

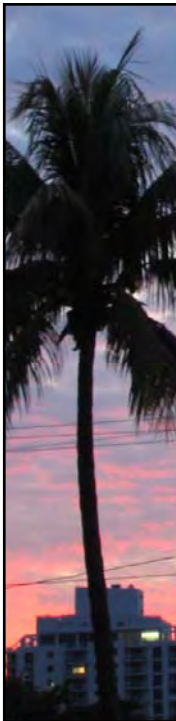




Enforcing & Inspecting Landscape & Tree Violations After Storms- Storm Damage or Abuse Violation?

by **Earth Advisors, Inc.**
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Introductions

- **Presenter:** Who am I and how do I qualify to teach this topic:
**John A. Harris, President of Earth Advisors, Inc.
and Principal of Landscape Economics, LLC**

Education: AAS, BS, MS, MBA.
Certifications: **Certified Landscape Inspector**, Registered Consulting Arborist, Certified Forester, Certified Arborist, Qualified Tree Risk Assessor, Certified Mangrove Trimmer, Certified Xeriscape Advisor, Certified in Green Industry BMPs, Registered Nursery Tree Grader.
Experience: 35 years as a professional in Green Industry; contractor, manager, consultant, educator, expert witness.
Educator: Associate Professor (3 different universities), Technical Instructor, Work Practices Trainer.
Geographic Experience: Projects across the United States, Canada, Caribbean, and Brazil.
- **Students:** **Who are you,**

and

WHAT QUESTIONS DO YOU WANT ANSWERED?



Code Categories for Landscape Issues

- Tree Removal.
- Tree Abuse.
- Minimum Landscape Appearance/Care/Maintenance.
- Alteration of a Jurisdictional Wetland.
- Alteration of Mangroves.
- Other: Zoning Landscape Installation Standards, _____.



Code Categories for Landscape Items- Sample Code Sections to review.

- Broward County- Chapter 27- Tree Preservation
- City of Miami- Chapter 17- Tree Protection
- City of Plantation- Chapter 13- Landscaping
- City of Tampa- Grand Tree Program, Landscape Technical Manual
- Broward County- Tree Trimmers License- does anyone have this Occupational Licensing requirement other than Broward County?
- _others_

Violation Types for Tree and Landscape Codes

- Too tall turf- what does your code require?
- Missing or damaged groundcover.
- Missing or damaged shrubs or ornamentals.
- Missing or damaged hedges.
- Missing or damaged trees.
- Missing or damaged palms.
- Other Violation Types/Categories for Landscape Items?

Damages from Storms

What types of damages can they be?

- Wind damages can be ...
 - Windthrow, uprooting (partial or completely)
 - Wind torn branches
 - Desiccated (dried out) foliage
 - Trees and/or palms damaging nearby other trees, palms, plants
- Flood damages can be ...
 - Uprooting
 - Erosion or deposition (loss of soil or added soil)
 - Defoliated canopy
 - Washed away landscape areas
 - Debris deposition
 - Physical damages
- What else causes a plant to be unhealthy?
 - pests, diseases, accidents, wildlife, abuse, or ____.

Damages from Storms

Is it storm damage or not?

- Storm damages or storm advantages
 - Was a hatracked tree first storm damaged or not
 - Was a removed tree destroyed by storm and then removed or not
 - Was a palm destroyed by storm and then removed or not
 - Was a hedge torn out by storm or not
 - Other- _____
- HOW DO YOU FIND OUT IF STORM DAMAGED OR NOT?
 - Look at nearby properties for similar levels of damages or losses
 - Look at aerial photos from before storm and after storm (Keys example)
 - ASK FOR PHOTOS SHOWING DAMAGES FROM PROPERTY OWNER
 - If evidence not available, what are you instructed to decide?
- Look for what else causes a plant to be unhealthy in that area
 - pests, diseases, accidents, wildlife, abuse, or ____.

Damages from Storms Requirements for answering/restoring violations

- Repair/Remediation of partially damaged landscape items
- Maintenance of un-maintained landscape areas
(why not maintained is question to consider)
- Removal and replacement of destroyed landscape items
- Time requirements- usually 30 day limit, can you extend limit?
- AVAILABILITY OF NURSERY STOCK IS AN ISSUE
 - Will you allow for undersized plants if they meet quality
 - Will you allow for more time (could take up to a year or more)
 - Will you allow for changes to plant species (does that require new Plan)

Field Practices in Landscape Inspections and Code Enforcement

• NOW WE GO OUTSIDE
to do some inspecting together-

• WHERE THE PLANTS LIVE!

Learn by doing, not just listening.




Violation Decisions- How can you be sure of the violation YOU record?

- Evidence and Records of Violation
 - - how is this collected?
 - - what is considered evidence?
- Violation Form/Notice/Worksheet/Record- do you have a form(s)?
- Photographs- with or without captions? Are photos required?
- **Aerial Photographs**- date certain- do you use them? Are they evidence?
- Pictometry- BCPA website examples- technology to "fly in" to properties
- Written Report or Violation Notice- narrative report; more than form
- Testimony at Hearing- does anyone help prepare you to testify?
- Key Points:
 - Documentation is clear, concise, decisive, accurate.
 - Photographs show issues, show areas, show items, **MAKE YOUR POINTS VISIBLE!**

Date Certain Aerial Photos

See the changes to a property, conclusive **EVIDENCE OF CHANGES/VIOLATIONS**



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See the changes to a property, conclusive EVIDENCE OF CHANGES/VIOLATIONS



Conclusions and Wrap Up

- Successful Code Enforcement STARTS WITH:
 - Knowing the codes you enforce
 - Knowing the landscape plants you inspect
 - Knowing what is maintenance versus abuse
- Successful Code Enforcement REQUIRES:
 - Form based, accurate, concise documentation.
 - Photographs that MAKE THE VIOLATIONS VISIBLE.
 - Accurate calculations for fines, mitigation, costs.
- Enforcing Codes after storm events is an opportunity to SHOW YOU CARE- provide some grace for residents.
- Sustainable Communities, Livable Communities, Resilient Communities; all have as a CORE ELEMENT:
 - **LANDSCAPES**
and code enforcement protects these "Green Assets™".



**Code Enforcement
provides
improved Quality of Life
for our Communities.**

THANK YOU
for your attention and time.

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**Working with you for a better
shared environment.**



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