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**ORDINANCE NO. 89-32**

AN ORDINANCE AMENDING ORDINANCE 89-18, AMENDING CHAPTER 98, TREES, OF THE CODE OF ORDINANCES OF THE TOWN OF LONGBOAT KEY, SECTION 98.06, RELOCATION OR REPLACEMENT, PROVIDING FOR A FEE IN LIEU OF TREE REPLACEMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

**BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY:**

**SECTION 1.** Section 1 of Ordinance 89-18 amending Chapter 98, TREES, of the Code of Ordinances of the Town of Longboat Key, Section 98.06, Relocation or Replacement, subsection (A) is amended to read as follows:

(A) As a condition to granting a permit, the Town Manager or his designee shall require the applicant to relocate or replace a tree being removed at the applicant's expense, either within the site or, with the concurrence of the Town Manager, on public land within reasonable proximity of the site. If replacement trees cannot be planted on the applicant's land or on public land within reasonable proximity to the site, a fee of \$100.00 per replacement tree, based on the ratio provided herein, shall be paid to the Town. These funds shall be kept in an account and used only for the designated replacement or planting of trees on public property. The ratio of replacement, when reasonably possible, shall be on a two for one basis if replacement trees are smaller than the trees to be removed. If the replacement trees are approximately the same size as the trees to be removed, a one for one ratio may be permitted. The Town Manager or his designee should consider the site and the size and species of tree to be removed when fixing the required ratio. The reasons for any deviation from the ratios set forth herein shall be clearly stated and documented by staff. Photographs shall be taken by staff both before issuance of the permit and after the completion of the removal and replacement.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on second reading and adoption.

**Passed on first reading this 2nd day of January, 1990.**

Passed and adopted on second reading this 5th day of February, 1990.

**Mayor**

**ATTEST:**

Patricia L. Brown  
Town Clerk

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