



OFFICE OF MANAGEMENT AND BUDGET

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MEMORANDUM

May 17, 2019

TO: Board of County Commissioners

FROM: Norman Foster, Director *N.F.*
Office of Management and Budget

SUBJECT: Fiscal Impact Statement Re: Proposed Ordinance Amending Chapter 8 ½, 27, and 39 of the Broward County Code of Ordinances, Relating to Trees Near Power Lines

Summary

Under Chapter 39 of the Broward County Code of Ordinances, property owners are required to prune trees that do not conform with the "Right Tree, Right Place" guidelines. Under Chapter 8 ½, property owners who have failed to maintain an existing tree in conformity with the Code or to notify the electrical utility that a tree cannot be brought into conformity may be issued a civil penalty of \$150 for the first violation, \$250 for the second violation, and \$500 for each subsequent violation. Chapter 39 also requires property owners to cut down, destroy, or remove trees or other plant growth that are dead, severely diseased, or severely damaged and are in danger of or have damaged a power line.

The proposal amends Chapters 8 ½ and 39 of the Broward County Code of Ordinances to delete: (a) the requirement that property owners prune trees not in conformity with the "Right Tree, Right Place" guidelines and the related civil penalties; and (b) the requirement that property owners cut down, destroy, or remove trees or other plant growth that are in danger of, or have, damaged a power line. In addition, the proposal would amend Chapters 27 and 39 to delete two obsolete provisions.

Fiscal Impact

Under the existing ordinance, property owners have one year from the effective date of the ordinance, which was enacted by the Board of May 8, 2018, to prune trees that do not conform to the "Right Tree, Right Place" guidelines. Because civil penalties related to this ordinance could only have been issued starting on or after May 8, 2019, and property owners have 30 days to remedy a violation under the ordinance, it is assumed that no civil penalties have been collected related to this ordinance. The proposed ordinance, which would eliminate both the requirement for property owners to prune certain trees and the related civil penalties, would therefore have no effect on County revenues when compared to the prior year. It should also be noted that the intent of the existing ordinance is to compel property owners to prune trees that might or have damaged power lines, not to generate revenue for the County.

NF:ep