ORDINANCE NO. 2026-01

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, REQUIRING PROPERTY OWNERS TO REMOVE TREES, LIMBS, AND RELATED DEBRIS THAT FALL INTO VILLAGE LAKES FROM PRIVATE PROPERTY; PROVIDING FINDINGS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Lazy Lake finds that trees, limbs, and related debris falling into Village lakes may obstruct waterways, create safety hazards, negatively impact water quality, and interfere with the health and maintenance of the lakes; and

WHEREAS, the Village Council further finds that prompt removal of such trees, limbs, and debris is necessary to protect the public health, safety, and welfare of Village residents; and

WHEREAS, the Village Council desires to establish regulations requiring property owners to remove trees, limbs, and related debris originating from their property that fall into Village lakes.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA, AS FOLLOWS:

SECTION 1. **Ordinance Created.** An ordinance regulating the removal of trees, limbs, and related debris from Village lakes is hereby created as follows:

1. Purpose. The Village Council of the Village of Lazy Lake (the "Village") finds that trees, limbs, and related debris falling into Village lakes from private property create hazards to residents, obstruct maintenance of waterways, and adversely affect the health and safety of the lakes and surrounding community. Therefore, it is necessary and in the interest of the public health, safety, and welfare to require property owners to promptly remove such debris from Village lakes.

2. Definitions. For the purpose of this ordinance, the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

   Debris shall mean any tree, branch, limb, trunk, brush, vegetation, or other organic material originating from a tree or landscaping located on private property.

Lake shall mean any body of water owned, maintained, controlled, or regulated by the Village, including storm water retention areas, canals, and connected waterways within the Village boundaries.

Property Owner shall mean any person, corporation, partnership, trust, association, or other legal entity holding legal or equitable title to real property within the Village.

Remove or *Removal* shall mean the complete extraction, cleanup, hauling away, and lawful disposal of any tree, limb, or debris from a Village lake and any affected adjacent area.

Tree shall mean any living or dead woody perennial plant, including any trunk, branches, limbs, roots, or portions thereof.

County shall mean Broward County, Florida.

Village shall mean the Village of Lazy Lake, Florida.

3. Responsibility of Property Owners.

(A) Any property owner whose tree, tree limbs, or related debris falls or is deposited into a Village lake from the owner's property shall be responsible for the removal and lawful disposal of such tree, limbs, or debris.

(B) The property owner shall remove the tree, limbs, or debris:

(1) Within thirty (30) days from the date the tree, limbs, or debris falls into the Village lake or from the date notice is provided by the Village, whichever occurs first, or

(2) Within thirty (30) days from the date notice is provided by the Village if a tree, limb or debris had fallen into a Village lake before the effective date of the Ordinance.

(C) Removal shall be performed in a manner that does not further damage the lake, adjoining properties, or Village infrastructure.

4. Enforcement.

(A) Failure to comply with the requirements of this Ordinance shall constitute a violation of the Village Code and shall subject the property owner to the following:

(1) Code enforcement proceedings through Broward County's code enforcement process; and/or

(2) An action for injunctive relief, civil penalties, or a combination thereof, through a court of competent jurisdiction.

(3) All remedies and penalties provided for in this section shall be cumulative and independently available to the Village and the Village shall be authorized to pursue any and all remedies set forth in this section to the fullest extent allowed by the law.

(B) In addition to any other remedies available under the law, the Village may cause the removal of the tree, limbs, or debris if the property owner fails to comply within the required timeframe.

(C) Any costs incurred by the Village for removal, administrative fees, and enforcement costs may be assessed against the property owner and shall constitute a lien against the subject property until paid in full.

SECTION 2. **Conflicts.** All ordinances or parts of ordinances or resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. **Severability.** If any section, subsection, clause, or provision of this Ordinance is held or declared by a court of competent jurisdiction to be unconstitutional or invalid, the remainder shall not be affected by such invalidity.

SECTION 4. **Effective Date.** This Ordinance shall take effect upon its final adoption.

PASSED on first reading this _____ day of _____, 2026.

PASSED AND ADOPTED on second reading this ___day of _____, 2026.

SIGNATURES ON FOLLOWING PAGE

VILLAGE OF LAZY LAKE, FLORIDA

By: _____
Ray Nyhuis, Mayor

ATTEST:

By: _____
Tedra Allen, MMC
Administrative Assistant

FIRST READING
ROLL CALL

Councilman Aliff	✓
Councilman Daugherty	✓
Councilman Grenell	✓
Councilman Kaufman	✓
Councilman Merrill	✓

SECOND READING
ROLL CALL

Councilman Aliff	
Councilman Daugherty	
Councilman DiPaolo	
Councilman Kaufman	

APPROVED AS TO FORM AND LEGALITY

_____
Pamala H. Ryan, Esq.
Village Attorney