

ORDINANCE NO. 2019-11

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 66 “ENVIRONMENTAL REGULATIONS”, ARTICLE IV “LANDSCAPING”, DIVISION 3 “TREE PERMITS”, TO MODIFY THE REGULATIONS REGARDING TREE PERMITS AND TO PROVIDE FOR THE TRIMMING OF COCONUTS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to modify the regulations regarding tree permits and to provide for the removal of coconuts; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 66 “Environmental Regulations”, Article IV “Landscaping”, Division 3 “Tree Permits” is hereby amended to read as follows:

DIVISION 3. - TREES PERMITS

Sec. 66-151. - Tree permits.

(a) *Permit required.* Except as provided herein, and as set forth by Florida Statute 163.045 it shall be unlawful for any person to cut down, damage, destroy, move, or remove any tree, or to authorize the same, without first obtaining a tree removal permit.

.....

Sec. 66-152. - Duty to trim coconut trees.

In order to protect life and property during periods of high winds and hurricanes and to protect pedestrians and vehicular traffic where coconut trees overhang walkways and streets, all coconut trees in the town shall be required to be trimmed annually by July 1 of each year, so that on July 1 of each year all coconut trees in the town shall be free of coconuts, coconut blooms, and dead or

dying fronds. Should any property owner fail to comply with this section, he/she shall be guilty of a violation of this Code. Since the ordinance shall not be adopted until July 1, 2019, for the calendar year 2019 all coconut trees in the town shall be required to be trimmed by August 15.

SECTION 3 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 5 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 3rd day of June, 2019.

SECOND AND FINAL READING this 1st day of July, 2019.

Vice Mayor MaGruder offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner Besler and upon being put to a vote, the vote was as follows:

STEVE COZ, Mayor	Aye
DON MAGRUDER, Vice Mayor	Aye
PHILIP BESLER, Commissioner	Aye
KRISTINE DE HASETH, Commissioner	Aye
SUSAN HURLBURT, Commissioner	Aye

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 1st day of July, 2019.

TOWN OF OCEAN RIDGE, FLORIDA

BY: 
Steve Coz, Mayor

ATTEST: 
Tracey L. Stevens, Town Clerk