

CHAPTER 17C
SHRUBS AND TREES

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ARTICLE I. IN GENERAL

Secs. 17C-1---17C-15. Reserved.

ARTICLE II. TREE REMOVAL

Editor's note---Ord. No. 74-21, adopted July 24, 1974, did not expressly amend this Code, hence inclusion of §§ 1---6 thereof as Art. II, §§ 17C-16---17C-21, was at the discretion of the editors.

Cross reference---Overgrowth of trees and shrubs, § 10-12 et seq.

Sec. 17C-16. Requirements for removal.

It shall be unlawful for any person, corporation or agent to remove any tree as defined herein until the following requirements have been met:

(a) A request has been submitted to the town commission of the Town of Longboat Key in writing on a form provided by the town manager, and accompanied with the following information:

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(1) An overall site plan including the approximate shape and dimensions of the lot or parcel of land, together with existing and proposed driveways, structures and improvements.

(2) The approximate location of all trees, as defined herein, which trees shall be identified as to type and species.

(3) The designation of all trees which are to be removed.

(4) A statement as to why said trees are to be removed.

(5) A statement as necessary, explaining how any standing trees or trees to be relocated as part of a development project are to be protected during the construction of the development. (Ord. No. 74-21, § 1, 7-24-74)

Sec. 17C-17. Investigation of application.

After an application for removal of trees has been filed, said application shall be checked by the building and zoning official who will review and consider what effects the removal of said trees will have upon the drainage, topography and the natural resources of the affected area prior to granting or denying said application. Based upon a review of these factors, the application shall be approved or denied. (Ord. No. 74-21, § 2, 7-24-74)

Sec. 17C-18. Application fee.

Application for tree removal permits filed with the town manager shall be accompanied by a fee of five dollars (\$5.00). Such fees are hereby declared to be necessary for the purpose of processing the application and making the necessary inspections for administration and enforcement of this article. (Ord. No. 74-21, § 3, 7-24-74)

Sec. 17C-19. "Tree" defined.

A "tree" is defined as any self-supporting woody plant having a diameter of six (6) inches measured four and one-half (4 1/2) feet above ground level in the environs of the Town

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of Longboat Key and which provides shade or is capable of providing shade at maturity, and all species of mangrove regardless of size. (Ord. No. 74-21, § 4, 7-24-74)

Sec. 16C-20. Exceptions.

(a) Any tree located on a parcel of improved single-family residential land, provided such tree is located on the premises of an individual owner, and further provided such property is not being prepared for the development of a subdivision or other nonsingle-family residential use, is specifically exempt from the terms and conditions of this article.

(b) Trimming of trees as normal maintenance provided such trimming does not result in the mutilation of the tree or trim more than twenty-five per cent (25%) of the existing leaves, limbs and foliage are specifically exempt from the terms and provisions of this article; provided mangroves of all species shall not be trimmed in any manner.

(c) Any person who feels aggrieved under the strict enforcement of this article by any administrative official may file, within five (5) days after the said aggrievement, a petition to have his case reviewed and acted upon by the town commission, whose decisions on all matters shall be final. (Ord. No. 74-21, § 5, 7-24-74)

Sec. 17C-21. Penalty.

Any person found guilty of violating any provisions of this article or any order issued pursuant thereto shall upon conviction thereof be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding sixty (60) days, with each day of such violation constituting a separate offense. (Ord. No. 74-21, § 6, 7-24-74)