

9-5-2: GRADING OR MODIFYING SURFACES:

A. It shall be unlawful for any person to grade or otherwise modify the surface of any property within an area defined by the HCP as an "incidental take" area, as more fully described on exhibit A, attached to ordinance 652, which exhibit is on file in the county office, and which exhibit is incorporated herein by this reference, unless and until a release form has been received from the HCP administration stating that the property has been surveyed for tortoises and any tortoises removed and that the property has been authorized for development.

B. It shall be unlawful for any person to grade or otherwise modify the surface of property, construct any improvements, or erect any structure on any property located adjacent to the border of the Red Cliffs Desert Reserve, as more fully described on exhibit B, attached to ordinance 652, which exhibit is on file in the county office, and which exhibit is incorporated herein by this reference, without first receiving a written approval for a fencing plan along the border of the reserve as required by this chapter. (Ord. 652, 7-28-1997; amd. 2004 Code)