

WORK SHALL REIMBURSE THE DEPARTMENT FOR THE SERVICES OF THE FOREST WARDEN AND HIS HELPERS UPON PRESENTATION OF THE FOREST WARDEN'S ACCOUNTS WITH VOUCHERS, AND UPON THE APPROVAL OF THE DEPARTMENT. THE APPLICANT SHALL PAY FOR THE FOREST WARDEN'S SERVICES IN EXAMINING CONDITIONS SERVING AS A BASIS FOR PERMITS APPLIED FOR UNDER § 5-406, FOR ISSUING PERMITS, AND FOR SUPERVISING WORK AUTHORIZED BY THE PERMITS. THE DEPARTMENT SHALL DETERMINE THE RATE TO BE PAID UNDER THIS SECTION.

REVISOR'S NOTE: This section presently appears as Article 66C, section 364 of the Code. The nomenclatural change of Director to department follows that of Chapter 290, Acts of 1972. The only other changes made are in style.

5-406. PERMIT TO CUT DOWN OR TRIM TREES; PROHIBITED CONDUCT WITHOUT PERMIT.

(A) APPLICATION FOR PERMIT REQUIRED, EXCEPTION.—ANY PERSON WHO DESIRES TO CUT DOWN OR TRIM ANY ROADSIDE TREE SHALL APPLY TO THE DEPARTMENT FOR A PERMIT, EXCEPT THAT: (1) IF A TREE IS UPROOTED OR ITS BRANCHES BROKEN SO AS TO CONTACT TELEPHONE, TELEGRAPH, ELECTRIC POWER, OR OTHER WIRES CARRYING ELECTRIC CURRENT, OR IF THE TREE OR ITS BRANCHES ENDANGER PERSONS OR PROPERTY, THE TREE OR ITS BRANCHES MAY BE REMOVED WITHOUT FIRST OBTAINING A PERMIT FROM THE DEPARTMENT; AND (2) A TREE STANDING WITHIN THE RIGHT-OF-WAY OF A PUBLIC ROAD WHICH HAS NOT BEEN SURFACED WITH EITHER STONE, SHELL, GRAVEL, CONCRETE, BRICK, ASPHALT, OR OTHER IMPROVED SURFACE MAY BE CUT DOWN AND REMOVED BY THE ABUTTING LANDOWNER FOR HIS OWN USE WITHOUT FIRST OBTAINING A PERMIT.

REVISOR'S NOTE: This subsection presently appears as the first part of Article 66C, section 365 of the Code. The nomenclatural changes of Department of Forests and Parks to Department of Natural Resources reflect Chapter 348, Acts of 1972. The only other changes made are in style.

(B) PROHIBITED CONDUCT.—A PERSON MAY NOT CUT DOWN, TRIM, MUTILATE, OR IN ANY MANNER INJURE ANY ROADSIDE TREE, EXCEPT AS AUTHORIZED BY THIS SECTION, WITHOUT A PERMIT FROM THE DEPARTMENT.