



GREGORY C. HARRELL

CLERK OF COURT AND COMPTROLLER – MARION COUNTY, FLORIDA

CLERK OF COURT
RECORDER OF OFFICIAL RECORDS
CLERK AND ACCOUNTANT OF THE BOARD OF COUNTY COMMISSIONERS
CUSTODIAN OF COUNTY FUNDS AND COUNTY AUDITOR

POST OFFICE BOX 1030
OCALA, FLORIDA 34478-1030
TELEPHONE (352) 671-5604
WWW.MARIONCOUNTYCLERK.ORG

TO: Marion County Board of County Commissioners
FROM: Gregory C. Harrell, Clerk of Circuit Court and Comptroller
DATE: July 23, 2026
RE: Ordinances 26-26, 26-27 and 26-28

The 2013 Legislature passed legislation that changed the manner by which County Ordinances were to be filed with the Florida Department of State and the manner in which the Department would acknowledge that filing. "An Act relating to paper reduction", Chapter 2013-192, amended Section 125.66, Florida Statutes, to require the Clerks of the Board of County Commissioners to file Ordinances and Amendments, as well as Emergency Ordinances, by e-mail to the Department. In turn, the Department would acknowledge receipt of such documents by return e-mail.

Attached, please find e-mail correspondence from the Clerk's Office to the Department and their acknowledgement related to the above Ordinance(s).

GCH/dl



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 20, 2026

Gregory C. Harrell
Clerk of Court
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 26-26, which was filed in this office on July 17, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

ORDINANCE 26 –26

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) RELATED TO ARTICLE 6, TECHNICAL STANDARDS AND REQUIREMENTS, DIVISION 7, TREE PROTECTION AND REPLACEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is authorized by general law, e.g., Section 125.01(h), Florida Statutes, to establish, coordinate, and enforce zoning and such business regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners (Board) has adopted a Land Development Code (LDC) as is required by Section 163.3202, Florida Statutes; and

WHEREAS, pursuant to LDC Section 2.4.3, the Land Development Regulation Commission held a duly noticed public hearing on this proposed ordinance amending the LDC on March 11, 2026 and June 17, 2026; and

WHEREAS, pursuant to LDC Section 2.4.4, the Board of County Commissioners held duly noticed public hearings on this proposed ordinance amending the LDC on March 31, 2026, April 14, 2026, May 18, 2026 and July 8, 2026;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida, as follows:

Note: Deletions are shown in strikeout text. Additions are shown in underscore text.

SECTION 1. AMENDMENTS TO THE LAND DEVELOPMENT CODE (LDC). The following amendments to the LDC are hereby approved and adopted pursuant to Florida Statutes and the Marion County Land Development Code:

- A. Article 6, Technical Standards and Requirements, Division 7, Tree Protection and Replacement, of the Marion County Land Development Code, Zoning, is hereby amended to reflect the attached revised language:

See Attachment 1 (additions shown in underline text, deletions shown in ~~strike-through text~~).

SECTION 2. CONFLICTS. In the event that any provision of this ordinance is in conflict with any other county ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance. The Board of County Commissioners does not intend that this ordinance be held applicable in any case where its application would be unconstitutional, as a constitutionally permitted construction is intended and shall be given.

SECTION 4. INCLUSION IN COUNTY CODE. It is the intent of the Board of County Commissioners of Marion County, Florida, and it hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, specifically, the Land Development Code, and that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

SECTION 5. EFFECTIVE DATE. A certified copy of this ordinance shall be filed with the Secretary of State by the Clerk within ten days after enactment by the Board of County Commissioners, and shall take effect upon such filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED this 8th day of July, 2026.

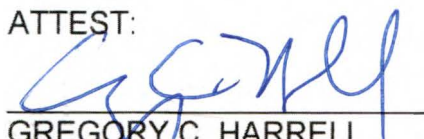
BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



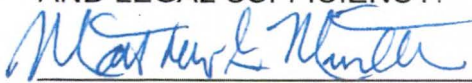
CARL ZALAK, III, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY OF STATE ON
JULY 20, 2026 ADVISING ORDINANCE WAS FILED
ON JULY 17, 2026.

ATTEST:


GREGORY C. HARRELL
CLERK OF CIRCUIT COURT

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


MATTHEW G. MINTER
COUNTY ATTORNEY

- LAND DEVELOPMENT CODE
Article 6 - TECHNICAL STANDARDS AND REQUIREMENTS
DIVISION 7. TREE PROTECTION AND REPLACEMENT

DIVISION 7. TREE PROTECTION AND REPLACEMENT

Sec. 6.7.1. Purpose and intent.

A. The purpose of this division is to regulate the protection, removal, replacement, and maintenance of trees ~~in~~ on public and private property, ~~excluding existing residential properties.~~ Tree protection and replacement shall work cooperatively with landscaping requirements to preserve and enhance the aesthetic quality of Marion County, complementing the natural and built environments, while providing shade and habitat through:

- (1) Preservation of existing trees and native plant ~~communities;~~ communities;
- (2) Replacement of trees that are ~~removed;~~ removed;
- (3) Maintenance of trees ~~and~~;
- (4) Prevention of tree abuse; and
- (5) Enforcement.

