

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE TREE PRESERVATION TRUST FUND
3 AND THE REORGANIZATION OF THE PUBLIC WORKS AND ENVIRONMENTAL
4 SERVICES DEPARTMENT ("PWESD") AND THE HOUSING AND URBAN PLANNING
5 DIVISION ("HUPD"); AMENDING CHAPTERS 1, 5, 8½, 9½, 14, 21, 27, 34, AND 39 OF
6 THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO REFLECT THE
7 ORGANIZATIONAL CHANGES MADE TO THE PWESD AND THE HUPD; AMENDING
8 SECTION 27-413 OF THE CODE TO REVISE PROVISIONS RELATED TO TRUST
9 EXPENDITURES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE,
10 AND AN EFFECTIVE DATE.

11 (Sponsored by the Board of County Commissioners)
12

13 WHEREAS, the Board of County Commissioners of Broward County, Florida
14 ("Board"), adopted that certain Resolution reorganizing the Public Works Department
15 ("PWD") and the Resilient Environment Department ("RED") as the Public Works and
16 Environmental Services Department ("Resolution") within the Broward County
17 Administrative Code ("Administrative Code");

18 WHEREAS, the Resolution further amended the Administrative Code to
19 reorganize the Housing Finance Division ("HFD") and the Urban Planning Division
20 ("UPD") as the Housing and Urban Planning Division;

21 WHEREAS, it is necessary to update the Broward County Code of Ordinances
22 consistent with the organizational changes; and

23 WHEREAS, on September 16, 2025, the Board directed the County Attorney's
24 Office to draft an ordinance amending Chapter 27 related to expenditures from the Tree
25 Preservation Trust Fund,

26 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
27 BROWARD COUNTY, FLORIDA:

28 Section 1. Chapters 1, 5, 8½, 9½, 21, 27, 34, and 39 of the Broward County
29 Code of Ordinances are hereby amended to replace each instance of "Resilient
30 Environment Department" throughout each chapter with "Public Works and
31 Environmental Services Department," and each instance of "RED" throughout each
32 chapter with "PWESD."

33 Section 2. Chapters 8½, 9½, and 14 of the Broward County Code of Ordinances
34 are hereby amended to replace each instance of "Public Works Department" throughout
35 each chapter with "Public Works and Environmental Services Department."

36 Section 3. Chapters 5 and 39 of the Broward County Code of Ordinances are
37 hereby amended to replace each instance of "Urban Planning Division" throughout each
38 chapter with "Housing and Urban Planning Division," and each instance of "UPD"
39 throughout each chapter with "HUPD."

40 Section 4. Chapters 5 and 27 of the Broward County Code of Ordinances are
41 hereby amended to replace each instance of "Housing Finance Division" throughout each
42 chapter with "Housing and Urban Planning Division."

Section 5. Section 27-413 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 27-413. Tree preservation trust fund.

...

(d) *Trust Expenditures:* Monies in the trust shall be expended, utilized, and disbursed for the planting of trees and any other ancillary costs associated with the following:

...

(5) Tree planting projects, which may include a sculptural or artistic element, on private and public lands and that are supported by the ~~Resilient Environment~~ Public Works and Environmental Services Department and approved by the Tree Preservation Trust Fund Committee; and

(6) Maintenance expenses, including maintenance equipment and vehicles, used to encourage the growth of the tree canopy for existing trees located on sites operated by the Broward County Parks and Recreation Division and planted pursuant to a distribution made from the Broward County Tree Preservation Trust Fund;

(7) The following costs associated with PWESD projects (including tree giveaways):

a. Media advertisement;

b. Tents, tables, or exhibits;

c. Food and nonalcoholic refreshments; and

d. Security measures, including, but not limited to, hiring police or other security personnel, barriers, fencing, and traffic control and parking measures; and

(8) PWESD projects, including, but not limited to, NatureScape Broward projects, giveaways, and educational programs that provide native plants (to include trees, shrubs, grasses, ground covers, and pollinator host and support plants) on private and public lands, subject to the approval of the PWESD Director.

...

Section 6. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 7. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

Section 8. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Alexis Marrero Koratich 09/24/2025
Alexis Marrero Koratich (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 09/24/2025
Maite Azcoitia (date)
Deputy County Attorney

AIK/gmb
Tree Trust Fund Ordinance
09/24/2025
41027-0005

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.