

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA,
AMENDING CHAPTER 110 OF THE CODE OF
ORDINANCES, ENTITLED "RESOURCE PROTECTION" BY
AMENDING ARTICLE VI ENTITLED "TREE
PROTECTION", SECTION 110-331 TITLED
"ISSUANCE", TO PROVIDE FOR UNFULFILLED TREE
REMOVAL PERMITS TO BE FORWARDED TO THE SPECIAL
MAGISTRATE; PROVIDING FOR REPEAL OF
INCONSISTENT PROVISIONS; PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, the City Commission for the City of Key West finds that fulfilling the replacement inches of approved tree removal permits are critical to the promotion of the tree canopy within the city; and

WHEREAS, the City Commission for the City of Key West finds that ensuring the replanting of trees that are required as part of a tree removal permit can best be served by referring unfulfilled permits to the special magistrate for enforcement hearings; and

WHEREAS, The Planning Board for the City of Key West approved this ordinance revision at their meeting of July 19th, 2018; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST,
FLORIDA:

Section 1: That Section 110-331 of the Code of Ordinances is hereby amended as follows*:

Sec. 110-331. - Issuance.

(4) If a permit holder fails to fulfill the terms of the tree removal permit as provided in chapter 110, article VI, division 3, the Tree Commission shall forward the case to the code enforcement special master for further hearing and penalty.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and Clerk of the Commission and approval by the Florida Department of Economic Opportunity, pursuant to Chapter 380, Florida Statutes.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2018.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2018.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2018.

Filed with the Clerk _____, 2018.

Mayor Craig Cates	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK