

ORDINANCE NO. 2013-08

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 130-7 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES; DELETING THE REPLACEMENT TREE STOCK LIST CONTAINED IN THE CODE OF ORDINANCES; PROVIDING FOR ADOPTION AND AMENDMENT OF THE REPLACEMENT TREE STOCK LIST BY RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 130-7 of the Code of Ordinances contains a replacement tree stock list; and

WHEREAS, in order to make amendments to the replacement tree stock list more efficient, the City Council finds it appropriate to remove the replacement tree stock list from the Code of Ordinances and provide for adoption and amendment of the replacement tree stock list by Resolution.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA AS FOLLOWS:

SECTION 1. Section 130-7 of the City of Edgewood Code of Ordinances is hereby amended as follows (note, ~~strikethrough~~ text indicates deletion and underlined text indicates added text):

Sec. 130-7. - Relocation or replacement of trees; removal without replacement.

(a) Nonexotic, nonhistoric, nonspecimen trees. As a condition for the approval of an application for removal of a tree, the city official may require that the owner of the real property or permittee either relocate said tree somewhere within the property lines of said property or replace each tree with one of the following:

(1) A tree of comparable size and type;

(2) A tree commonly sold in a 15-gallon container, of at least 1½ inches in diameter as measured three feet above soil level, and of a crown height of at least eight feet.

No owners shall replace trees with those which appear on the state exotic pest plant council's list of invasive plants, as listed in section 130-5(d).

(b) Exception to tree replacement requirement. At the discretion of the city official, and with the submission of the appropriate application, a tree removal permit may be issued with no tree replacement requirement if the tree being removed is one which appears on the state exotic pest plant council's list of invasive plants, as listed in section 130-5(d).

(c) City tree replacement trust fund. The city official may offer a choice to a permittee, especially when space limitations or other conditions exist, to make payment into the city tree replacement trust fund in accordance with section 130-8 in lieu of replacing trees to be removed.

(d) Historic and/or specimen trees.

(1) Generally. Historic and/or specimen trees shall be replaced in accordance with subsections (d)(2)—(4) of this section. Replacement trees shall be chosen from ~~the following recommended stock list:~~ a stock list adopted by Resolution of the City Council.

American beech	Pignut hickory
American elm; White elm	Pond cypress
American holly	Red bay
Bald cypress	Red buckeye
Basswood	Red maple
Black cherry	Sand live oak
Black gum	Scrub hickory
Bluejack oak	Scrub oak
Chickasaw plum	Slash pine
Chinese elm	Southern magnolia
Coast pignut hickory	Southern red cedar
Crepe myrtle	Southern red oak

Dahoon holly	Spanish oak; Shumard oak
Flowering dogwood	Swamp chestnut oak
Fringe tree	Swamp dogwood
Green ash	Sweet bay
Hackberry	Sweet gum
Ironwood	Sycamore
<u>Japanese Blueberry</u>	Tulip tree
Laurel oak	Turkey oak
Live oak	Water oak
Loblolly bay	White oak
Loblolly pine	Wild olive-Devilwood
Long Leaf pine	Willow oak
Myrtle oak	Winged elm; Cork elm
Pecan	

(2) Historic and/or specimen trees on existing single-family properties. Historic and/or specimen trees on existing single-family properties shall be replaced with trees sold in 15-gallon containers of at least 1½ inches in diameter as measured three feet above soil level.

(3) Historic and/or specimen trees on all other properties. Historic and/or specimen trees on all other properties shall be replaced with trees at least 18 feet in height, six inches in diameter as measured three feet above soil level.

(4) Alternative replacement plans. The city official may offer a choice to a permittee, especially when space limitations or other conditions exist, to make payment into the city tree replacement trust fund in lieu of replacing historic or specimen trees.

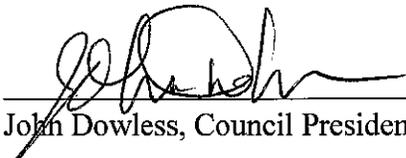
SECTION 2: Codification: Section 1 of this Ordinance shall be codified and made part of the City of Edgewood Code of Ordinances.

SECTION 3: Control: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls.

SECTION 4: Severability: It is the intent of the City Council of the City of Edgewood, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5: Effective Date: This Ordinance shall become effective upon final passage and adoption.

ADOPTED by the City Council of the City of Edgewood, Florida, this **21st** day of **January, 2014.**



John Dowless, Council President

ATTEST:



Bea Meeks
City Clerk

First Reading: **December 17, 2013**

Published: **January 10, 2014**

Second Reading: **January 21, 2014**