



City of Coral Gables
CITY COMMISSION MEETING
February 23, 2021

ITEM TITLE:

Ordinance on Second Reading: AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY CREATING SECTION 82-8 “APPLICATION OF FERTILIZER” IN CHAPTER 82- VEGETATION, ARTICLE 1- IN GENERAL; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY, AND AN EFFECTIVE DATE (Sponsored by Commissioner Keon)

BRIEF HISTORY:

Excessive and improper use of fertilizers contribute to adverse effects on surface and ground water, and excessive nutrients from fertilizer run off can lead to algae blooms and cause harm to aquatic vegetation and wildlife. Recognizing that it is in the best interest of the public health, safety, and welfare of the City’s residents and visitors to reduce runoff from improperly applied fertilizers in the waters of the City, the City Commission is considering an ordinance to prohibit the application of fertilizers containing nitrogen and phosphorous during a certain time period each year. The prohibited application period would run from June 1 to September 30 each year, and whenever the City is under a tropical storm or hurricane watch or warning. Various facilities, including golf courses and athletic fields, as well as lands used for bona fide scientific research or farm operations will be exempt from the ordinance, provided that the fertilizers are applied following Florida Department of Environmental Protection and/or Florida Department of Agriculture and Consumer Services best management practices or other applicable best management practices.

The City’s Landscape Beautification Advisory Board, Waterways Advisory Board, and Sustainability Advisory Board all reviewed the proposed first reading Ordinance. The item was approved on first reading December 10, 2019. Section 403.9337, F.S. requires municipalities to adopt, at a minimum, the State of Florida Model Ordinance for Florida-friendly Fertilizer Use for Urban Landscape and also expressly allows local governments to adopt more stringent standards after demonstrating that more stringent requirements are necessary in the particular area. While the condition of Biscayne Bay has been declared as “impaired” by the Florida Department of Environmental Protection and preliminary samples taken from the City’s waterways showed high levels of total nitrogen and total phosphorous, the City engaged Florida International University (pursuant to Resolution No. 2020-150) to perform a waterway assessment which is currently ongoing. In addition, Miami-Dade County Report on Development and Implementation of an Annual Card Program on the Health of Biscayne Bay (attached) supports the affected condition of Biscayne Bay.

There have been changes between first and second reading: the fine structure has been revised, the creation of the Coral Gables Water Quality Trust Fund is included, there are additional provisions regarding voluntary low-maintenance zones, and there are clarifications regarding under what circumstances certain athletic fields and golf courses may be exempt from the provisions of this Ordinance.

1. Proposed Ordinance