - 6/27/95)

Protected Zone - The surface and subsurface area within the dripline and extending a minimum of five (5) feet outside the dripline, or 15 feet from the trunk of a tree, whichever is greater. (ADD. ORD. 4092 - 6/27/95)

Pruning - Removal of all, or portions, of a tree's shoots, branches, limbs or roots. (ADD. ORD. 4092 - 6/27/95)

Qualified Tree Consultant - An individual who, through a combination of education, training, licenses and certificates for professional proficiency, and work experience can demonstrate to the satisfaction of the Planning Director he or she possesses the necessary skills and abilities to provide competent advice as called for by various provisions of the Tree Protection Regulations.

Qualified Tree Trimmer - An individual who has, to the satisfaction of the Planning Director, certified that he has read and understands the Tree Protection Ordinance, Tree Protection Guidelines, I.S.A., Pruning Standards, is licensed to conduct business in Ventura County and has other applicable land use permits to conduct said business. (ADD. ORD. 4092 - 6/27/95)

Remove - To transplant a protected tree or carry away a fallen protected tree or its limbs. (ADD. ORD. 4092 - 6/27/95)

Root Crown - The area of a tree where the trunk(s) meet the roots, sometimes called the collar of the tree.

Root System - Unless otherwise demonstrated to the satisfaction of the Planning Director with a field investigation conducted by a certified arborist, the root system is the underground portion of a tree, as defined by inscribing a circle around the trunk of the tree using a radius equal to the farthest reach of the dripline plus five feet. The minimal radius to be used is fifteen (15) feet. (AM. ORD. 4092 - 6/27/95)

Timber Growing and Harvesting - An activity which may or may not be part of an agricultural operation which involves the cutting of trees for forest product or firewood purposes. Such trees can be planted or of a natural growth, standing or down, on privately or publicly owned land, including Christmas trees but excluding nursery stock. (AM. ORD. 4092 - 6/27/95)

Tree Row - A row of trees planted and presently used for the purpose of providing a shelter from wind for commercial agriculture; also known as a windbreak, or windrow. (AM. ORD. 4092 - 6/27/95)

<b>TABLE I PROTECTED TREES</b>			
Common Name/Botanical Name Genus species	Girth Standard (Circumference)	Applicable Zones	
		All Base Zones	SRP <sup>1</sup>
Alder Alnus all species	9.5 in.		X
Ash Fraxinus <u>dipetala</u>	9.5 in.		X
Bay Umbellularia californica	9.5 in.		X
Cottonwood Populus all species	9.5 in.		X
Elderberry Sambucus all species	9.5 in.		X
Big Cone Douglas Fir Pseudotsuga macrocarpa	9.5 in.		X
White Fir Abies concolor	9.5 in.		X
Juniper Juniperus californica	9.5 in.		X
Maple Acer macrophyllum	9.5 in.		X
Oak (Single) Quercus all species	9.5 in.	X	X
Oak (Multi) Quercus all species	6.25 in.	X	X
Pine Pinus all species	9.5 in.		X
Sycamore Platanus all species	9.5 in.	X	X
Walnut Juglans californica	9.5 in.		X
Historical Tree (any species)	(any size)	X	X
Heritage Tree <sup>2</sup> (any species)	90.0 in.	X	X

X Indicates the zones in which the subject trees are considered protected trees.

1. SRP - Scenic Resource Protection Overlay Zone

2. See Definition above

(AM. ORD. 4390 - 9/09/08)

### **Sec. 8107-25.3 - General Requirements**

No person shall alter, fell, or remove a Protected Tree except in accordance with the provisions of Section 8107-25 et seq. If tree alteration, felling, or removal is part of a project requiring a discretionary permit, then the tree permit application and approval process should accompany the parent project discretionary permit.

If a person applies to alter, fell, or remove a Protected Tree located in an area subject to an area plan or project related conditions (e.g. subdivisions and conditional use permits) which include requirements more stringent than the subject ordinance requirements, the stricter requirements shall prevail in establishing the conditions of approval for a tree permit.

