

Item # 28

ADDITIONAL MATERIAL

10:00 a.m. Regular Meeting

APRIL 10, 2018

SUBMITTED AT THE REQUEST OF

COMMISSIONER STEVE GELLER

1 to remedy the violation. If after ten (10) days the violation has not been remedied, the
2 County may remove the offending tree and shall place a lien on the property in the amount
3 of the removal cost. The County shall have the authority to immediately remove any
4 dead, severely diseased, or damaged tree and shall place a lien on the property in the
5 amount of the removal cost if:

6 (1) The tree presents an imminent danger to safety, property, or utilities; and

7 (2) The County Administrator has suspended compliance with
8 Chapter 27, Article XIV, of the Code pursuant to Section 27-406 of the
9 Code.

10 (e) Failure of a property owner within a homeowners' association, as defined
11 in Section 720.301, Florida Statutes, to comply with subsections (b), (c), and (d) above,
12 where compliance would conflict with the Declaration of Restrictive Covenants, by-laws,
13 or regulations of the homeowners' association, shall not be deemed a violation of this
14 section. Upon a showing by the property owner of said conflict, any notice of violation
15 issued pursuant to this section shall be dismissed by the code enforcement officer or
16 hearing officer, as applicable.

17 (f) Unless otherwise specified in this section, property owners subject to an
18 enforcement action shall receive a notice of violation in accordance with Section 39-134
19 prior to any action being taken against them and may appeal the decision pursuant to
20 Chapter 8½ of the Code prior to the time limit to remedy the violation.

21 (f) (g) Any person who violates the requirements set forth in this section shall be
22 subject to fines as set forth in Section 8½-16(a) of the Code. Each incident involving each
23 tree shall be considered a separate violation of this article.

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Coding: Words in ~~struck-through~~ type are proposed deletions from existing text
by Commissioner Geller. Words in underscored type are proposed
additions by Commissioner Geller.