

## City of Miami- Tree Ordinance for Code Enforcement Website

When is a tree permit required?

What is the process for replacement trees?

What happens if a tree permit is not obtained?

What if trees are irreparable or the violation is irreversible?

Are there any exemptions?

Tree Trust Fund (link to Ordinance)

Tree Ordinance (Link to Ordinance)

Tree Removal Permit (Link to Permit)

### **When is a tree permit required?**

Removal, relocation of any tree within the City, pruning or trimming more than twenty five percent (25%) of the tree canopy all require permits. Tree permits will also be required when trimming any portion of the roots. No building permit for any work that has the potential to affect trees, including new construction, additions, carports, pools, decks, fences, driveways, parking lots, tennis courts, demolition, or similar work, shall be issued by the building department unless the zoning department has determined that no tree removal permit is required or that a valid tree removal permit has been issued.

### **What is the process for replacement trees?**

Replacement trees that cannot be reasonably planted on the subject's property will be caused to contribute one-thousand dollars (\$1,000) for each 2 inch DBH tree required. City residents with current proof of residency and homestead status shall contribute five hundred dollars (\$500) for each 2 inch DBH tree required as replacement.

Diameter (DBH)of each tree removed without a permit	Number of replacement trees required (2" DBH minimum each 12' minimum height)	Or number of replacement trees required (4" DBH minimum each 16' minimum height)	Or Contribution into Tree Trust Fund
2"-3"	2	1	\$1,000.00
4"-6"	4	2	\$2,000.00
7"-12"	8	4	\$4,000.00
13"-18"	12	6	\$6,000.00
19"-24"	16	8	\$8,000.00
25"-30"	20	10	\$10,000.00
31"-36"	24	12	\$12,000.00

37" -42"	28	14	\$14,000.00
43" -48"	32	16	\$16,000.00
49"	40	20	\$20,000.00
*60"			

\*If the sum of the diameter of trees to be removed exceeds a total of sixty (60) inches, the additional inches shall be added cumulatively from the top of the chart down to the bottom of the chart, to calculate the number of required replacement trees.

**What happens if a tree permit is not obtained?**

Any person, or agent thereof, who removes a tree without a tree removal permit, shall be fined one thousand dollars (\$1,000) per violation, per day for the first violation, and shall be fined five thousand dollars (\$5,000) per tree for every repeat violation of this ordinance, or a greater penalty as provided by law and in addition undergo the tree replacement process in the form of replacement trees. A city resident with proof of current residency and homestead status shall be fined five hundred dollars (\$500) for the first violation. Each tree removed without a tree removal permit shall constitute a separate and distinct violation, subject to a separate fine and tree replacement.

**What if trees are irreparable or the violation is irreversible?**

In the event the code enforcement board and or special master finds the removal of any tree without the required permit to be irreparable or irreversible in nature, it may impose a fine not to exceed fifteen thousand dollars (\$15,000) per violation, per greater penalty as provided by law, plus mitigation in the form of replacement trees.

**Are there any exemptions?**

- a. Any tree growing in a botanical garden or a licensed plant nursery business.
- b. When the City Manager determines in writing that tree removal permitting requirements will hamper private or public work to restore order to the City after a declared state of emergency by the City Commission.
- c. The removal of any tree during or following an emergency such as an act of nature or a life safety issue by demonstrating to the City, with photographic proof, a depiction of the specific life-safety issue.