No provision of these Tree Protection Regulations shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. Regulations of other agencies and jurisdictions that should be considered in the administration of the Tree Protection Regulations are referred to in the Tree Protection Guidelines, as adopted and as may be amended by the Ventura County Board of Supervisors. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4328 - 9/13/05)

### **Sec. 8107-25.4 - Exemptions**

The alteration, felling, or removal of a Protected Tree by a person is exempt from the provisions of Sec. 8107-25 et seq. when such tree is: (AM. ORD. 4092 - 6/27/95)

- a. Planted, grown, or held for sale by lawfully established nurseries and tree farms or removed from, or transplanted from, such a nursery as part of its operation.
- b. Located and planted in a tree row presently serving commercial agriculture.
- c. Planted, grown, and presently harvested for commercial agricultural purposes, or removed from, or transplanted from, a ranch or farm as part of its operation. This does not include the managed production of protected trees or the transplanting or harvesting of naturally growing protected trees or their limbs.

### **Sec. 8107-25.5 - Minimum Requirements for Tree Alteration, Felling or Removal Without a Tree Permit**

Except as provided in Sec. 8107-25.4, the alteration, felling or removal of Protected Trees may occur without a Tree Permit under the following circumstances, and in accordance with the following standards. Said alterations shall be performed by the property owner or resident with the owner's consent, or by a qualified tree trimmer. For all the following trimming and pruning, ISA standards shall be used and in all such cases climbing spurs shall not be used: (AM. ORD. 4092 - 6/27/95)

- a. Cases of emergency where the Planning Director or his designee, or any employee of a government authority or special district, in the performance of his or her duties determines that a tree or its limbs pose an imminent threat to the public safety or general welfare or the health of the tree. If conditions and circumstances allow, the public official shall consult with the Planning Director or designee prior to ordering the trimming, felling, or removal of any Protected Tree for the above reasons. Subsequent to the emergency action, copies of the work orders or reports will be provided to the Planning Director within 30 days, describing the action taken and the nature of the emergency. (AM. ORD. 4092 - 6/27/95)
- b. Pruning and trimming of any size dead limb or root tissue.

- c. Pruning and trimming of living limbs and roots, each of which is less than 20% of the tree trunk's girth, provided such trimming does not endanger the life of the tree, result in an imbalance in structure, or remove more than 20% of its canopy or the root system. (AM. ORD. 4092 - 6/27/95)
- d. Pruning and trimming living limbs which exceed the size set forth in "c" above provided such alteration is justified in writing by a qualified tree consultant, and is intended to promote the health of the tree. (ADD. ORD. 4092 - 6/27/95)
- e. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by a Public Utility Company or its contractors for the purpose of protecting the public and maintaining adequate clearance from public utility conduits and facilities. (AM. ORD. 4092 - 6/27/95)
- f. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by the Ventura County Public Works Agency or its contractors for the purpose of: (AM. ORD. 4092 - 6/27/95)
  - (1) maintaining safety,
  - (2) providing for the flow of vehicular and pedestrian traffic,
  - (3) providing for the flow of flood waters in Flood Control rights-of-way, or
  - (4) constructing and maintaining improvements within the public right-of-way.
- g. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by any park or school district, or the Ventura County General Services Agency or its contractors, for the purpose of maintaining safety or improving structural integrity or balance of trees on County, school, or park district properties. (AM. ORD. 4092 - 6/27/95)
- h. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by the Ventura County Fire Protection District and its contractors for the purpose of providing fire protection when said District determines there is no reasonable alternative. (AM. ORD. 4092 - 6/27/95)
- i. Pruning and trimming of living limbs and roots for non-commercial purposes or for any commercial agricultural operation on lots less than ten (10) acres zoned RA or RE for any reason not specified in "a" through "g" above, shall be conducted or supervised by a qualified tree consultant. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4377 - 1/29/08)
- j. Pruning and trimming living limbs and roots for necessary agricultural operations, which exceed the size set forth in "c" above of protected trees located on land zoned AE, OS or TP. Such pruning for necessary agricultural operations in the RA or RE zones is allowed only if a minimum of ten acres is used for commercial agricultural purposes. (AM. ORD. 4377 - 1/29/08)
- k. The felling or removal of five (5) or fewer Protected Trees in any 12 consecutive month period beginning with the date of the first tree removal for necessary agricultural operations, or the expansion of existing or establishment of new commercial agriculture on land under the same contiguous ownership provided that: (AM. ORD. 4092 -6/27/95)
  - (1) The land is zoned AE, OS or TP, and
  - (2) The trees to be removed are not classified as heritage or historical, and

(3) There is a farm plan for any expansion or establishment of new commercial agriculture.

