

**RESOLUTION NO. 2018-024**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, OPPOSING HOUSE BILL 521 AND SENATE BILL 574; URGING THE FLORIDA LEGISLATURE TO REJECT HOUSE BILL 521 AND SENATE BILL 574 RELATED TO PREEMPTING TO THE STATE THE REGULATION OF THE TRIMMING, REMOVAL, OR HARVESTING OF TREES AND TIMBER ON PRIVATE PROPERTY AND PROHIBITING CERTAIN LOCAL GOVERNMENTAL ACTIONS RELATING TO THE TRIMMING OR REMOVAL OF TREES OR TIMBER; PROHIBITING LOCAL GOVERNMENTS FROM PROHIBITING THE BURIAL OF VEGETATIVE DEBRIS ON CERTAIN PROPERTIES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR OF THE STATE OF FLORIDA, THE BROWARD LEGISLATIVE DELEGATION AND OTHER MEMBERS OF THE FLORIDA LEGISLATURE, THE FLORIDA LEAGUE OF CITIES, THE BROWARD LEAGUE OF CITIES, THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AND ALL BROWARD COUNTY MUNICIPALITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on November 3, 2017, Florida House of Representatives Bill 521 ("HB 521") was filed, and on October 20, 2017, Florida Senate Bill 574 ("SB 574") was filed, both of which prevent local governments from prohibiting or restricting a private landowner from trimming, removing, or harvesting trees or timber located on the landowner's property; requiring mitigation for planting of trees or the removal or harvesting of trees or timber from private property; prohibiting the burial of vegetative debris on certain properties; and

**WHEREAS**, if passed, HB 521 and SB 574 would take away the City's home rule authority to regulate the trimming, removal, or harvesting of trees and timber on private property, to require mitigation, or to prohibit burial of vegetative debris; and

**WHEREAS**, local governments are in a better position to craft regulations that particularly address problems specific to their community without the need for state intervention; and

**WHEREAS**, the City has set goals in the adopted Green Plan to achieve forty percent tree canopy coverage as a means to support a sustainable community; and

**WHEREAS**, the City is certified through Audubon International a Sustainable Community, which involves protecting tree canopy; and

**WHEREAS**, the City has attained Gold level status as a Florida Green Building Coalition Green Local Government, in part due to the efforts to reduce the heat island effect through enforcement of tree ordinances; and

**WHEREAS**, the City Commission deems it to be in the best interests of the residents of the City to oppose HB 521 and SB 574, and further urges the Florida Legislature to reject the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2:** That the City Commission of the City of Coconut Creek, Florida, hereby opposes HB 521 and SB 574 and urges all municipalities in Broward County to join in this opposition. The City Commission hereby further urges the Florida Legislature to reject HB 521 and SB 574.

**Section 3:** That the City Clerk is hereby directed to provide a certified copy of this Resolution to the Governor of the State of Florida, the Broward County Legislative Delegation and other members of the Florida Legislature, the Florida League of Cities, the Broward League of Cities, the Broward County Board of County Commissioners, and all Broward County municipalities.

**Section 4:** That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 5:** That this Resolution shall be in full force and effect immediately upon its adoption.

Adopted this 11<sup>th</sup> day January, 2018.

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Rebecca A. Tooley, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

Tooley            Aye

Rydell            Aye

Sarbone          Aye

Belvedere        Aye

Welch            Aye