



City of North Port

ORDINANCE NO. 2024-17

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, AMENDING THE CODE OF THE**
 2 **CITY OF NORTH PORT, FLORIDA, SECTION 2-511, RELATED TO FINES FOR TREE**
 3 **PROTECTION VIOLATIONS; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS;**
 4 **PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN**
 5 **EFFECTIVE DATE.**
 6

7 **WHEREAS**, on August 6, 2024, the City Commission adopted Ordinance No. 2024-13, repealing the Unified
 8 Land Development Code, Chapters 1, 5, 9, 13, 14, 17, 18, 21, 25, 28, 33, 37, 41, 45, 49, 53, 55, 57, 58, 59,
 9 60, and 61, and replacing those chapters with Chapters 1 through 4 and 6, and Appendices; and
 10

11 **WHEREAS**, certain references in Chapter 2 of the Code of the City of North Port, Florida (“City Code”) are
 12 no longer accurate, as the Unified Land Development Code (“ULDC”) renamed the “Tree Fund” to the
 13 “Environmental Protection Fund” and revised regulations regarding tree removal ; and
 14

15 **WHEREAS**, these amendments are required to achieve consistency between the City Code and the ULDC;
 16 and
 17

18 **WHEREAS**, the City Commission finds that these amendments serve the public health, safety, and welfare
 19 of the citizens of the City of North Port, Florida.
 20

21 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**
 22

23 **SECTION 1 – FINDINGS**
 24

- 25 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 26
- 27 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business
 28 impact estimate on the City’s website on or before the date the newspaper published notice of
 29 this ordinance’s final reading.
 30

31 **SECTION 2 – ADOPTION**
 32

33 2.01 Chapter 2 of the Code of the City of North Port, Florida is hereby amended as follows:
 34

35 **“Chapter 2 – ADMINISTRATION**
 36 ...
 36

37 **ARTICLE IX. – CODE ENFORCEMENT**

38 ...

39 **Sec. 2-511. – Fines and liens.**

40 ...

41 (b) *Fine.*

42
43 (1) A fine imposed pursuant to this section shall not exceed the following amounts, unless
44 otherwise provided by this Code or the ~~unified land development code~~ Unified Land
45 Development Code:

46 ...

47 b. Fines for violation of specific sections of the ~~unified land development code~~ Unified
48 Land Development Code, Chapter ~~45~~ 6, Article VII. Tree Protection Regulations.
49 Each unauthorized removal of a single tree regulated by this chapter shall be a
50 separate violation or offense:

51
52 ~~1.~~ \$100.00 per diameter inch at breast height (DBH) for each tree and \$200.00 per
53 DBH for each heritage tree up to a maximum of \$5,000.00 per tree for harmful
54 acts as described in Unified Land Development Code Chapter 6 for conducting
55 an activity that requires a tree removal permit without first obtaining a tree
56 removal permit.

57
58 2. \$100.00 per diameter inch at breast height (DBH) for each tree and \$200.00 per
59 DBH for each heritage tree up to a maximum of \$5,000.00 per tree for
60 conducting an activity that requires authorization pursuant to Unified Land
61 Development Code Chapter 2 without first obtaining that authorization.

62
63 ~~2-3.~~ In a case where tree removal has occurred and the number of trees removed is
64 unable to be determined, \$15,000.00 fine shall be assessed per each 10,000
65 square feet of lot/parcel or fraction thereof. Each 10,000 square feet
66 constitutes a separate violation.

67
68 4. When the city collects fines or receives payments of liens associated with
69 violations described in Sec. 2-511.(b)(1)b, those funds shall be deposited into
70 the city’s environmental protection fund as described in Unified Land
71 Development Code Chapter 6, Article I, Section 6.1.3.

72 ...”

73
74 **SECTION 3 – CONFLICTS**

75
76 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in
77 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

78
79 **SECTION 4 – SEVERABILITY**

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81 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,
82 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be
83 deemed a separate, distinct, and independent provision and will not affect the validity of the
84 remaining portions of the ordinance.

85
 86 **SECTION 5 – CODIFICATION**
 87
 88 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striethrough~~. Any
 89 additional codification information and notations appear in *italics*. These editorial notations are
 90 not intended to appear in the codified text.

91
 92 **SECTION 6 – EFFECTIVE DATE**
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 94 6.01 This ordinance takes effect on October 28, 2024.

95
 96
 97 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public
 98 session on July 23, 2024.

99
 100 ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in
 101 public session on August 6, 2024.

102
 103 CITY OF NORTH PORT, FLORIDA

104
 105
 106 _____
 107 ALICE WHITE
 108 MAYOR

109
 110 ATTEST

111
 112
 113 _____
 114 HEATHER FAUST, MMC
 115 CITY CLERK

116
 117
 118 APPROVED AS TO FORM AND CORRECTNESS

119
 120
 121 _____
 122 AMBER L. SLAYTON, B.C.S.
 123 CITY ATTORNEY