

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND FLORIDA STATUTES, SPECIFICALLY SECTION 163.05, TO IMPOSE CIVIL AND CRIMINAL PENALTIES FOR FRAUDULENT OR FALSE STATEMENTS IN ARBORIST OR LANDSCAPE ARCHITECT REPORTS; TO ESTABLISH A CLEAR PROCESS TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF INDIVIDUALS AND PROPERTY DURING TREE REMOVAL AND STUMP GRINDING; AND TO PROVIDE DEFINITIONS CLARIFYING WHEN PERMITS ARE NOT REQUIRED FOR EMERGENCY TREE PRUNING OR REMOVAL OF DANGEROUS TREES THAT POSE AN IMMEDIATE RISK; AND DIRECTING THAT SUCH LEGISLATIVE AMENDMENT BE INCLUDED AMONG THE CITY'S LEGISLATIVE PRIORITIES FOR THE 2025-2026 SESSION.

WHEREAS, the City of Coral Gables is recognized as a 'City Beautiful' and values the preservation and proper maintenance of its tree canopy as a critical component of its cultural identity, environmental sustainability, and quality of life; and

WHEREAS, Florida Statute §163.05 currently provides certain exemptions for tree removal and limits municipal regulation, but lacks adequate provisions for enforcement against fraudulent or false arborist or landscape architect reports submitted to justify tree removal; and

WHEREAS, the City Commission finds that false or misleading arborist or landscape architect reports undermine public trust, contribute to unnecessary tree loss, and may endanger public safety and private property; and

WHEREAS, the absence of clear statewide penalties for fraudulent arborist or landscape architect reports creates inconsistency and impedes municipalities from ensuring accountability in professional submissions; and

WHEREAS, the City further recognizes the necessity of establishing a statutory process that ensures public health, safety, and welfare during tree removal and stump grinding activities, particularly to mitigate risks of falling limbs, airborne debris, underground utility damage, and adjacent property impacts; and

WHEREAS, ambiguities in current statutory language have created uncertainty as to when permits are required for emergency tree pruning or removal of trees that pose an imminent risk to individuals or property; and

WHEREAS, the City Commission seeks to clarify and strengthen statutory provisions by urging the Legislature to adopt amendments that balance the protection of Florida's tree canopy with necessary safeguards for life, safety, and property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF CORAL GABLES, FLORIDA:

SECTION 1. The City Commission of Coral Gables hereby urges the Florida Legislature to amend §163.05, Florida Statutes, to:

1. Impose Civil and Criminal Penalties

- Establish civil fines and criminal penalties for arborists, landscape architects, or other professionals who knowingly prepare or submit fraudulent or materially false reports or certifications regarding the health, condition, or structural stability of trees.

2. Tree Removal and Stump Grinding Process

- Require statutory guidelines to ensure that tree removal and stump grinding are performed with proper equipment, trained personnel, and protective measures to safeguard surrounding property, underground utilities, and public safety.

- Authorize municipalities to adopt ordinances that establish standards and safety protocols consistent with this statutory framework.

3. Emergency Tree Work – Permit Exemptions

- Clearly define that no permit is required for:
 - a. The emergency pruning or removal of trees determined to pose an immediate risk of collapse, breakage, or other imminent danger to individuals or property;
 - b. Situations where delay to obtain a permit would reasonably increase the risk of injury, death, or significant property damage;
 - c. Work conducted by utility providers or emergency responders to restore essential services or protect public safety.

SECTION 2. It is the intent of this Resolution that all statutory amendments protect the health, safety, and welfare of individuals, property, and the natural environment, while ensuring professional accountability and public trust.

SECTION 3. The City Clerk is hereby directed to transmit a copy of this Resolution to the Florida League of Cities for inclusion in its legislative platform.

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ____ day of August, A.D., 2025.

(Moved:)

(Yeas:

(Majority : Vote:)

APPROVED:

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY:

CRISTINA M. SUÁREZ

CITY ATTORNEY