

PROPOSED  
ORDINANCE NO. 19-15

ORDINANCE NO. 21-15

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 12-6-10 (C) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PERTAINING TO THE TREE PLANTING TRUST FUND; LIMITING THE MAYOR'S AUTHORIZATION TO MAKE EXPENDITURES FROM THE FUND; ESTABLISHING PRIORITIES IN PROVIDING FUNDING; ESTABLISHING A PROCESS FOR FUND APPROVAL; AMENDING THE GRANT PROGRAM; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-6-10 (C) of the Code of the City of Pensacola, Florida, is hereby amended to read:

Sec 12-6-10 (C)

*Tree planting trust fund.* A tree planting trust fund has been established and funded by the fines pursuant to subsection (B) and mitigation fees paid pursuant to section 12-6-6. Expenditures from the tree planting trust fund are hereby authorized and may be made by the mayor for projects up to twenty-five thousand dollars (\$25,000) to replant trees, or to plant new trees and other appropriate landscape vegetation, purchase irrigation supplies, and purchase equipment dedicated to the planting and maintaining of the city's trees, and employ personnel dedicated solely to the care and maintenance of the city's urban tree canopy in public spaces and rights-of-way. The first priority for expenditure of funds deposited in the tree planting trust fund is for restoration of the tree canopy in the area where trees generating the funds were removed. Any expenditure in excess of twenty-five thousand dollars (\$25,000) must be approved by the City Council following review by the Environmental Advisory Board.

A grant program is hereby established for community organizations such as ~~homeowner~~ neighborhood associations, civic organizations, and garden clubs, according to the following criteria:

- Each grant is limited to ~~fifty (50)~~ seventy-five (75) percent of the cost of the proposed project up to ~~two thousand five hundred dollars (\$2,500.00)~~ seven thousand five hundred dollars (\$7,500.00);


- The required ~~fifty (50)~~ twenty-five (25) percent grant match may be waived for projects ~~specifically identified in an approved neighborhood plan~~ deemed as a high priority canopy restoration project by the City Council;
- The tree planting trust fund must have sufficient funds for the project requested;
- Grant requests must be submitted to the Environmental Advisory Board for review prior to consideration by the city council;
- The city council must approve each grant request; and
- The funds must be utilized for providing trees or other appropriate vegetation along with associated irrigation that will help restore the tree canopy as deemed appropriate by proper planting location requirements and may enhance the natural beauty of the community, serve to deter graffiti or the defacement of public or private property, and may create sound buffers where desirable.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

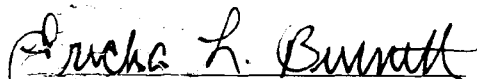
SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: December 9, 2015

Approved:   
President of City Council

Attest:

  
City Clerk