

## **RESOLUTION 19-25**

### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DUNEDIN ENCOURAGING GOVERNOR RON DESANTIS TO VETO HOUSE BILL 1159; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, House Bill 1159 prohibits local governments from requiring a permit, application, notice, fee, approval, or mitigation for tree removal, trimming, or pruning of a “dangerous tree” on residential property; and

**WHEREAS**, House Bill 1159 prohibits the enforcement of tree regulations and ordinances, if the homeowner(s) possess documentation from a certified arborist or landscape architect that encourages tree removal or pruning; and

**WHEREAS**, House Bill 1159 prohibits local governments from requiring a tree(s) to be replanted as a result of a tree removal; and

**WHEREAS**, House Bill 1159 allows for electrical utility companies to perform vegetation management without approval of local government; and

**WHEREAS**, House Bill 1159 requires the County Property Appraiser to post a Property Owner Bill of Rights on their websites, which lists a property owner’s right to acquire, possess, protect, use, and enjoy property; exclude others; dispose of your property; due process for property taken for public purpose; and right to relief, payment compensation, when a new law, rule, regulation, or ordinance unfairly affects property; and

**WHEREAS**, House Bill 1159 will likely lead to many healthy, safe, non-hazardous trees being removed as a result of inexperienced, or unethical certified arborists or landscape architects; and

**WHEREAS**, Dunedin’s city arborist offers an unbiased evaluation of its residents’ trees and possesses the Tree Risk Assessment Qualification (TRAQ) license through the International Society of Arboriculture, which provides Dunedin residents with a scientific, professional, and unbiased risk assessment of their trees; and

**WHEREAS**, Dunedin’s tree ordinance already allows dangerous, or hazardous trees to be removed with an approved tree removal permit; and

**WHEREAS**, Dunedin’s tree ordinance already requires hazardous/ dangerous trees to be removed within 15 calendar days upon written notice from the city arborist; and

**WHEREAS**, House Bill 1159 doesn't provide any guidelines as to whether the required dangerous tree documentation from a certified arborist or landscape architect is to be provided to the local municipality prior to removal, or who is exactly supposed to monitor; and

**WHEREAS**, House Bill 1159 would immensely reduce the urban tree canopy as a result of inexperience, and unethical practices; and

**WHEREAS**, Dunedin only requires trees to be replanted when a property is deficient of trees; and

**WHEREAS**, simply prohibiting the requirement to plant replacement trees all together will drastically reduce the overall urban tree canopy and result in many devastating effects; and

**WHEREAS**, trees can effectively shade and cool buildings, roads, and sidewalks by reducing the amount of ambient temperature or *Urban Heat Island* effect; and

**WHEREAS**, tree canopies also reduce energy expenditures, carbon dioxide levels, and storm water runoff; while increasing air and water qualities. These benefits not only offer many health and aesthetic benefits to our citizens, but also provide a desirable habitat for native wildlife and ecosystem; and

**WHEREAS**, trees that are properly pruned and maintained could actually protect or buffer a home or property from Florida's storms; and

**WHEREAS**, Dunedin already has an agreement with Duke Energy regarding utility pruning through Dunedin's Public Works Department. This agreement has never impeded the local utility company's ability to prune according to their desired federal standards; and

**WHEREAS**, Dunedin's tree ordinance has significantly reduced the amount of improper tree pruning and has educated and encouraged Dunedin's citizens and local tree companies to properly prune and care for trees because this will actually reduce the probability, likelihood, and occurrence of a hazardous or dangerous tree. Which in turn, could further protect homes and assets and reduce or eliminate the likelihood of tree failure and property damage; and

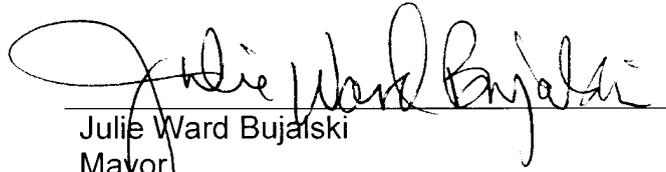
**WHEREAS**, Dunedin's tree ordinance is fair, responsible, and well received by its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY ASSEMBLED:**

**Section 1.** The City Commission of the City of Dunedin hereby encourages Governor Ron DeSantis to veto House Bill 1159.

**Section 2.** That this Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 16th day of May, 2019.**

  
Julie Ward Bujalski  
Mayor

ATTEST:

  
Denise M. Kirkpatrick  
City Clerk