

RESOLUTION 17-10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE SENATE BILL (SB) 574 AND HOUSE BILL (HB) 521, WHICH ATTACK HOME RULE POWER BY PREEMPTING TO THE STATE REGULATIONS THAT RESTRICT THE REMOVAL AND TRIMMING OF CERTAIN TYPES OF TREES THAT ARE INTEGRAL TO THE CHARACTER OF OUR TOWN; AUTHORIZING TRANSMISSION OF THE RESOLUTION TO PERTINENT PARTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1968 Florida voters amended the State Constitution conferring broad Home Rule powers to counties and municipalities, authorizing local officials to pass local ordinances and exercise all powers not specifically prohibited by law; and

WHEREAS, SB 574 and HB 521 effectively rescinds all current county and local government regulations regarding the trimming, removal or harvesting of trees on private property by preempting to the State the regulation of these activities; and

WHEREAS, the Town's residents through their duly elected Town Council believe that it is proper for the Town to determine the appropriate regulations governing the removal, trimming, and mitigation of certain types of trees such as live oaks that are integral to the special character of our Town; and

WHEREAS, SB 574 and HB 521 thwart the ability of the Town to act on a matter of local importance as expressed by local citizens and shifts the power to determine the regulations regarding trees to the Florida Legislature, a 160 member body that: is constitutionally focused on matters of State-wide importance; meets only once a year for 60 days; and that is located approximately 350 miles driving distance from the Town of Indian River Shores; and

WHEREAS, the Town Council of Indian River Shores believes opposing SB 574 and HB 521 is in the best interest of Town residents.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, FLORIDA, to request the members of the Florida Legislature to oppose SB 574 and HB 521.

FURTHERMORE, the Town Council of the Town of Indian River Shores directs the transmission of this Resolution to the Indian River County delegation of the Florida Legislature, to the Florida League of Cities and other interested parties.

This Resolution becomes effective upon approval by the TOWN COUNCIL OF THE TOWN OF INDIAN RIVER SHORES, Florida, which was passed on the 14th day of December, 2017.

/s _____
Brian M. Barefoot, Mayor

ATTEST:

/s _____
Laura Aldrich, Town Clerk

(SEAL)