

Chapter 18 - TREE PRESERVATION CODE

Footnotes:

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Cross reference— *Community appearance board, § 2-131; garbage, trash and vegetative growth, Ch. 8; landscaping, Ch. 23; parks and recreation, Ch. 12; planning, Ch. 22; subdivisions and platting.*

Sec. 18-1. - Tree canopy trust fund.

A tree canopy trust fund is hereby established for the purpose of accruing revenues generated by the receipt of monies collected as application fees and equivalent values as prescribed herein, and for the expenditure of such funds for the purpose of establishing tree canopies on real property within the City, to fund educational outreach programs, to fund tree giveaways to residents that promote tree canopy preservation, and to support tree maintenance and preservation throughout the City. Expenditures shall be recommended by the Director of Public Works, or his or her designee, and made in accordance with adopted City policies.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § I, 10-27-92; Ord. No. 96-12-1, § I, 12-10-96; Ord. No. 03-12-01, § 1, 12-9-03; Ord. No. 11-10-3, § 2, 10-25-11; Ord. No. 20-6-1, § 2, 5-23-20)

Sec. 18-2. - Definitions.

For the purposes of this article, the following terms shall have those meanings set forth herein.

Bond shall mean a cashiers check payable to the City of Cooper City in an amount equal to the equivalent replacement value of the tree(s) to be removed and/or relocated and given as guarantee of replacement by the applicant.

Branch collar shall mean the trunk tissue that forms around the base of a branch between the main trunk and the branch.

Caliper shall mean the diameter of a tree measured at four and one-half feet above the ground, rounded to the nearest one-half inch.

Canopy shall mean the upper portion of a tree, consisting of limbs, branches, and leaves.

Conifer shall mean a pine tree or cone-bearing seed plant.

Dicotyledonous (Dicot) tree shall mean a tree having a woody stem and branches and leaves having net veination and having a separate, distinct outer bark which can be peeled from the tree.

Dripline shall mean the natural outside end of the branches of a tree or shrub projected vertically to the ground.

Equivalent replacement value shall mean an amount of money, which reflects the cost of replacing a tree or monocot calculated by multiplying the caliper inches of that tree, or trunk feet of that monocot, by the value per caliper inch or trunk feet for that class of tree or monocot, as determined by the Table of Tree Valuation (see sections 18-13 and 18-14 hereof).

Hatracking shall mean to flat-cut the top or sides of a tree, severing the main branch or branches; or trimming a tree by cutting off branches and leaving a stub larger than one inch in diameter; or reducing the total circumference or canopy of a tree by more than one-quarter; or by otherwise trimming a tree in such a manner as not to conform to the current American National Standards Institute (ANSI) A300 standards, copies of which are available for review at City Hall.

Horizontal plane shall mean an imaginary line that begins at the base of the live frond petioles.

Mature canopy spread shall mean the projected area in which the branches and leaves of a tree will extend beyond the trunk when it is fully grown.

Monocotyledonous (Monocot) tree shall mean a palm tree or a tree having fronds with parallel veination and a tightly held trunk surface.

Overlift means the removal of a majority of the inner lateral branches and foliage thereby displacing weight and mass to the ends of the branches. The alteration of the tree's live crown ratio may be considered as evidence of overlifting.

Private lands shall mean property not owned and/or leased by a governmental entity.

Prune shall mean the same as trim.

Public lands shall mean properties owned and/or leased by a governmental entity.

Replacement tree shall mean any Class "A" tree or Class "A" and "B" monocot, as determined by the Table of Tree Valuation (section 18-13 herein), which is planted to compensate for the equivalent replacement value of a removed or abused tree.

Shape means the regular and frequent shearing of outer tree branches, making pruning cuts of one inch in diameter or less, for the purpose of controlling the size and shape of the tree canopy.

Shearing means the cutting of many small diameter stems of one inch in diameter or less.

Stump shall mean the living or dead portion of a tree from above the surrounding grade to below the first branch.

Topiary pruning means the practice of pruning a tree into an ornamental shape by pruning branches one inch in diameter or less.

Tree shall mean a woody perennial plant, possibly shrubby when young, with one or more main stem(s) or trunk(s) which naturally develops diameter and height characteristics of a particular species.

Tree abuse shall mean any action or inaction which does not follow current acceptable trimming practices as established by the American National Standards Institute (ANSI) A300, copies of which are available for review at City Hall.

Tree relocation shall mean to transplant a tree from one location to another.

Tree removal shall mean removing the entire tree, including its root system; or removing all of the branches of a tree, leaving only a stump.

Tree service /arborist shall mean any person, company, corporation or service which does regularly, for compensation or fee, transplant, remove, prune, trim, repair, inject, or perform surgery on a tree.

Tree survey or tree location plan shall mean a drawing depicting a parcel of land, graphically locating by botanical and common names, caliper and condition of all trees contained thereon, and bearing the seal of the professional land surveyor in the case of a tree survey, or landscape architect, in the case of a tree location plan, licensed in the State of Florida.

Trim shall mean to cut away, remove, cut off or cut back parts of a tree or plant using approved methods set forth in the American National Standards Institute (ANSI) A300 current standards, copies of which are available for review at City Hall.

Trunk feet shall mean the distance in feet between the ground and the branch or frond which is closest to the ground on a monocot tree.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 00-1-9, § 1, 1-25-00; Ord. No. 03-12-01, § 1, 12-09-03)

Sec. 18-3. - Exemptions.

- (a) Owners of lands having a residential dwelling unit existing thereon as of the effective date of this article, for which the individual holds a fee simple title, shall be exempt from the provisions of this article. However, this article shall apply to those lands held under the ownership of a condominium association, maintenance association, homeowners' association or other common entity; and to trees which previously have been preserved by a developer on lands having a residential dwelling unit; and to previously relocated trees on lands having a residential dwelling unit.
 - (1) Such exempt residential landowners shall notify the City of their intent to remove a tree so that the City may have the opportunity to determine if the tree is of historical or environmental significance and/or relocate the tree to public lands at no expense to the property owner/tenant.
- (b) Licensed plant and/or tree nurseries shall be exempt from the terms and provisions of this article only in relation to those trees planted and growing for wholesale and/or retail sale purposes in

the ordinary course of said licensee's business.

- (c) Franchised utilities and their agents shall be exempt from the terms and provisions of this article, provided, however, they shall comply with the following conditions:
 - (1) They shall not prune or remove trees other than for the purpose of removing hazards to public safety or to the provision of uninterrupted service; and
 - (2) They shall prune according to current nationally accepted ANSI A300 standards for utilities line clearing; and
 - (3) For regular maintenance, the affected occupant shall be notified via U.S. mail by the franchised utility, at least four weeks prior to the beginning of pruning; and
 - (4) In urgent situations, which do not present an imminent threat to the public health, safety or welfare or immediate interruption of service, the affected occupant shall be given at least 48 hours written notice, via a door hanger, prior to pruning by the franchised utility.

For the purposes of subsection (3) and (4) hereof, "affected occupant" shall mean the person or persons residing in the affected dwelling unit and shall mean the City of Cooper City for any parcel that is designated via a plat or other instrument of record as being publicly-owned.

- (d) The following trees are exempt from the provisions of this article: Melaleuca, Brazilian Pepper (Florida Holly), Australian Pine, and Carrotwood.
- (e) Notwithstanding anything to the contrary herein, this article shall apply to trees of historical or environmental significance, as defined in section 18-12 hereof, when such trees are located on private property.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 93-8-1, § 1, 8-24-93; Ord. No. 95-8-1, § 1, 8-8-95; Ord. No. 00-1-9, § 2, 1-25-00; Ord. No. 03-12-01, § 1, 12-9-03)

Sec. 18-4. - Tree removal.

- (a) Unless otherwise provided by law, it shall be unlawful for any person to remove or to retain another to remove any living tree on public or private lands without first obtaining a tree removal permit; however, denial of such permit shall not unreasonably restrict the permitted use of the land.
- (b) Application for a tree removal permit shall be made to the City Manager or the City Manager's designee, stating the reason for removal, indicating the equivalent replacement value of the tree(s) to be removed, and demonstrating how the equivalent replacement value shall be compensated. The application shall be accompanied by a tree survey or tree location plan identifying the size and species of every existing tree on the property, and which trees are to be removed. A tree removal permit may be granted if one of the following considerations is present:
 - (1) Whether a proposed development cannot be located on the site without tree removal;

