



**City of North Port**  
**NEIGHBORHOOD DEVELOPMENT SERVICES DEPARTMENT**

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## **MEMORANDUM**

**TO:** Peter Lear, CPA, CGMA City Manager  
Cari Branco, Assistant City Manager / Jason Yarborough, Assistant City Manager

**FROM:** Frank Miles, MPA, Neighborhood Development Services

**SUBJECT:** Code and Tree Fine Information

**DATE:** February 11, 2019

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In response to an inquiry made regarding use of code enforcement fines and tree fund uses, I offer the following information that I could determine from the minutes and materials provided as far as a "structure" is concerned.

- 1) The North Port Beautification and Tree/Scenic Highway Committee met on June 7, 2018 and discussed the creation of a grant program to aid businesses along Highway 41. The grant would be purposed to revitalize landscaping and to upgrade compliance to current ULDC code requirements.
- 2) The program's intent would be to incentivize businesses to improve landscaping to current code and to create an attractive streetscape along 41;
- 3) The applicant for a grant would agree to install and maintain adequate irrigation to sustain the health of the plantings and maintain and replace plants as needed;
- 4) Funds would be used by applicants to install perimeter buffering consistent with today's code requirements, to create landscaped frontages on 41 and add landscaping to meet the 35 percent tree canopy coverage;
- 5) Funding would be determined annually by Commission and a suggested annual budget of \$20,000 be put in place with \$5000 available to grant each applicant, with the applicant responsible to obtain three quotes for City approval;
- 6) City staff will review and approve each application based on generally accepted Florida landscapes requirements and of the ULDC;
- 7) If the Tree fund is suggested as a vehicle to utilize this program, the ULDC will require an amendment, at present Tree funds cannot be used on private property. Code Enforcement fines, deposited into the General Fund, can be used however Commission determines (per CAO).
- 8) The initial legal request was generated from a June 7<sup>th</sup>, 2018 North Port Beautification and Tree/ Scenic Highway Committee presentation to Commission. As discussion ensued, the use of tree fund monies was brought up. Vice Mayor Yates suggested that monies collected from Code Enforcement violations could potentially be utilized as a funding source. Commission directed staff to come back with a structure for a fund from Code Enforcement fines to be used for the revitalization program. The CAO interpretation was to add clarification to what monies could be legally utilized for use on private properties.

As always, if there are questions, comments or concerns, please let me know.