

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA,  
AMENDING ARTICLE II - PRESERVATION AND  
PROTECTION OF TREES, SECTION 23-20 - TREE  
REMOVAL LICENSE REQUIREMENTS AND STANDARDS;  
PROVIDING FOR TREE PRESERVATION ACCOUNT;  
PROVIDING FOR CONFLICT; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR CODIFICATION;  
PROVIDING FOR RETROSPECTIVE APPLICATION;  
PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF  
MARGATE, FLORIDA:

**Section 1:** Article II - Preservation and  
protection of trees, Section 23-20 - Tree removal license  
requirements and standards, is amended to read as  
follows<sup>1</sup>:

Sec. 23-20. - Tree removal license requirements and  
standards.

(I) *Tree replacement requirements.*

(6) *Remuneration in lieu of tree replacement.* If it is  
determined by the City that the replacement is not  
feasible due to lack of available planting space,  
the following applies:

(a) The person conducting the tree replacement  
activity shall pay into the Ceity's Ttree  
Ppreservation Account~~fund~~ a replacement  
contribution in lieu of actual tree  
replacement;

(b) The replacement contribution will be  
determined using a schedule for current value  
of replacement trees plus installation and  
maintenance as established by City;

(c) Specimen tree calculations shall be in  
accordance with subsection 23-20(I) (2).

<sup>1</sup>CODING: Words in ~~struck-through~~ text are deletions from  
existing text; words in underscored text are additions to  
existing text, and **shaded** text reflect changes between First and  
Second Readings.

1 [Note to Municipal Code: The rest of this section shall  
2 remain as codified.]  
3  
4

5 (7) Tree Preservation Account

6 (a) Purpose: This account shall be used to replace  
7 or expand the tree canopy in the City.  
8

9 (b) Monies in the account shall be expended,  
10 utilized, and disbursed for the planting of  
11 trees and any other ancillary costs associated  
12 with the planting of trees on public lands in  
13 the City. Ancillary costs shall not exceed  
14 twenty percent (20%) of the cost of the  
15 particular tree planting project, and shall  
16 include landscape design services, irrigation,  
17 additional landscaping, and any other items or  
18 materials necessary for the proper installation  
19 and maintenance of tree planting projects.  
20 These monies may also be used to cover the  
21 expense of relocation of trees to public lands  
22 in City of Margate and the expense of  
23 periodically distributing saplings, trees,  
24 and applicable landscape materials to the  
25 public that increases tree canopy coverage in  
26 City of Margate.  
27

28 **SECTION 2:** All ordinances or parts of ordinances  
29 in conflict are repealed to the extent of such conflict.  
30

31 **SECTION 3:** If any section, sentence, clause, or  
32 phrase of this Ordinance is held to be invalid or  
33 unconstitutional by a court of competent jurisdiction,  
34 then said holding shall in no way affect the validity of  
35 the remaining portions of this Ordinance.  
36

37 **SECTION 4:** It is the intention of the City  
38 Commission that the provisions of this Ordinance shall  
39 become and be made a part of the City of Margate Code, and  
40 that the sections of this Ordinance may be renumbered or  
41 relettered and the word "ordinance" may be changed to  
42 "section", "article" or such other appropriate word or  
43 phrase in order to accomplish such intentions.  
44

45 **SECTION 5:** This Ordinance shall be retrospective  
46 in its application for the 2017 fiscal year.  
47

**SECTION 6:** This Ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS 3<sup>RD</sup> day of MAY, 2017.

PASSED ON SECOND READING THIS 17<sup>TH</sup> day of MAY, 2017.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR TOMMY RUZZANO

*RECORD OF VOTE - 1ST READING      RECORD OF VOTE - 2ND READING*

Caggiano    YES  
Simone      YES  
Peerman     YES  
Schwartz    YES  
Ruzzano     YES

Caggiano    \_\_\_\_\_  
Simone      \_\_\_\_\_  
Peerman     \_\_\_\_\_  
Schwartz    \_\_\_\_\_  
Ruzzano     \_\_\_\_\_