- (2) Whether the applicant has made every reasonable effort to incorporate existing trees in the development project and to minimize the number of trees removed;
 - (3) Whether a tree proposed to be removed is of poor quality and condition;
 - (4) Whether a tree proposed to be removed is, or will be, obstructing safe vehicular cross visibility;
 - (5) Whether a tree proposed to be removed is damaging existing improvements;
 - (6) Whether a tree proposed to be removed is creating on-going safety problems for existing development; or
 - (7) Whether a tree proposed to be removed is growing too close in proximity to other tree(s) to permit normal growth and development of the affected tree(s).
- (c) The City Manager or the City Manager's designee shall review the application and confirm the equivalent replacement value of the tree(s) to be removed, as set forth in section 18-13 and 18-14 hereof, and shall notify the applicant of any discrepancies on the application.
- (d) Swale trees. Only those trees classified as "C" in sec. 18-13 Table of Tree Valuation or trees that meet one or more of the criteria listed in sec. 18-4(b) may be removed and replaced. The applicant for such permit for trees in public rights-of-way adjacent to developed single family and duplex residential lots, shall fulfill one of the following conditions for each tree to be removed.
- (1) The applicant shall plant one replacement tree in the swale, with a minimum height of eight to ten feet and minimum spread of three to four feet, for each tree to be removed. Adherence to best management practices and FPL's Right Tree Right Place Program is required. The species of replacement tree shall be one from the following list of permitted swale trees as set forth in section 25-49(1)(a., b.) hereof:
 - a. *Quercus virginiana*, Live Oak.
 - b. *Bursera simaruba*, Gumbo Limbo.
 - c. *Tamarindus indica*, Tamarind.
 - d. *Lysiloma bahamensis*, Wild Tamarind.
 - e. *Acer rubrum*, Maple
 - f. *Tabebuia heterophylla*, Pink Tabebuia
 - g. *Bulnesia Arborea*, Verawood
 - h. *Lagerstroemia indica*, Crape Myrtle sp.
 - i. *Conocarpus E.*; 'sericeus', Silver Buttonwood
 - j. *Tecoma stans*, Yellow Elder:
 - k. *Ilex cassine*, Dahoon holly.
 - l. *Eugenia sp.*, Stoppers.

The applicant shall post a bond in the sum of \$150.00 for each tree to be removed. Failure to plant the required replacement tree(s) within 60 days from the permit issuance date shall result in forfeiture of the bond.

- (2) If the City Manager or the City Manager's designee determines that there is insufficient space for a replacement tree, or otherwise reasonably determines that a replacement tree cannot be planted in the swale, then the applicant shall either donate such replacement tree(s) for planting on public lands or the applicant shall pay the sum of \$150.00 to the City's tree canopy trust fund, for each tree to be removed.
- (e) *Undeveloped land.* The applicant for such permit for trees in all locations other than public rights-of-way adjacent to developed single-family and duplex residential lots shall fulfill one of the following conditions for each tree to be removed.
- (1) The applicant shall plant replacement tree(s) on the site from which the tree(s) is to be removed provided that sufficient space exists on said site to allow the replacement tree(s) to establish a mature canopy spread. The applicant shall post a bond in the amount of the value of the replacement tree(s). Failure to plant the required replacement tree(s) within 60 days from the permit issuance date or prior to certificate of occupancy issuance date, whichever is later, shall result in forfeiture of the bond.
 - (2) The applicant shall pay the amount of the equivalent replacement value for the tree(s) to be removed to the City's tree canopy trust fund.
 - (3) The applicant shall provide any combination of the above conditions so that the total value is equal to the equivalent replacement value of the tree(s) to be removed.
- (f) The Planning and Zoning Board shall review proposed development plans, and shall recommend approval or denial to the City Manager or the City Commission based upon the determination as to whether the applicant has met the requirements of this article.
- (g) Prior to the issuance of a tree removal permit, the City Manager or the City Manager's designee shall be in receipt of the prescribed application fee and the prescribed equivalent replacement bond and/or equivalent value.
- (h) Equivalent replacement and/or equivalent value shall not be required for the removal of any tree which has died or been severely injured due to lightning, disease or storm damage.
- (i) If a tree(s) is removed prior to the issuance of a tree removal permit the violator shall apply for a tree removal permit at double the scheduled application fee (see section 18-14 hereof) and shall pay an amount equal to the amount of the equivalent replacement value of the removed tree(s), within 60 days from the date of City notification of the permit requirement to the owner. In the event that a stump of the removed tree(s) does not exist, to assist the determination of the type

of tree removed, the equivalent replacement value shall be estimated based upon trees of like species existing in the vicinity and any other available information relevant to the determination of the type of tree removed.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 95-8-1, § 1, 8-8-95; Ord. No. 00-1-9, § 3, 1-25-00; Ord. No. 03-12-01, § 1, 12-9-03; Ord. No. 19-7-1, § 2, 8-20-19)

Sec. 18-5. - Tree relocation.

- (a) It shall be unlawful for any non-governmental employees or agents thereof to relocate any living tree on public or private lands without first obtaining a tree relocation permit; however, denial of such permit shall not unreasonably restrict the permitted use of the land. Relocated Class A trees and Class "A" and "B" monocots as shown in the Table of Tree Valuation (section 1812 herein) may be considered toward fulfilling City landscape requirements, as set forth in the City's Code of Ordinances.
- (b) Application for a tree relocation permit shall be made to the City Manager or the City Managers' designee, stating the reason for relocation, and shall be accompanied by a tree survey or tree location plan identifying all existing trees on the property, which tree(s) is to be relocated, and its new location on the site.
- (c) The City Manager or the City Managers' designee shall determine the equivalent replacement value of each tree to be relocated, and the applicant shall post a bond in the amount of the equivalent replacement value, as set forth in sections 18-13 and 18-14 hereof.
- (d) The Planning and Zoning Board shall review the proposed development plans and shall recommend approval or denial to the City Commission based upon the determination as to whether the applicant has met the requirements of this article.
- (e) Prior to the issuance of a tree relocation permit, the City Manager or the City Manager's designee shall be in receipt of the prescribed application fee and the bond in the amount of the equivalent replacement value, as set forth in sections 18-13 and 18-14 hereof.
- (f) Trees shall be relocated utilizing sound horticultural methods and in accordance with the current standards set forth by the ANSI A300, as same may be amended from time to time.
- (g) Any tree(s) relocated prior to the issuance of a tree relocation permit shall be compensated for by the violator posting a bond in the amount of the equivalent replacement value for the tree(s) relocated, and such violator shall be subject to double the scheduled application fee as set forth herein.
- (h) One hundred twenty calendar days subsequent to the successful relocation of the tree(s), as determined by the City Manager or the City Managers' designee, the bond shall be refunded to the applicant. Failure to successfully relocate said tree(s) shall result in forfeiture of the bond.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 00-1-9, § 4, 1-25-00; Ord. No. 03-12-01, § 1, 12-9-03; Ord. No. 19-7-1, § 3, 8-20-19)

Sec. 18-6. - Tree protection.

- (a) It shall be unlawful to develop, redevelop, build and/or rebuild on public or private lands where trees are to be retained without first taking all reasonable measures to prevent damage to the tree and root system out to the dripline.
- (b) Trees to be retained on a site shall be protectively barricaded prior to the commencement of and during development and/ or building activities in accordance with the provisions of this chapter.
- (c) The existence of any tree(s) to be retained on a development, redevelopment, building and/or rebuilding site shall allow the City Manager or the City Managers' designee to stop all work on said site until such time as the above-prescribed protective measures are in place.
- (d) Any trees to be retained on a development, redevelopment, building and/or rebuilding site which are damaged beyond survivability or dead as determined by the City Manager or the City Managers' designee shall be substituted by an equivalent replacement tree as prescribed in section 18-4(e)(1-4) of this article, prior to issuance of a certificate of occupancy or final inspection.
- (e) Land clearing, including understory is not permitted in an area designated as a natural forest community without first obtaining a tree removal permit as provided in this chapter.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 03-12-01, § 1, 12-9-03)

Sec. 18-7. - Tree trimming.

- (a) It shall be unlawful and shall constitute tree abuse for trees on public or private lands to be trimmed in any manner other than as described herein and in accordance with the current standards set forth by the ANSI A300, copies of which are available for review at City Hall.
- (b) Tree cuts shall be clean cuts made, using a sharp tool, at the junction of two branches, or the junction of a branch and the main trunk, without cutting into the branch collar.
- (c) Removal of dead wood, crossing branches, weak or insignificant branches and suckers shall be accomplished without reducing the canopy of a tree by more than one-quarter.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 00-1-9, § 5, 1-25-00; Ord. No. 03-12-01, § 1, 12-9-03)

Sec. 18-8. - Tree abuse.

- (a) It shall be unlawful and constitute tree abuse for trees on public or private lands.
- (b) Abused trees shall not be considered in fulfilling City landscape requirements.

(c) Tree abuse shall constitute and not be limited to:

- (1) Hatracking.
- (2) Damage inflicted upon any part of a tree, including the root system by machinery, storage of materials, soil compaction, excavation, unreported vehicle accidents, chemical application or change to the natural grade.
- (3) Damage inflicted to or cutting upon a tree which permits infection or pest infestation.
- (4) Bark removal of more than one-third of the tree circumference.
- (5) Tears and splitting of branch ends or peeling, puncturing and/or stripping of bark.
- (6) Use of climbing spikes on any species of tree for any purpose other than total tree removal.
- (7) Severe neglect of tree nutrition or adequate irrigation necessary for continued growth.
- (8) Destroying the natural habit of tree growth.
- (9) Pruning which leaves stubs or results in a flush cut; or splitting of limb ends.
- (10) Pruning that does not conform to standards or recommendations set by the American National Standards Institute, as amended.
- (11) Pruning of live palm fronds which initiate above the horizontal plane.
- (12) Overlifting a tree.
- (13) Shaping a tree, other than permitted topiary pruning.

(Ord. No. 03-12-01, § 1, 12-9-03)

Sec. 18-9. - Tree services/arborists.

- (a) Tree services/arborists performing work within the limits of the City shall be registered to do so with the City Manager or the City Manager's designee.
- (b) Tree services/arborists registration shall be valid for a period of one (1) year from date of issuance and shall be subject to the fees set forth in section 18-14 hereof. Registrations are not transferable or returnable.
- (c) Registered tree services/arborists shall maintain a copy of such registration on site for inspection when performing work within the City.
- (d) The City may revoke or deny renewal of a tree service/arborist registration if such tree service/arborist fails to conform to the tree trimming standards prescribed in section 18-7 hereof or if found to have committed tree abuse as defined in section 188 hereof, including work performed on developed single-family or duplex residential lots. Within ten (10) days of receipt of written notice revoking registration or denying renewal, a request may be made for a hearing before the City Manager to review the decision of the City. In addition to revocation or non-renewal of registration, tree services/arborists who violate the provisions of this chapter, shall be subject to the penalties as set forth in section 18-17 hereof.

- (e) Tree services/arborists who have been found to have committed tree abuse shall be required to take remedial measures to correct said abuse, as determined by the City's arborist or other City designee, including, but not limited to, payment to the tree trust fund for the replacement value of said tree, as set forth in section 18-13 hereof.
- (f) Tree services/arborists performing work within the City shall have the name as shown on their City registration clearly marked on each of their vehicles/equipment.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 00-1-9, § 6, 1-25-00; Ord. No. 19-7-1, § 4, 8-20-19)

Sec. 18-10. - Tree nuisances.

- (a) It shall be unlawful for the owner of property to allow any tree, dead tree or stump to exist upon any parcel of land which endangers human health, safety or welfare, or which could foreseeably cause the spread of disease or infestation to surrounding plant life, and such existence hereby is found to constitute a public nuisance.
- (b) The City Manager or the City Manager's designee shall give notice to the owner upon whose parcel of land such nuisance is located, advising the owner of same, and that the City waives all applicable permit and replacement requirements set forth herein.
- (c) Such notice shall be served by personal service of certified mail, return receipt requested. In the event that the address of the owner is unknown or such certified mail is returned unclaimed or refused, such notice may be served by posting the same in a conspicuous place on the property upon which the nuisance is located.
- (d) Such notice shall notify the owner to forthwith remove such tree, dead tree or stump no later than 30 days after receipt or posting of the aforementioned notice, whichever is applicable. Within ten days of posting or receipt of notice the owner may request a hearing before the City Manager to review the decision of the City. In the event that such nuisance is not removed by the owner, the City shall remove the same or have the same removed and the cost thereof shall constitute a charge and lien against the owner's property payable with interest accruing at the highest rate permitted by state law, plus costs and attorney's fees.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92)

Sec. 18-11. - Tree replacements.

- (a) The following species are specifically recommended as replacement trees in all locations other than public rights-of-way adjacent to developed single-family and duplex residential lots.
 - (1) All those trees classified as "A" in the Table of Tree Valuation for dicot and conifer trees.
 - (2) All those palms classified as "A" or "B" in the Table of Tree Valuation for monocot trees.
- (b)

For swale trees in public rights-of-way adjacent to developed single-family and duplex residential lots the species of replacement trees shall be one from the list of permitted swale trees as set forth in section 18-4(d) hereof.

(c) All replacement trees shall be Florida No. 1 or better in quality, as set forth in the current Florida Department of Agriculture publication, Grades and Standards for Nursery Plants.

(d) Replacement trees as specified herein may be considered toward fulfilling the City's landscape code requirements.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 95-8-1, § 1, 8-8-95; Ord. No. 00-1-9, § 7, 1-25-00; Ord. No. 03-12-01, § 1, 12-9-03; Ord. No. 19-7-1, § 5, 8-20-19)

Sec. 18-12. - Tree preservation.

(a) At the time a developer makes application for preliminary site plan approval, the developer shall submit a tree survey or tree location plan designating all trees with a caliper greater than two inches in size, for review by the City. Based upon said tree survey or tree location plan, and a physical inspection of the site, the City Manager or the City Manager's designee, shall determine if any tree(s) of historical or environmental significance exist on the subject property, which are defined as:

- (1) Any tree planted in recognition or memory of someone, living or dead;
- (2) Any tree listed on the National Register of Historical Trees;
- (3) Any tree recognized as a champion tree in the State of Florida;
- (4) Any tree listed as a protected species in Florida;
- (5) Any tree which provides a habitat for an endangered or threatened species of wildlife, as determined by the State of Florida; and
- (6) Any tree having a caliper of 18 inches or greater.

(b) If the City Manager or the City Manager's designee determines that such a tree(s) exists on the property, the developer shall make every reasonable effort to preserve said tree(s) in the original location or to relocate said tree(s) elsewhere on the site.

(c) If preservation or relocation of such tree(s) is not feasible within the site, the City may elect to have such tree(s) relocated to public lands at the developer's expense.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-17-92)

Sec. 18-13. - Table of tree valuation.

(a) Dicot and conifer trees:

Class	Botanical Name	Common Name
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C	<i>Acacia auriculaeformis</i>	Earleaf Acacia
B	<i>Acacia farnesiana</i>	Sweet Acacia
A	<i>Acerrubum</i>	Red Maple
B	<i>Albiziajulibrissin</i>	Mimosa
C	<i>Albizialebeck</i>	Woman's Tongue
A	<i>Annona glabera</i>	PondApple
C	<i>Araucaria excelsa</i>	Norfolk Island Pine
B	<i>Bauhiniasp.</i>	Orchid Tree
C	<i>Bischofiajavonica</i>	Bischofia
C	<i>Brassaiaactinophylla</i>	Schefflera
C	<i>Bucidabuceras</i>	Black Olive
A	<i>Burserasimarouba</i>	GumboLimbo
B	<i>Callistemonsp.</i>	Bottlebrush
B	<i>Calophyllumsp.</i>	Calophyllum
B	<i>Cassiafistula</i>	Golden Shower
B	<i>Chrysophyllumoliviforme</i>	Satinleaf
C	<i>Citrus spp.</i>	Citrus
B	<i>Clussiarosea</i>	Pitch Apple
A	<i>Coccolobadiversifolia</i>	Pigeon Plum

A	Coccolobauvifera	Sea Grape
B	Conocarpus erectus	Green Buttonwood
B	Conocarpus sericeus	Silver Buttonwood
A	Cordia sebestena	Geiger Tree
C	Cupaniopsis anacardiodes	Carrotwood
C	Cupressus sempervirens	ItalianCypress
C	Dalbergiasissoo	India Rosewood
A	Delonixregia	Royal Poinciana
B	Enterlobiumcyclocarpum	Ear Tree
B	Eriobatryajaponica	Loquat Plum
C	Eucalyptus torelliana	Eucalyptus
A	Eugenia spp.	Stopper
C	Ficus aurea	Strangler Fig
C	Ficus benjamina	Benjamin Fig
C	Ficus elastica	Rubber Tree
C	Ficus nitida	Cuban Laurel Fig
B	Ficus rubiginosa	RustyleafFig
C	Grevillea robusta	Silk Oak
A	Guaiacum sanctum	Lignum-Vitae

