

TREE PROTECTION REGULATIONS

- (a) A tree condition and assessment report by an environmental scientist that identifies the extent of the root system, boundary of dripline and management plan. A tree survey accompanied by an aerial meeting the criteria of this chapter shall be included in the report.
- (b) No development shall occur within the dripline as established by the tree condition report.
- (c) A champion tree is not eligible for removal or relocation.
- (d) If a champion tree is located on a single-family or duplex lot platted prior to the adoption date of this chapter and prevents development, the City shall either trade property for a separate yet equal lot or acquire the lot(s) for public benefit.

Sec. 45-13. Establishment of tree fund.

There is hereby established a City of North Port Tree Fund to be administered by the City's Department of Financial Services. All mitigation fees and monetary fines for violations of this Ordinance or Chapter 21 of this Unified Land Development Code shall be deposited into this special Tree Fund. The Tree Fund shall be used to advance the stated intent of Chapter 45 by engaging in the following activities;

- (1) Purchasing property within the City to be used only for tree preservation purposes;
- (2) Planting trees from the Tree Priority List on public lands within the City according to the priorities identified in Policy 3.5 of the Conservation and Coastal Zone Management element of the Comprehensive Plan;
- (3) Educating the public on proper care of trees;
- (4) Maintaining tree health and safety on public lands within the City. Money used from the Tree Fund for the purpose of tree maintenance shall be used exclusively for those trees planted with Tree Fund money; and
- (5) Purchasing conservation easements on privately owned property within the City.

Sec. 45-14. Enforcement, penalties for offenses, appeals.

A. In order to ensure compliance with the provisions of this chapter, the City may:

- (1) Issue stop-work orders for any development, construction, renovation or demolition or portion thereof only where regulated trees are affected;
- (2) Withhold the issuance of any building or other permit unless the permit does not impact or exacerbate the violation and at the discretion of the City Manager or designee;
- (3) Withhold the issuance of any certificate of occupancy or required inspection;
- (4) Use any other enforcement remedy granted by the North Port Unified Land Development Code or the North Port Code;
- (5) Employ all available remedies in law or equity, including, but not limited to, injunctive relief to enjoin and restrain any person from violating its provisions, money damages and all costs and expenses of the litigation; and/or
- (6) Assess monetary fines or penalties.

B. Penalties for offenses.