

FILED FOR RECORD  
R. B. SHORE

ORDINANCE NO. 09-67

2009 DEC -7 PM 12: 08

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, RELATING TO TREE MANAGEMENT; AMENDING SECTION 2-25-52 OF THE MANATEE COUNTY CODE OF ORDINANCES PROVIDING FOR APPLICABILITY; CREATING PARAGRAPH 2-25-55(b)(3) OF THE MANATEE COUNTY CODE OF ORDINANCES TO PROVIDE ADDITIONAL PURPOSES AND DUTIES OF THE ENVIRONMENTAL LANDS MANAGEMENT AND ACQUISITION COMMITTEE; AMENDING PARAGRAPH 2-25-55(d)(1) OF THE MANATEE COUNTY CODE OF ORDINANCES PROVIDING FOR MEMBERSHIP OF THE COMMITTEE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

2009 NOV 30 AM 11: 12  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FILED

WHEREAS, on October 7, 2003, the Board of County Commissioners of Manatee County, Florida, enacted Ordinance No.03-62, the Manatee County Environmental Land Management and Acquisition Ordinance; and

WHEREAS, Ordinance No. 03-62 is codified as Article IV of Chapter 2-25 of the Manatee County Code of Ordinances; and

WHEREAS, Section 2-25-55 of the Manatee County Code of Ordinances establishes the environmental lands management and acquisition committee as an advisory body to the Board of County Commissioners of Manatee County; and

WHEREAS, Subsection 2-25-55(b) of the Manatee County Code of Ordinances describes the purposes and duties of the environmental lands management and acquisition committee; and

WHEREAS, Subsection 2-25-55(d) of the Manatee County Code of Ordinances specifies the membership of the environmental lands management and acquisition committee; and

WHEREAS, the Board of County Commissioners of Manatee County desires that the environmental lands management and acquisition committee also serve as the tree advisory committee for purposes relating to tree management; and

WHEREAS, the Board of County Commissioners of Manatee County has determined that it is in the best interest of the County to amend Section 2-25-55 of the Manatee County Code of Ordinances to provide additional duties and revise the membership of the environmental lands

management and acquisition committee relating to tree management; and

WHEREAS, Section 2-25-52 of the Manatee County Code of Ordinances provides for the applicability of Article IV of Chapter 2-25 in the unincorporated and incorporated areas of Manatee County; and

WHEREAS, the governing boards of various municipalities located in Manatee County have approved or are considering ordinances relating to tree management within the incorporated boundaries of the respective municipalities; and

WHEREAS, Subsection 1(f) of Article VIII of the Florida Constitution provides that an ordinance of a non-charter county in conflict with a municipal ordinance shall not be effective within the municipality to the extent of any conflict; and

WHEREAS, since Manatee County is a non-charter county, the Board of County Commissioners of Manatee County desires to prevent conflict with any existing or future municipal ordinances relating to tree management within the incorporated boundaries of the municipalities located in Manatee County; and

WHEREAS, the Board of County Commissioners of Manatee County has determined that it is in the best interest of the County and the municipalities within the County to amend Section 2-25-52 of the Manatee County Code of Ordinances to provide for the applicability of the environmental lands management and acquisition committee relating to tree management only in the unincorporated areas of the County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Section 2-25-52 of the Manatee County Code of Ordinances, is hereby amended to read as follows:

Sec. 2-25-52. Applicability.

The provisions of this article apply in the unincorporated and incorporated areas of Manatee County, Florida; provided, however, the purposes and duties of the environmental lands management and acquisition committee serving as the tree advisory committee described in paragraph 2-25-55(b)(3) of the Manatee County Code of Ordinances shall apply only in the unincorporated areas of Manatee County, Florida.

Section 2. Paragraph 2-25-55(b)(3) of the Manatee County Code of Ordinances is hereby created to read as follows:

Sec. 2-25-55. Environmental lands oversight committee.

(b) Purposes and duties of the environmental lands management and acquisition committee.

(3) Within the unincorporated area of the county, the committee shall also serve as the tree advisory committee. In such capacity, the duties of the committee shall be as follows:

- a. To develop a tree management program for the care of trees on property owned by the county;
- b. To promote awareness of the county's tree canopy through educational programs;
- c. To review grant requirements and to prepare grant proposals for submittal by the county for the purpose of funding tree management programs; and
- d. To coordinate the county's observance of Arbor Day each year.

Section 3. Paragraph 2-25-55(d)(1) of the Manatee County Code of Ordinances is hereby amended to read as follows:

Sec. 2-25-55. Environmental lands oversight committee.

(d) Membership of the committee.

- (1) The committee will be made up of fifteen (15) members. To the extent possible, members shall have expertise in ecology, conservation of natural resources, real estate or land acquisition business and land development, land planning, land management, or environmental education. An applicant shall submit evidence of his or her expertise in any of the above. The board shall appoint committee members from the following groups or with the following affiliations:
- a. A member from the Florida Engineering Society;
  - b. A member schooled in a natural science: ecology, biology, botany, etc.;
  - c. A member with background or education in active outdoor sports;
  - d. A member of a local environmental group;
  - e. A member recommended by the Manatee Chamber of Commerce;
  - f. Two (2) year-round residents of Manatee County, one (1) of whom shall be a resident of one (1) of the communities on Anna Maria Island or Longboat Key;
  - g. An employee of the Manatee County School Board;
  - h. A member with background/education in banking, finance, or real estate;
  - i. A member engaged in the agricultural business of farming, ranching or commercial horticulture; and
  - j. A member who represents Keep Manatee Beautiful, Inc.; and
  - k. Four Five (4 5) at-large members who are residents of Manatee County.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the

ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. This ordinance shall become effective upon filing with the Department of State.

ADOPTED AND ENACTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 17<sup>th</sup> day of November, 2009.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *Dr. Harold J. Brown*  
Chairman



ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By: *Susan P. Romie*  
D.C.



STATE OF FLORIDA, COUNTY OF MANATEE  
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.  
Witness my hand and official seal this 20<sup>th</sup> day of November, 2009  
R. B. SHORE  
Clerk of Circuit Court  
By: *R. Colorado* D.C.



## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

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**KURT S. BROWNING**  
Secretary of State

FILED FOR RECORD  
R. B. SHORE

2009 DEC -7 PM 12: 07

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

December 1, 2009

Honorable R. B. "Chips" Shore  
Clerk of Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Ms. Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 20, 2009 and certified copies of Manatee County Ordinance Nos. PDMU-03-36 (G) (R), 09-08, 09-49, 09-50 and 09-67, which were filed in this office on November 30, 2009.

As requested, one date stamped copy is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/srd  
Enclosure

#### DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
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**From:** ords@municode.com  
**Sent:** Wednesday, February 24, 2010 1:06 PM  
**To:** Diane Vollmer  
**Subject:** Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 79

**Manatee County, FL Code of Ordinances - 1981 (10428)**  
Supplement 79

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 09-67	11/17/2009	2/24/2010	Hard Copy/Electronic



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