ORDINANCE NO. 22-XX 1 AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADOPTING A 180-2 DAY MORATORIUM ON THE USE OF ARTIFICIAL TURF FOR LANDSCAPING; 3 PROVIDING THAT THE CITY SHALL NOT ACCEPT, PROCESS, OR CONSIDER 4 5 APPLICATIONS FOR THE INSTALLATION OF ARTIFICIAL TURF DURING THE MORATORIUM; PROVIDING FOR EXTENSION, EXPIRATION, AND RENEWAL OF 6 THE MORATORIUM; PROVIDING FOR SEVERABILITY, 7 CONFLICTS, NONCODIFICATION, AND AN EFFECTIVE DATE. 8 9 WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of 10 the State of Florida, and Section 166.021(1), Florida Statutes, the City of Belle 11 Isle, Florida (the "City"), a municipal corporation, enjoys all governmental, 12 corporate, and proprietary powers necessary to conduct municipal government, 13 perform municipal functions, and render municipal services, and may exercise any 14 power for municipal purposes, except as expressly prohibited by law; and 15 16 17 WHEREAS the City has experienced significant problems and issues relating to 18 the installation of artificial turf in residential areas; and 19 20 WHEREAS in order to address the problems, issues, impacts, and concerns and 21 prevent long term detrimental impacts to residents, property values, water quality 22 and other adverse impacts from artificial turf, the City has determined that it is 23 in the best interests of the City and its residents to adopt a 180-day moratorium on artificial turf within the City in order for the City Planning and Zoning 24 25 Page | 1 of 5 Ordinance 22-06 Artificial Turf Moratorium

1 Commission and the City Council to evaluate and adopt changes to the City Code 2 provisions governing artificial turf so as to ensure that the standards and 3 criteria governing artificial turf can be reviewed and revised to eliminate or 4 reduce problems, issues, impacts and concerns associated with artificial turf and 5 to ensure that the installation and maintenance of artificial turf will be 6 consistent with the City's character, Comprehensive Plan, and the public welfare; 7 and

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9 WHEREAS, the City Council has directed the City Manager and City staff to 10 evaluate the problems, issues, impacts and concerns occurring in the City related 11 to artificial turf, including without limitation, water quality, runoff and 12 potential flooding, the impact on existing homes and the character of 13 neighborhoods, matters pertaining to safety, aesthetics, home and property 14 valuations and other matters; and

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WHEREAS, the City has determined that the moratorium imposed by this 16 17 Ordinance is in the interests of the public health, safety, and welfare; that the 18 moratorium is necessary and is of the minimum duration that will allow the City to 19 study problems associated with artificial turf, develop, and adopt new 20 regulations; that the moratorium will not deny property owners the use of their property nor impose an unreasonable burden on such use; that the moratorium 21 22 imposes a reasonable and non-extraordinary delay on artificial turf; and that the 23 moratorium will not reduce property values; and

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Page | 2 of 5

Ordinance 22-06 Artificial Turf Moratorium

WHEREAS, at a public meeting on March 22, 2022, the Planning and Zoning 1 Commission adopted a motion to recommend the City Council impose a 180-day 2 moratorium on the installation of artificial turf; and 3 4 5 WHEREAS, the City Council directed the City Attorney's office to prepare this Ordinance imposing a moratorium on artificial turf; 6 7 NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, 8 9 FLORIDA: 10 SECTION 1: RECITALS. The foregoing recitals are ratified and confirmed as 11 being true and correct and are hereby made a part of this Ordinance. 12 SECTION 2. TEMPORARY MORATORIUM. Beginning on the effective date of this 13 Ordinance and continuing for a period of 180 days, a moratorium is hereby imposed 14 upon the installation of artificial turf. During the moratorium, the City will 15 not accept, process, or consider applications for artificial turf. 16 SECTION 3. EXPIRATION & EXTENSION OF MORATORIUM. The temporary moratorium 17 imposed by Section 2 of this Ordinance expires 1800 days from the effective date 18 of this Ordinance. The moratorium may be terminated, renewed, or extended for any 19 period of time by the adoption of an ordinance or resolution of the City Council. 20 SECTION 4. NONCODIFICATION. This Ordinance shall not be codified. 21 SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, 22 phrase, word or provision of this Ordinance is for any reason held invalid or 23 unconstitutional by any court of competent jurisdiction, whether for substantive, 24 25 Page | 3 of 5 Ordinance 22-06 Artificial Turf Moratorium

1	procedural, or any other reason, such portion shall be deemed a separate, distinct
2	and independent provision, and such holding shall not affect the validity of the
3	remaining portions of this Ordinance.
4	SECTION 6. CONFLICTS. In the event of a conflict or conflicts between this
5	Ordinance and any other Ordinance or provision of law, this Ordinance controls to
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7	the extent of the conflict, as allowable under the law.
8	SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective
9	immediately upon adoption by the City Council of the City of Belle Isle, Florida.
10	FIRST READING:, 2022
11	SECOND READING:, 2022
12	0200ND NEHDING, 2022
13	ADOPTED this day of, 2022, by the City Council of the City
14	of Belle Isle, Florida.
15	YES NO ABSENT
16	Ed Gold
17	Anthony Carugno
18	Karl Shuck
19	Randy Holihan
20	Beth Lowell
21	Jim Partin
22	Sue Nielsen
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25	Page   4 of 5 Ordinance 22-06 Artificial Turf Moratorium

1	ATTEST:
2	Yolanda Quiceno, CMC City Clerk Nicholas Fouraker, Mayor
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5	Approved as to form and legality
6	A. Kurt Ardaman, City Attorney
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8	STATE OF FLORIDA
9	COUNTY OF ORANGE
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11	I, Yolanda Quiceno, CITY CLERK of the City of Belle Isle do hereby certify that the above and foregoing
12	document ORDINANCE 22-06 was duly and legally passed by the Belle Isle City Council, in session assembled
13	on the day of2022, at which session a quorum of its members were present.
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17	Notary Yolanda Quiceno, CMC-City Clerk
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25	Page   5 of 5 Ordinance 22-06 Artificial Turf Moratorium