(4) Records are kept of the dates that any protected trees are removed and such records or summaries thereof are submitted to the Planning Director.

(AM. ORD. 4377 - 1/29/08)

- I. The removal of any naturally fallen trees and/or the felling and subsequent removal of standing, certifiably dead, trees. Certification by a qualified tree consultant or objective data confirming that a standing tree is dead shall be submitted to the Planning Director upon his request. (AM. ORD. 4092 - 6/27/95)

### **Sec. 8107-25.6 - Ministerial Tree Permits and Standards**

The Planning Director shall approve a Ministerial Tree Permit if the application is complete, the applicable fee has been paid; and all applicable certifications have been provided. Such certification must be based on at least one of the situations outlined in the following subsections, must indicate which of those subsections is being referred to, and must state that the recommended alteration is the only reasonable and appropriate alternative action. In lieu of a certified statement by a qualified tree consultant, an applicant may submit objective data such as photographs which allows the Planning Director to make the required determination.

Tree alteration shall be performed by the property owner or resident with consent of owner, or, by a qualified tree trimmer. The Planning Director shall impose standard conditions to ensure only the approved trees are altered, felled, or removed such as tree tagging and protective fencing for remaining trees. Alteration shall only occur in accordance with ISA standards.

Except as provided in Secs. 8107-25.4, 8107-25.5, or 8107-25.7, no person shall alter, fell, or remove a Protected Tree without obtaining a ministerial tree permit for the following circumstances:

(AM. ORD. 4092 - 6/27/95)

- a. The tree poses a significant threat to people, lawfully established structures or other trees because of such factors as: its continued growth; its probable collapse in the near future; or its potential to spread disease or pests; as determined and certified by a qualified tree consultant.
- b. The tree interferes with public utility facilities as certified by the tree maintenance supervisor for the utility, in consultation and concurrence with a qualified tree consultant.
- c. The tree interferes with the public safety or traffic line of sight or emergency vehicle movement as certified by a traffic engineer of the Ventura County Public Works Agency in consultation with a qualified tree consultant.
- d. The tree interferes with private sewer lines as certified by a plumbing contractor or other person doing the plumbing work and there is no alternative to removing the tree or altering roots or other elements of the tree as certified by a qualified tree consultant.
- e. Alteration, felling, or removal is necessary to construct improvements within the public right-of-way or within a flood control or other public utility right of way, as certified by a Registered Civil Engineer of the State of California in consultation and concurrence with a qualified tree consultant. (AM. ORD. 4092 - 6/27/95)

