

AN EMERGENCY ORDINANCE RELATING TO THE REMOVAL,
SALE, PLANTING AND TRANSPORTATION OF EXOTICS; BY
DEFINING EXOTIC SPECIES; AND PROVIDING FOR AN
EFFECTIVE DATE:

WHEREAS, the Environmental Advisory Council petitioned the Board of
County Commissioners to adopt regulations concerning Exotic Vegetation,
and

WHEREAS, the Board of County Commissioners did adopt Ordinance 79-73
on September 25, 1979, which amended the Zoning Ordinance 76-30, and

WHEREAS, the Exotic Vegetation Section was inadvertently left out
of the new zoning ordinance adopted January 5, 1982, and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS
OF COLLIER COUNTY, FLORIDA:

SECTION ONE:

- A. Exotics: Brazilian pepper (*Schinus terebinthifolius*) and
Melaleuca (*Melaleuca leucadendra*), hereinafter referred to as
exotics, interrupt the natural vegetation succession in Collier
County and eliminate such species as cypress, slash pine and
mangroves.
- B. Removal of Exotics: It shall be unlawful for any person,
developer, organization, society or association, except as herein-
after exempted or excepted, to improve any lands without first
removing any and all "exotics" occupying such lands. Removal of
exotics shall be required during the initial clearing of each devel-
opment phase or phases. Verification of such removal shall be to
the satisfaction of the Director.
- C. Sale, Planting and Transportation of Live Exotics: It shall be
unlawful for any person, organization, society or association to
engage in the sale, planting or inter-county transportation of live
exotics and seeds thereof.
- D. Exemptions: No verification or removal of exotics shall be
required for the following:
 - (1) Lands presently zoned and platted for or being used as
a conforming or non-conforming single family residential
use.
 - (2) Agriculturally zoned lands.

SECTION TWO: Penalties

Any person who violates the provisions of this Ordinance shall be
subject to prosecution in the manner prescribed by general law; and upon
conviction, such person shall be subject to a fine, imprisonment, or
both fine and imprisonment as provided by general law.

SECTION THREE: Conflict & Severability

A. In the event this Ordinance conflicts with other applicable
law, the more restrictive shall apply. If any portion of this Ordinance

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is in conflict with an ordinance of any municipality within Collier County, it shall not be effective within the municipality to the extent of such conflict.

B. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such holding and shall not affect the validity of the remaining portion thereof.

SECTION FOUR: The County Manager or his designee is hereby empowered to enforce the provisions of this Ordinance.

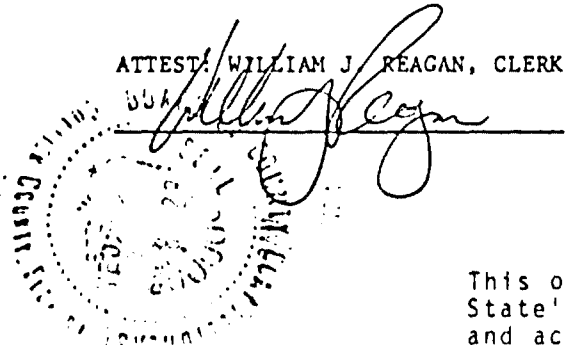
SECTION FIVE: Declaration of Emergency and Effective Date.

This Board does hereby declare that an emergency exists and that immediate enactment of this Ordinance is necessary, and by no less than four-fifths (4/5th) vote of the membership of the Board does hereby waive notice of intent to consider this Ordinance.

A certified copy of this Ordinance, as enacted, shall be filed by the Clerk of the Board with the Department of the State of Florida, as soon after enactment as is practicable by depositing the same with the postal authorities of the government of the United States by certified mail, postage prepaid, to the Florida Department of State.

This Ordinance shall become effective upon becoming law. Passed and duly adopted by the Board of County Commissioners of Collier County, Florida, this 25th day of May, 1982.

ATTEST: WILLIAM J. REAGAN, CLERK



BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: C.R. Wimer
C.R. "RUSS" WIMER, CHAIRMAN

This ordinance filed with the Secretary of State's Office the 4th day of June, 1982 and acknowledgement of that filing received this 9th day of June, 1982.

BY: Louise Chesones
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, WILLIAM J. REAGAN, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 82-37

which was adopted by the Board of County Commissioners during regular Session May 25, 1982, via Emergency procedures.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 25th day of May, 1982.

WILLIAM J. REAGAN
Clerk of Courts and Clerk
Ex-officio to Board of
County, Commissioners

By: Virginia Maggi
Deputy Clerk

