

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2020-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES , FLORIDA URGING MIAMI-DADE COUNTY TO ADOPT A COUNTYWIDE ORDINANCE REGULATING FERTILIZER APPLICATION AND USAGE IN THE INCORPORATED AND UNINCORPORATED AREAS; ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION’S MODEL ORDINANCE FOR FLORIDA-FRIENDLY FERTILIZER USE FOR URBAN LANDSCAPES; PROVIDING FOR ADDITIONAL AND MORE STRINGENT STANDARDS THAN THE MODEL ORDINANCE, INCLUDING AN ANNUAL PERIOD DURING WHICH FERTILIZER APPLICATION GENERALLY WOULD BE PROHIBITED

WHEREAS, the City Commission of the City of Coral Gables declares that it is in the best interest of the public health, safety, and welfare of its residents and visitors to reduce runoff from improperly applied fertilizers in the waters of the City; and

WHEREAS, the City Commission of Coral Gables has previously considered legislation regulating the use of nitrogen and phosphorous based fertilizers during certain time periods; and

WHEREAS, the City is currently conducting extensive research into the quality of the City’s waterways in order to determine the impact of improper usage of fertilizers on the City’s waterways and Biscayne Bay; and

WHEREAS, the City Commission adopted a resolution prohibiting the use of fertilizers containing nitrogen or phosphorous by City crews or contractors in City owned and operated properties during the rainiest summer months, from June 1st through September 30th each year; and

WHEREAS, the Florida Department of Environmental Protection has identified areas of Biscayne Bay as impaired as a result of excess nutrients under the Florida Impaired Waters Rule set forth in Chapter 62-303 of the Florida Administrative Code; and

WHEREAS, in October of 2020 the Miami-Dade County Board of County Commissioners passed on first reading an Ordinance titled:

“ ORDINANCE RELATING TO REGULATION OF FERTILIZER; CREATING CHAPTER 18C OF THE CODE

OF MIAMI-DADE COUNTY, FLORIDA; REGULATING FERTILIZER APPLICATION AND USAGE IN THE INCORPORATED AND UNINCORPORATED AREAS; ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL ORDINANCE FOR FLORIDA-FRIENDLY FERTILIZER USE FOR URBAN LANDSCAPES; PROVIDING FOR ADDITIONAL AND MORE STRINGENT STANDARDS THAN THE MODEL ORDINANCE, INCLUDING AN ANNUAL PERIOD DURING WHICH FERTILIZER APPLICATION GENERALLY WOULD BE PROHIBITED AND LIMITATIONS ON NITROGEN AND PHOSPHORUS; PROVIDING ENFORCEMENT AUTHORITY TO DEPARTMENT DIRECTOR; AMENDING SECTION 8CC OF THE CODE; PROVING FOR ENFORCEMENT BY CIVIL PENALTY; DIRECTING THE COUNTY MAYOR OF COUNTY MAYOR'S DESIGNEE TO CONDUCT AN EDUCATIONAL CAMPAIGN; PROVIDING SEVERABILITY, INCLUSION OF THE CODE, AND AN EFFECTIVE DATE"; and

WHEREAS, the proposed County legislation would create a positive impact on the entire County by reducing the volume of nutrients discharged, especially during the County's rainiest months, and would improve water quality throughout the entire Biscayne Bay watershed; and

WHEREAS, the Coral Gables City Commission does hereby urge the Miami-Dade County Board of County Commissioner to adopt the above titled Ordinance, or any substitute or similar legislation which would regulate the proper use and application of fertilizers throughout the County and improve the quality of our watershed.

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

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City of Coral Gables, urges the Miami-Dade County Board of County Commissioners to adopt the Ordinance reference above, or adopt any similar or substitute legislation which would regulate the proper use and application of fertilizers throughout the County and improve the quality of our watershed.

SECTION 3. That the City Clerk is directed to send a certified copy of this Resolution to each member of the Miami-Dade County Board of County Commissioners.

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

PASSED AND ADOPTED THIS _____ DAY OF NOVEMBER, A.D., 2020.
(Moved: ____/ Seconded: _____)
(Yeas:)
(Unanimous:)
(Non-Agenda Item)

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY