

RESOLUTION _____

A RESOLUTION OF THE CITY OF MAITLAND, FLORIDA STRONGLY OPPOSING THE PASSAGE OF SENATE BILL 574 AND HOUSE BILL 521 WHICH WOULD PREEMPT LOCAL TREE PROTECTION ORDINANCES SUCH AS THOSE CURRENTLY IN PLACE IN THE CITY OF MAITLAND; DIRECTING THE CITY MANAGER TO CIRCULATE THE RESOLUTION TO THE FLORIDA LEGISLATURE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, through the combined efforts of the City and numerous environmental and interest groups, Maitland has been blessed with a plentiful number and variety of trees; and

WHEREAS, Maitland's tree canopy has beautified our City and improved the lives of our citizens and visitors by bringing nature to our urban environments and preserving environmental sanctuaries for connection with the natural world; and

WHEREAS, trees improve water quality, reduce erosion, increase property values, provide shade, cleanse the air, create habitat for wildlife and add beauty to our City; and

WHEREAS, Maitland obtained the Arbor Day Foundation's Tree City USA designation in 2010, highlighting the City's commitment to urban forestry, community improvement and trees as a vital asset in the City's infrastructure; and

WHEREAS, Article II, Section 7 of the Florida Constitution provides that it shall be the policy of the state to conserve and protect its natural resources and scenic beauty; and

WHEREAS, the City of Maitland has, for many years, had a strong and effective tree protection ordinance to protect and enhance the tree canopy within the City of Maitland, encourage the protection of healthy trees, promote the removal of prohibited tree species and the replacement of removed trees as necessary to achieve the minimum thirty-percent canopy coverage established as a goal in the comprehensive development plan; and

WHEREAS, the City's tree protection regulations provide reasonable and sensible exemptions, including prohibited species and dead or diseased trees, among others; and

WHEREAS, tree protection has long been recognized as a legitimate exercise of local government home rule; and

WHEREAS, Senate Bill 574 and companion House Bill 521 have been filed in the Florida Legislature, both of which would preempt local governments from regulating the removal of trees from private property or from requiring mitigation for removal of such trees, and further provides that local governments may not prohibit the burial of trees and other vegetative debris; and

WHEREAS, such bills are a direct assault of the home rule powers of Maitland and other cities, towns and counties in Florida and are contrary to the view often stated by members of the legislature that the government that is the closest to the people is the government that is best;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Maitland, Florida, that:

SECTION 1. Council's Strong Opposition for Senate Bill 574 and House Bill 521. The City Council strongly opposes and urges the Florida Legislature to defeat passage of Senate Bill 574 and its companion, House Bill 521, which would preempt all local governments from regulating the removal of trees from private property and prohibits local governments from requiring mitigation for trees, which are removed.

SECTION 2. Direction to the City Manager. The City Manager is hereby directed to provide a copy of this resolution to the Florida Legislature.

SECTION 3. Effective Date. This Resolution shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

PASSED AND ADOPTED by the City Council of the City of Maitland, Florida on 11th day of January 2018.

CITY OF MAITLAND, FLORIDA

A. DALE MCDONALD, MAYOR

ATTEST:

CITY CLERK