- f. The tree constitutes a public safety hazard as certified by a supervisor from any park or school district, County General Services Agency, or Fire Protection District in consultation with a qualified tree consultant.
- g. The trees to be felled and/or removed number six (6) to ten (10) Protected Trees in any 12 consecutive month period beginning with the date of the first tree removal, and their removal is required for necessary agricultural operations, or the expansion of existing or establishment of a new commercial agriculture on land under the same contiguous ownership provided that: (AM. ORD. 4092 - 6/27/95)
  - (1) The land is zoned AE, OS or TP, and
  - (2) The trees to be removed are not classified as historical, and
  - (3) A farm plan has been prepared for any proposed expansion of existing or establishment of new commercial agriculture, and
  - (4) Records are kept of the dates that any protected trees are removed and such records or summaries thereof are submitted to the Planning Director.(AM. ORD. 4377 - 1/29/08)
- h. The trees to be felled and/or removed number 11 to 25 Protected Trees in any 12 consecutive month period beginning with the date of the first tree removal, and their removal is required for necessary agricultural operations, or the expansion of existing or establishment of new commercial agriculture from land under the same contiguous ownership provided that: (AM. ORD. 4092 - 6/27/95)
  - (1) The land is zoned AE, OS or TP, and
  - (2) The trees to be felled and/or removed are not classified as historical, and (AM. ORD. 4092 - 6/27/95)
  - (3) A farm plan has been prepared for any proposed expansion of existing or establishment of new commercial agriculture. and
  - (4) Records are kept of the dates that any protected trees are felled and/or removed and such records are submitted to the Planning Director, and (AM. ORD. 4092 - 6/27/95)
  - (5) A field inspection by the Planning Director or designee has occurred.(AM. ORD. 4377 - 1/29/08)
- i. The tree(s) in its present form and/or location denies reasonable access to the subject property and/or the construction, maintenance, or use of the property in a manner permitted by zoning on the said property. No more than five protected trees may be cumulatively felled or removed from the subject property for this purpose, and no more than three of the five trees may be oak or sycamore trees and none of them may be "historical" or "heritage" trees. Trees may also be altered as necessary for this same purpose. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4328 - 9/13/05)
- j. The tree to be felled and/or removed is an "Introduced Protected Tree" located in the public easement or on public property, and permission to remove it has been granted pursuant to County Ordinance Code No. 2041 relating to Encroachments on County Highways and as it may be amended. (AM. ORD. 4092 - 6/27/95)
- k. The tree to be felled and/or removed is an "Introduced Protected Tree", as certified by a qualified tree consultant, and is located on private property. (ADD. ORD. 4092 - 6/27/95)

### **Sec. 8107-25.7 - Discretionary Tree Permits and Standards**

Except as provided in Secs. 8107-25.4, 8107-25.5 or 8107-25.6, no person shall alter, fell, or remove a Protected Tree without obtaining a Planning Director approved discretionary Tree Permit. The Planning Director may approve a discretionary Tree Permit application with necessary conditions to promote the purpose of these tree ordinance regulations if:

#### **Sec. 8107-25.7.1**

- a) A heritage or historical tree is to be felled or removed from the site and its continued existence in its present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property. (ADD. ORD. 4328 – 9/13/05)
- b) The cumulative number of trees to be felled or removed from the site number four (4) or more oak or sycamore trees and their continued existence in their present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property. (ADD. ORD. 4328 – 9/13/05)
- c) The cumulative number of trees to be felled or removed from the site number six (6) or more protected trees (not listed in a or b above) and their continued existence in their present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property. (AM. ORD. 4328 – 9/13/05)

#### **Sec. 8107-25.7.2**

The alteration, felling, and/or removal of trees is to further commercial agricultural purposes and all the following applicable standards can be met:

(AM. ORD. 4092 - 6/27/95)

- a. There is a farm plan for any proposed expansion of existing or establishment of new commercial agriculture, and
- b. The proposed agricultural activities are consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the County and as set forth in the adopted "Tree Protection Guidelines", and
- c. The Planning Director determines that, on balance, the proposed agricultural activities, which include Protected Tree alteration, would result in benefits to the public which outweigh the residual negative effects of tree alteration after mitigating permit conditions are imposed.

#### **Sec. 8107-25.7.3**

The tree alteration, felling, and/or removal, is to further timber growing and harvesting, is not regulated by the California Forest Practices Act, and all the following applicable standards can be met:

- a. There is a Forest Resource Management Plan prepared by a registered professional forester (RPF) which is intended to improve or enhance forest resources. (AM. OR. 4092 - 6/27/95)
- b. The above Plan establishes a "sustainable yield" for the property and a program to maintain it.
- c. The proposed timber harvesting activities are consistent with proper and accepted customs and standards as established and followed by similar

sustaining yield operations and as may be set forth in the adopted Tree Protection Guidelines, and

- d. The Planning Director determines that, on balance, the proposed activities, which include Protected Tree alteration, felling and/or removal would result in benefits to the public which outweigh the residual negative effects on the tree(s) after mitigating permit conditions are imposed. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.7.4**

The tree alteration, felling, and/or removal is part of a larger project which, as conditioned, would on balance result in significant benefits to the public and if: (AM. ORD. 4092 - 6/27/95)

- a. Established public policy including General Plan policies would be advanced, or
- b. Resources of local, regional, or Statewide significance could be productively utilized, or
- c. The public benefits outweigh the unavoidable negative impacts associated with the removal of protected trees required by the project.

