



FLORIDA LEAGUE OF CITIES

## PROTECT FLORIDA'S NATURAL RESOURCES AND HABITATS:

### SUPPORT THE PROTECTION AND MAINTENANCE OF TREES BY CLARIFYING CURRENT STATE LAW

The Florida League of Cities **SUPPORTS** legislation to close loopholes and create standards in current law exemptions from municipal tree ordinances that have caused litigation and abuses, including the clear-cutting of land pre-development and the removal of healthy trees that present little, if any, risk to persons or structures. Current law should be amended to apply only to developed single-family residential property, identify industry-appropriate standards for assessing tree risk and identify necessary documentation.

#### BACKGROUND

The **continued protection and maintenance of healthy Florida tree canopies** is beneficial for habitat, climate adaptation and mitigation, stormwater management, quality of life and community character.

Section 163.045, Florida Statutes, was created in 2019 after **several hurricanes caused extensive vegetation damage**.

Under this new law, a **local government may not require a notice, application, approval, permit, fee or mitigation** for the pruning, trimming or removal of a tree on residential property if the owner obtains documentation from an arborist or a Florida-licensed landscape architect that the tree presents a danger to persons or property.

This law has left local governments powerless in policing bad actors and **caused unnecessary problems for both municipalities and developers**.

#### KEY MESSAGES FOR 2022

**Key terms in the 2019 law are vague and undefined, which has led to conflict and litigation, specifically "danger," "residential property" and "documentation."**

Section 163.045, Florida Statutes, should be clarified to **remove these ambiguities and define these key terms**.



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