C	Hibiscus spp.	Hibiscus Standard
B	Hibiscustiliacus	Tree Hibiscus
A	Ilex cassine	Dahoon Holly
A	Jacarandaacutifolia	Jacaranda
B	Juniperus silicicola	Red Cedar
C	Kigeliapinata	Sausage Tree
B	Koelreuteriaformosana	Golden Raintree
B	Lagerstroemiaindica	Crape Myrtle
B	Lagerstroemiaspeciosa	Queen's Crape Myrtle
A	Ligustrumspp.	Ligustrum
B	Litchichinensis	Lychee
A	Lysilomaspp.	Wild Tamarind
C	Mangiferaindica	Mango
C	Manilkarazapota	Sapodilla
B	Myricacerifera	Wax Myrtle
C	Neriumoleander	Oleander Standard
A	Noronhiaemarginata	Madagascar Olive
C	Parkinsoniaaculeata	JerusalemThorn
A	Peltophorumpterocarpum	Yellow Poinciana

C	<i>Persea americana</i>	Avocado
A	<i>Persea borbonia</i>	Red Bay
A	<i>Pimenta dioica</i>	All Spice
A	<i>Pinus elliottii</i> var. <i>densa</i>	South Florida Slash Pine
B	<i>Piscidia piscipula</i>	Jamaican Dogwood
C	<i>Pithecellobium dulce</i>	Cat's Claw
B	<i>Platanus occidentalis</i>	American Sycamore
B	<i>Plumeria rubra</i>	Frangipani
B	<i>Podocarpus</i> spp.	Podocarpus
B	<i>Pongamia pinnata</i>	Pongam
B	<i>Prunus caroliniana</i>	Cherry Laurel
B	<i>Psidium littorale</i>	Cattley Guava
B	<i>Quercus laurifolia</i>	Laurel Oak
B	<i>Quercus nigra</i>	Water Oak
A	<i>Quercus virginiana</i>	Live Oak
B	<i>Sapindus saponaria</i>	Soapberry
B	<i>Simarouba glauca</i>	Paradise Tree
B	<i>Tecoma stans</i>	Yellow Elder
A	<i>Swietenia mahagoni</i>	Mahogany

C	<i>Syzygiumcumini</i>	Jambolan Plum
C	<i>Syzygiumjambos</i>	Rose Apple
A	<i>Tabebuia argentea</i>	Yellow Tabebuia
B	<i>Tabebuiapallida</i>	PinkTabebuia
A	<i>Tamarindus indica</i>	India Tamarind
A	<i>Taxodiumdistichum</i>	Bald Cypress
C	<i>Terminaliacattapa</i>	Tropical Almond
B	<i>Thespesia populnea</i>	Seaside Mahoe
C	<i>Thujaorientalis</i>	Arbor-Vitae
B	<i>Ulmus parvifolia</i>	Florida Elm

(b) Monocot trees:

Class	Botanical Name	Common Name
B	<i>Acoelorrhaphewrightii</i>	Paurotis Palm
B	<i>Arecastrumromanzoffianum</i>	QueenPalm
B	<i>Butiacapitata</i>	Pindo Palm
C	<i>Chrysalidocarpus lutescens</i>	Areca Palm
C	<i>Cocos nucifera</i>	Coconut Palm
C	<i>Cycas circinalis</i>	Queen Sago Palm
B	<i>Livistona chinensis</i>	Chinese Fan Palm

B	Neodypsis decaryi	Triangle Palm
A	Phoenixcanariensis	CanaryIsland Date Palm
A	Phoenixdactylifera	Medjool Date Palm
A	Phoenixreclinata	Senegal Date Palm
C	Phoenixroebellini	Pygmy Date Palm
B	Ptychosperma elegans	Solitaire Palm
B	Ptychospermamacarthurii	MacArthurPalm
C	Ravenearivularis	MajestyPalm
A	Roystoneaelata	Royal Palm
B	Sabalpalmetto	Cabbage Palm
B	Thrinaxfloridana	ThatchPalm
C	Veitchiamerrillii	Christmas Palm
B	Veitchiamontgomeryana	MontgomeryPalm
C	Washingtonia robusta	WashingtonPalm
A	Wodyetiabifurcata	Foxtail Palm

(c) A species of tree not listed hereinabove shall automatically be calculated as a Class "C" Tree.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 95-8-1, § 1, 8-8-95; Ord. No. 03-12-01, § 1, 12-9-03; Ord. No. 19-7-1, § 6, 8-20-19)

Sec. 18-14. - Fees and values.