**Sec. 8107-25.7.5**

The Protected Tree has been recently altered or felled without the required permit and a person seeks to remove the tree, roots or limbs from the lot. (AM. ORD. 4092 -6/27/95)

**Sec. 8107-25.8 - Tree Permit Applications and Supporting Information**

The application form and supporting information necessary to evaluate a request to alter, fell, or remove a Protected Tree shall be determined by the Planning Director and be in accordance with the Tree Protection Guidelines. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.9 - Tree Protection Guidelines**

In granting a Tree Permit, the Planning Director shall utilize the adopted "Tree Protection Guidelines," as amended from time to time, in making a decision consistent with the purpose of the tree protection regulations and said Guidelines. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.10 - Offsets for Altered, Felled, or Removed Trees**

Unless exempted herein, offsets shall be provided on a one-for-one basis for the following circumstances: (AM. ORD. 4092 - 6/27/95)

- a. All discretionary tree permits pursuant to Sec. 8107-25.7.
- b. Where the alteration, felling, or removal of a tree(s) has taken place but cannot be retroactively legalized pursuant to provisions of the Tree Protection regulations. (ADD. ORD. 4092 - 6/27/95)

**Sec. 8107-25.10.1 - Exemptions from Offsets**

Trees removed and transplanted to a location acceptable to the Planning Director shall be exempted from "offset" requirements provided:

- a. The transplanted tree is properly cared for per industry standards; and
- b. The tree survives for a period of at least five years; and
- c. A compliance agreement has been entered into with the Planning Division to monitor "a" and "b" above.

(AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.10.2 - Tree Offset Standards**

Offsets shall be based on the "cross-sectional" area of the affected portions of the subject tree. The required offset is achieved when the Planning Director deems the selected offsets from among the alternatives referenced in the Tree Protection Guidelines equals the cross-sectional area of the affected portions of the tree(s) in question. In determining the offset obligation, the I.S.A. valuation of a subject tree shall be calculated in accordance with the most current edition of the I.S.A. "Guide for Plant Appraisal" as it applies to central Southern California. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.11 - Appeals of Tree Permit Decisions**

Within ten calendar days of the notice of decision, appeals may be made to the Ventura County Planning Commission upon filing of the proper form and payment of the appropriate fee. The decision of the Planning Commission shall be final and conclusive. There is no appeal to the Board of Supervisors for a tree permit decision under the provisions of Article 11.

**Sec. 8107-25.12 - Violations, Enforcement Procedures and Penalties**

A violation of any provision of these Tree Protection Regulations or of any condition of a Tree Permit granted under authority of this ordinance, is a misdemeanor/infraction, as specified in Section 13-1 of the Ventura County Ordinance Code, and upon conviction thereof, shall be punishable as provided by Section 13-2 of the Ventura County Ordinance Code. In such cases, each tree altered, felled or removed in violation of this ordinance shall constitute a separate violation. (AM. ORD. 4092 - 6/27/95)

A violation of the prohibitions of these Tree Protection Regulations, or of any condition of the Tree Permit granted under authority of this ordinance, is hereby declared to be a public nuisance as such violations constitute a destruction of a County natural resource. This ordinance shall be enforced by the Ventura County Planning Director applying those procedures set forth in Ventura County Ordinance Code Sections 8114-3 and 8114-4.

As an alternative to pursuing legal action, the Planning Director, at his/her sole discretion, may approve a compliance agreement between the confirmed violator and Ventura County. This agreement may include, but is not limited to, requirements to obtain the necessary tree permit(s), provide offsets for unauthorized and unpermissible losses due to alterations, fellings, or removals, and other mitigation measures to abate a specific violation of the tree protection regulations. (AM. ORD. 4092 - 6/27/95)

(AM. ORD. 4092 - 6/27/95)