

ORDINANCE NO. 07-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 66 OF THE TOWN CODE OF ORDINANCES RELATED TO NATURAL RESOURCE PROTECTION AT ARTICLE IV, VEGETATION, DIVISION 5, REGULATIONS, SECTION 66-311, PROHIBITED PLANTS, SO AS TO PROHIBIT, IN ADDITION TO FICUS BENJAMINA, FICUS NITIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Chapter 66 of the Town Code of Ordinances titled Natural Resource Protection, is hereby amended at Article IV, Vegetation, Division 5, Regulations, at Section 66-311, Prohibited Plants, Subsection (d) Prohibition of ficus benjamina, to read as follows:

“Sec. 66-311. - Prohibited plants.

- (d) *Prohibition of ficus benjamina and ficus nitida.* Due to extreme susceptibility of the invasive white fly pest and the consequent enforcement issues to require owners to treat or remove infested ficus benjamina and ficus nitida, no new planting of ficus benjamina or ficus nitida shall be allowed, with the exception of replacement plantings associated with a utility easement. The planting of appropriate native vegetation in a hedge or hedgerow is encouraged.”

Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 11th day of March, 2020, and for second and final reading on this 15th day of April, 2020.

Gail L. Coniglio, Mayor

Julie Araskog, Town Council Member

Lewis S.W. Crampton, Town Council Member

Bobbie Lindsay, Town Council Member

ATTEST:

Danielle H. Moore, Town Council Member

Patricia Gayle-Gordon,
Acting Town Clerk

Margaret A. Zeidman, Town Council Member