

CITY OF MARGATE, FLORIDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA URGING THE FLORIDA LEGISLATURE TO REJECT HOUSE BILL 521 WHICH, IF ADOPTED, WOULD PROHIBIT THE CITY OF MARGATE AND OTHER MUNICIPALITIES FROM REGULATING THE TRIMMING OR REMOVAL OF TREES OR TIMBER AND THE BURIAL OF VEGETATIVE DEBRIS; DIRECTING THE CITY CLERK TO DISTRIBUTE COPIES OF THIS RESOLUTION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida House of Representatives Bill 521 ("HB521"), if adopted, will prevent the City of Margate and other local governments from regulating the trimming, removing, or harvesting trees or timber located on private landowner's property or requiring mitigation for planting of trees or the removal or harvesting of trees or timber from private property and preventing local regulation of the burial of vegetative debris on certain properties; and

WHEREAS, if passed, HB-521 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 such as the City of Margate 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 Commission deems it to be in the best interests of the citizens and residents of the City of Margate to oppose HB521, and further urges the Florida Legislature to reject the same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA THAT:

Section 1. 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. The City Commission of the City of Margate, Florida hereby opposes HB521 and urges all municipalities in Broward County to join in this opposition. The City Commission hereby further urges the Florida Legislature to reject HB521.

Section 3. 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, and all municipalities in Broward County, and the Board of County Commissioners for Broward County.

Section 4. All resolutions or parts of resolutions on in conflict herewith be, and the same are hereby repealed to

the extent of such conflict.

Section 5. 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.

PASSED, ADOPTED AND APPROVED THIS _____ day of _____, 2017.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR ARLENE R. SCHWARTZ

RECORD OF VOTE

Peerman	_____
Simone	_____
Ruzzano	_____
Caggiano	_____
Schwartz	_____