

the city arborist, this section shall be enforceable by and pursuant to the authority provided in section 35-491 of this chapter.

(2) Penalty.

Any person who commits a violation of this chapter shall be subject to a civil penalty of up to one thousand dollars (\$1,000.00) per violation or a criminal penalty of up to two hundred dollars (\$200.00) per violation per day and may be required to attend one or more training seminars. For ~~for~~ the purpose of calculating penalties, each day on which a violation is found to exist shall constitute a separate and sanctionable offense.

(b) Outside City Limits

Whenever a violation of this chapter is believed to have occurred or to be occurring outside the corporate limits of the city but within the city's ETJ, criminal penalties shall not be sought, however, enforcement against such violations is hereby authorized pursuant to and under the authority granted by V.T.C.A., Texas Local Government Code, § 212.001, et. seq.

(c) Work Commencing Before Issuance of a Tree Permit

Any person who commences any work requiring a Tree Permit before obtaining such permit shall be subject to a fine of \$10,000 or an additional fee equal to the fee established in Appendix C for commencing development without a Tree Permit.

Chapter 35, Section 35-523(a) (1) is amended by adding subsection E as follows:

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E. Tree Credit Certificate 001 issued February 10, 2000 and Tree Credit Certificate 002 issued March 26, 2002 are acknowledged and the express language of those certificates apply whenever and wherever until fully redeemed with no limitations as to any time vesting projects as expressed in those contracts or certificates.

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Chapter 35, Article V Section 35-523(d), 35-523(e), 35-523(f), and 35-523(i) are amended as follows:

35-523 Tree Preservation

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