

## ORDINANCE NO. 120

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA, AMENDING ORDINANCE NO. 79 AT SECTION 4; ENTITLED "MAINTENANCE AND APPEARANCE STANDARDS FOR RESIDENTIAL LOTS", BY THE ADDITION OF A NEW SUBPARAGRAPH TO BE NUMBERED 4.04.; PROVIDING A REQUIREMENT FOR THE MAINTENANCE OF TREES ON RESIDENTIAL PROPERTY WITHIN THE VILLAGE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Golf desires to update and amend its Minimum Property Standards Ordinance in order to provide for further regulations regarding the maintenance of trees on residential properties and certain adjacent parcels in the Village; and

WHEREAS, the Village Council of the Village of Golf believes that the adoption of this ordinance will be in the best interests of the health, safety and welfare of the residents of the Village of Golf.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA, THAT:

Section 1: Ordinance No. 79 is hereby amended at Sec. 4. Maintenance and appearance standards for residential lots. by adopting an entirely new subparagraph 4.04. to provide for new regulations regarding the maintenance of all types of trees within or adjacent to the residential areas; providing that Sec. 4. Shall hereafter read as follows:

### **Sec. 4. Maintenance and appearance standards for residential lots.**

4.01- 4.03 (Shall remain the same as previously adopted.)

*4.04 Tree Maintenance* Trees existing on all residential lots, in addition to property adjacent to public rights of way or easements along the residential lots, are subject to the following standards for vegetative maintenance as set forth hereinbelow.

*A. Shade tree trimming.* The purpose of pruning of trees is to allow for uniform and healthy growth. Pruning of tree limbs on a regularly scheduled basis will improve tree health, control growth, and enhance fruiting, flowering and appearance.

*B. Tree trimming/removal/maintenance requirements in the public rights-of-way and utility easements.* The adjacent property owner is responsible to maintain trees and vegetation between the property line/right-of-way line, and the edge of pavement of the adjacent improved right-of-way, or between the property line and a utility right of way

including FPL. Trees and vegetation must be maintained for clear line of sight on the road ways and not blocking stop signs and street lights. Tree limbs shall not be permitted to hang lower than 14-feet above the grade of the roads.

*C. Hurricane preparedness and cleanup.*

*(1) Shade tree and palm tree trimming.*

(a) All coconut palms must have their coconuts removed prior to hurricane season. Palm fronds that are dead should be removed.

(b) Shade trees should be pruned to enable trees to hold up better to high winds and storm damage.

*(2) Hazardous tree removal.*

(a) All trees and palms which are dead must be removed prior to hurricane season. Tree removal must be reviewed with the Village Manager prior to removal.

(b) Trees or palms, which by reason of height, proximity to adjacent structures, physical condition or other peculiar characteristic, which increase the probability that in times of hurricane winds prevalent in this region, the tree might cause damage to life, property or utilities within the immediate area are declared to be hazard and a public nuisance. The Village shall retain the right to require corrective measures which may include the removal of the tree(s), or which may result in the reduction of the tree's height or canopy.

*(3) Cleanup.*

(a) After a storm, all property owners are required to have trees trimmed to reduce hazards from hanging limbs and branches and to provide reconstructive pruning to restore the tree's canopy, to the extent possible. Owners are to follow the Village Manager's direction with respect to debris placement and collection to ensure compliance with FEMA requirements.

(b) Tree stumps and remains of trees that constitute a hazard shall be removed within 60 days after the storm event.

(c) All properties with a landscape plan of record shall be required to replace trees and landscaping per the approved plan within one year from the storm event. The Village Manager or designee may approve additional time for replacement in instances where damage has been severe or tree replacements are unavailable.

Section 2: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 3: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court or competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 4: Specific authority is hereby granted to codify this Ordinance.

Section 5: This Ordinance shall take effect immediately upon passage.

FIRST READING this 18<sup>th</sup> day of October, 2017.

SECOND AND FINAL READING this 20<sup>th</sup> day of June, 2018.

✓  
Aye

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Nay

✓  
Aye

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Nay

✓  
Aye

\_\_\_\_\_  
Nay

✓  
Aye

\_\_\_\_\_  
Nay

✓  
Aye

\_\_\_\_\_  
Nay

VILLAGE OF GOLF

[Signature]  
Mayor Thomas E. Lynch

[Signature]  
Vice Mayor Michael E. Botos

[Signature]  
Council Member J. Marshall Duane, III.

[Signature]  
Council Member Robert C. Buchanan

[Signature]  
Council Member Winstone Windle

ATTEST:

(SEAL)

[Signature]  
Donn Lynn, Village Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

[Signature]  
Bradley W. Biggs, Village Attorney