(a) *Application fees:*

(1) Tree removal:

Minimum fee, up to 4 trees\$100.00

Additional fee per tree over 4 trees25.00

(2) Tree relocation:

Minimum fee, up to 4 trees60.00

Additional fee per tree over 4 trees15.00

(3) Tree service/arborist registration-annual30.00

(b) *Equivalent replacement value - Dicot and Conifer:*

(1) Class A - per caliper inch to 8 inches90.00

Per caliper inch from 9 inches—17 inches135.00

Per caliper inch for historically or environmentally significant trees and trees greater than 18 inches
.....180.00

(2) Class B - per caliper inch to 8 inches65.00

Per caliper inch from 9 inches—17 inches97.50

Per caliper inch for historically or environmentally significant trees and trees greater than 18 inches
.....130.00

(3) Class C - per caliper inch to 8 inches50.00

Per caliper inch from 9 inches—17 inches75.00

Per caliper inch for historically or environmentally significant trees and trees greater than 18 inches
.....100.00

(c) *Equivalent Replacement Value - Monocut:*

(1) Class A - per trunk foot100.00

- per trunk foot for historically or environmentally significant trees200.00

(2) Class B - per trunk foot25.00

- per trunk foot for historically or environmentally significant trees50.00

(3) Class C - per trunk foot20.00

- per trunk foot for historically or environmentally significant trees40.00

(d) The fees listed hereinabove may be amended from time to time by resolution of the City Commission.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 95-8-1, § 1, 8-8-95)

Sec. 18-15. - Tree blight.

- (a) Any species of tree determined by the City Manager or the City Manager's designee to have a blight or disease common to all members of the species and endangering the future existence thereof may be declared a contaminated species by the City Commission.
- (b) The City Manager or the City Manager's designee shall establish an inspection and treatment program so as to prevent and/ or diminish the demise of the species when feasible.
- (c) The employees of the City are authorized and empowered to enter upon any lands at any reasonable time for the purpose of inspecting any contaminated tree(s) situated thereon and may remove any such tree(s) as necessary.
- (d) The City shall serve notice to landowners of proposed treatment of contaminated trees by having published a display advertisement in a newspaper of general circulation within the City describing the contamination, treatment, geographic area and intent of the City's employees to enter upon lands for such treatment purposes. Landowners denying passage on their lands and treatment by the City's employees shall file such written denial to the City within ten calendar days from the publication date. The City's employees shall have the right to enter upon any lands at any reasonable time for the purpose of treating contaminated trees situated thereon without further notice or permission unless said written denial has been received within the specified time.
- (e) It shall be unlawful for any person to obstruct or prevent the City's employees from the performance of duties as prescribed herein.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92)

Sec. 18-16. - Tree emergencies.

- (a) Any tree(s) determined by the City Manager or the City Manager's designee to be in a hazardous or dangerous condition so as to endanger human health, welfare and/or safety and requiring immediate removal, may be removed upon issuance of a tree removal permit waiving all fees and values scheduled herein and after such time the City Manager or the City Managers' designee shall advise the Planning and Zoning Board and City Commission of same.
- (b) During periods of emergency, such as natural disaster, unnatural disaster, blight, infestation, acts of God, or other similar occurrences affecting tree preservation, the City Manager or the City Manager's designee may waive any and/or all provisions of this section, and after such time shall advise the Planning and Zoning Board and City Commission of same.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 92-10-2, § 1, 10-27-92; Ord. No. 03-12-01, § 1, 12-9-03)

Sec. 18-17. - Violation—Penalties.

- (a) If a citation issued for a violation of this chapter shall be paid prior to the issuance of a notice to appear or municipal information, the fine shall be \$50.00. After the issuance of a notice to appear or municipal information the penalties provided in section 1-8 of this Code shall be applicable.
- (b) In addition to all other remedies provided by law and this chapter, whenever any work is being done by a person not in compliance with this Chapter, an officer of the City may order that work be stopped and such persons performing such work shall immediately cease such work. The work may not resume until such time as the person is in compliance with this chapter.

(Ord. No. 87-11-1, §§ 1, 2, 11-10-87; Ord. No. 00-1-5, § 2, 1-11-00; Ord. No. 03-12-01, § 1, 12-9-03)