## **PROPOSED**

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

(Sponsored by the Board of County Commissioners)

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

WHEREAS, the Resolution further amended the Administrative Code to

reorganize the Housing Finance Division ("HFD") and the Urban Planning Division ("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

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

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

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

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

43	Section	on 5. Section 27-413 of the Broward County Code of Ordinances is hereby				
44	amended to read as follows:					
45	Sec. 27-413	Tree preservation trust fund.				
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47	(d)	Trust Expenditures: Monies in the trust shall be expended, utilized, and				
48	disbursed fo	r the planting of trees and any other ancillary costs associated with the				
49	following:					
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51	(5)	Tree planting projects, which may include a sculptural or artistic element,				
52		on private and public lands and that are supported by the Resilient				
53		Environment Public Works and Environmental Services Department and				
54		approved by the Tree Preservation Trust Fund Committee; and				
55	(6)	Maintenance expenses, including maintenance equipment and vehicles,				
56		used to encourage the growth of the tree canopy for existing trees located				
57		on sites operated by the Broward County Parks and Recreation Division				
58		and planted pursuant to a distribution made from the Broward County Tree				
59		Preservation Trust Fund-:				
60	<u>(7)</u>	The following costs associated with PWESD projects (including tree				
61		giveaways):				
62		a. Media advertisement;				
63		b. Tents, tables, or exhibits;				
64		c. Food and nonalcoholic refreshments; and				

<u>d.</u>	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** 

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

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

By: <u>/s/ Maite Azcoitia</u> 09/24/2025

Maite Azcoitia (date)

Deputy County Attorney

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