



## CITY OF ATLANTA

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MAYOR

ARBORIST DIVISION

DEPARTMENT OF PLANNING,  
AND COMMUNITY  
DEVELOPMENT

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### Standard of Practice

#### Violations

Violations are activities on private property that contravene provisions of the Tree Protection Ordinance. The most common illegal activities fall under Sections 158-101(a) (illegal removals/destruction) and 158-105(a) (tree protection fence concerns and deficiencies in the approved plans).

It is the responsibility of the field arborist to investigate all reports of violations as well as all violations encountered in daily field work. Evidence shall be recorded in the field book while on site. Photographs may be taken to document the violation(s). Names, addresses, phone and fax numbers of responsible parties and/or witnesses shall be recorded. If appropriate and possible, citations to appear in Municipal Court shall be served on responsible individuals at the time of the site visit.

All types of violations shall be recorded in KIVA. Follow-up in the form of: Correction Notices, Stop Work Orders, Illegal Recompense demands and Citations to court shall be recorded in KIVA. A file folder shall be established by address on all violations more serious than down tree fences that warrant verbal or written Correction Notices to establish or re-establish tree fencing on a site.

Violations vary in severity and therefore in level of response. Guidelines to response are as follows:

1. Correction Notice (correction measures A, B and sometimes F) may be verbal, written, or both. A verbal correction notice delivered on site or by phone to remove soil, debris, and construction materials from the root save areas of trees and to establish tree fencing around them shall be followed by a written correction notice to the contractor of record on the site. A time limit of one (1) day shall be given for clean up and establishment of tree fencing. A return visit to the site within one week shall be scheduled.
2. Correction Notice (correction measures C, D, E and sometimes F) may result either as an escalation of 1 above (if correction measures A and B are ignored) or, if site conditions warrant, as an initial response. A file shall be established on sites requiring correction measures C, D and E, since the measures must be performed prior to the granting of an arborist sign-off for a Certificate of Occupancy and may result in future demands for recompense for illegal destruction. A time limit of fifteen (15) days shall be issued for completion of these correction measures. A follow-up phone call and site visit shall be scheduled if necessary after this time limit expires
3. Correction Notice (correction measure F) is usually a demand to correct a site plan to accord with site conditions. Normally a time limit of fifteen (15) days shall be issued for completion of this correction measure. A follow-up phone call shall be scheduled if necessary after this time limit expires.
4. Stop Work orders on construction sites shall (1) be limited to outside work with the potential to harm or destroy trees, and (2) be communicated to the Arboricultural Manager and Senior Arborist, in advance if possible. A Stop Work order is appropriate if there is a lack of compliance with a Correction Notice.
5. Stop Work orders may also be issued on private property on which illegal tree removal has occurred. The Stop Work order shall be limited to any further tree removal, debris removal or stump grinding. The Stop Work order shall be lifted once responsibility for the illegal activity has been established and either a Illegal Cash Recompense demand has been paid, or an Appeal accompanied with a Cashier's Check in the amount of the charged recompense presented to our office or a citation to court has been served on the tree cutter, or both.
6. The Illegal Cash Recompense worksheet shall be filled out completely in KIVA when trees have been illegally destroyed either on construction sites or on private property. As soon as the name(s), address(es) or fax number(s) of the responsible parties have been determined, a letter, the Illegal Cash Recompense worksheet and Payment Voucher shall be forwarded to the responsible parties. A file by address shall be opened on all Illegal Cash Recompense demands.

7. Citations to appear before a judge in Municipal Court shall be issued to tree service companies engaged in illegal removals or destruction, to homeowners who ignore an Illegal Cash Recompense demand, and to building contractors who engage in particularly egregious practices. Citations do not moot Illegal Cash Recompense demands. Citations are tracked in KIVA.