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RESOLUTION NO. 23-01

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, EXTENDING A MORATORIUM ON THE USE OF ARTIFICIAL TURF FOR LANDSCAPING; PROVIDING THAT THE CITY SHALL NOT ACCEPT, PROCESS, OR CONSIDER APPLICATIONS FOR THE INSTALLATION OF ARTIFICIAL TURF DURING THE MORATORIUM; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 22-06, the City of Belle Isle adopted a temporary moratorium imposed upon the installation of artificial turf; and

WHEREAS, the City staff needs to evaluate problems further, issues, impacts, and concerns occurring in the City related to artificial turf on artificial turf to address the problems, issues, impacts, and concerns and prevent long-term detrimental effects on residents, property values, water quality and other adverse impacts from artificial turf; and

WHEREAS, the City has determined that the moratorium imposed by this Ordinance is in the interests of the public health, safety, and welfare; that the moratorium is necessary and is of the minimum duration that will allow the City to study problems associated with artificial turf, develop, and adopt new 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 imposes a reasonable and non-extraordinary delay on artificial turf; and that the moratorium will not reduce property values; and

1 **WHEREAS**, at a public meeting on August 30, 2022, the Planning and Zoning Commission
2 adopted a motion to recommend the City Council impose a 180-day extension on the moratorium for the
3 installation of artificial turf, and

4 **WHEREAS**, at a public meeting on September 6, 2022, the City Council passed Resolution 22-22,
5 the City Council imposed a 180-day extension on the moratorium for the installation of artificial turf, and;

6 **WHEREAS**, at a public meeting on January 24, 2023, the Planning and Zoning Commission
7 continued to discuss artificial turf and decided that more time is necessary to continue research and
8 discussion and adopted a motion to recommend the City Council impose a 180-day extension on the
9 moratorium for the installation of artificial turf

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11 **NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL FOR THE CITY OF BELLE ISLE:**

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13 **SECTION 1. RECITALS.** The foregoing recitals are incorporated herein and found by the City Council to
14 be true and correct statements as to the legislative findings of the City Council.

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16 **SECTION 2. MORATORIUM.**

17 A. The moratorium enacted and imposed by Ordinance 22-06 is hereby extended an additional 180
18 days from the original expiration date. During this time, the City will not accept, process, or
19 consider applications for artificial turf.

20 B. The moratorium shall expire upon the earlier of the following:

- 21 1. September 4, 2023;
- 22 2. The effective date of an ordinance adopted by the City Council to address
23 artificial turf; or
- 24 3. The effective date of a Resolution of the City Council repealing the moratorium in
25 response to the staff report or by a recommendation from the Planning and
 Zoning Commission.

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SECTION 3. SEVERABILITY. If any word, phrase, sentence, clause, or other portion of this Ordinance is determined to be invalid, void, or unconstitutional, the remainder of this Ordinance shall remain in effect.

SECTION 4. EFFECTIVE DATE. This Resolution will take effect immediately upon adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE THIS 7th DAY OF February, 2023.

CITY OF BELLE ISLE

Mayor Nicholas Fouraker

ATTEST: _____
YOLANDA QUICENO, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
CITY ATTORNEY

STATE OF FLORIDA

COUNTY OF ORANGE

I, YOLANDA QUICENO, CITY CLERK OF BELLE ISLE, FLORIDA, do hereby certify that the above and foregoing Resolution 22-22 was duly and legally passed and adopted by the Belle Isle City Council in

1 session assembled. At this session, a quorum of its members were present on the ____ day of
2 _____ 2022.

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5 Yolanda Quiceno, City Clerk

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