~~(Ord. No. 13-20, § 2, 7-11-2013)~~

B. The preservation of trees, along with the planting of new trees as required in Division 8, shall be considered as a priority in the development of improvement plans. The process of site design, from the PUD/Master Plan level, through construction ~~specific~~ design details, shall take the protection of existing trees and the mature sizes of proposed trees into consideration.

Sec. 6.7.2. Exceptions.

The preservation and replacement of trees and protected plant species shall apply to all development with the following exceptions:

- A. The removal of trees for purposes of conducting bona fide agricultural uses such as field crops, landscape nursery, citrus nursery, forest crops, animal husbandry, greenhouses, aquaculture, silviculture and the like, on lands with an agricultural zoning classification.
- B. Property used for bona fide agricultural use, as listed in Section 6.7.2.A above, zoned other than agriculture and possessing an agriculture classification from the County Property Appraiser per § 193.461 FS. ~~Lands with an urban land use designation may not use this exemption.~~
- C. On lands where either of the two exemptions in Sections 6.7.2.A and B above has enabled tree removal without a permit, no applications for any land use ~~or zoning changes from rural to urban designations, or development plans,~~ shall be ~~made~~ accepted within ~~one year~~ five (5) years of the tree removal date unless:
 - (1) The applicant provides tree replacement at 100 inches DBH of native trees per acre, or lower based on the pre-clearing density of existing trees; ~~or~~
 - (2) The applicant/owner provides payment into a Tree Mitigation fund in the equivalent amount of planting 100 inches DBH of native trees per acre, ~~or lower,~~ based on the pre-clearing density of existing trees.
- D. Any removal conducted under an agricultural exemption within two (2) ~~five (5)~~ years prior to an application for land use or zoning changes, or site plan approval, shall be presumed to have been conducted in anticipation

of development. For any parcel where trees were removed ~~under an agricultural exemption~~ within the preceding two (2)~~five (5)~~ years, the tree mitigation and replacement requirements shall be based on the canopy density and tree count shown in aerial photography provided by the Marion County Information Technology Department, flown between December 2023 and February 2024, representing the legally mandated January 1, 2024 benchmark. To rebut this presumption, the application must provide a sworn affidavit and evidence (e.g. crop yields, livestock sales, or timber receipts) proving that the clearing was part of a ~~continuous~~ bona fide agricultural operation.

E. The removal of trees which have a DBH of less than ~~10~~20 inches, except those trees which have been designated replacement and conservation trees pursuant to Section 6.7.9.G.

~~EF.~~ The removal of trees on an individual parcel of record used or to be used for single-family ~~dwelling~~s or duplex dwelling units.

~~FG.~~ The removal of trees associated with ~~the County's~~ construction, rehabilitation, or routine maintenance of roads, utilities, and drainage systems within public rights-of-way or easements, by the County or agencies having local jurisdiction.

~~GH.~~ The removal of trees associated with the rehabilitation or routine maintenance of ~~roads, utilities~~ roads, utilities and drainage systems within private rights-of-way or easements.

~~HJ.~~ Tree removal or trimming for the construction of firebreaks, ~~and~~ firelines, by the County or agencies having local jurisdiction and surveying associated with this construction.

~~IJ.~~ The removal of trees which pose an immediate and direct threat to persons or property, and the removal of trees that are dead or dying due to natural causes, as determined by a Landscape Architect or a Certified Arborist.

~~JJ.~~ The removal of trees on residential property that pose an unacceptable risk to persons or property as per §Florida Statute 163.045 FS "Tree pruning, trimming, or removal on residential property."

~~KK.~~ Transplanting of any size tree.

~~LL.~~ Removal of ~~K.~~ Removal of trees required by a development plan which has been fully approved by the County.

~~MM.~~ Removal of ~~L.~~ Removal of exotic ~~tree~~ or nuisance tree or plant species as listed by the UF/IFAS Assessment of Non-native Plants, "Prohibited" or "Invasive - Not Recommended" tables, as updated.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.3. Tree ~~protection~~Protection, General.

A. Design for the protection of trees.

(1) ~~Every reasonable effort should be made to minimize tree removal. Tree~~Site development shall consider tree preservation ~~shall be an integral part of by balancing the requirements of site planning or subdivision and utility design process. Tree preservation shall be conceived with preserving existing trees in a total pattern throughout an integrated manner across the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site.~~

(2) The preservation of existing trees and vegetation for use as perimeter land use buffers shall be considered ~~during~~early in the site design process~~and implemented to preserve~~provide required buffers while preserving habitat ~~while~~and lowering the cost of development.

(3) In all cases, a post-development ratio of ~~s~~Shade ~~t~~Trees to ~~the area~~ of the site must be provided as required in Section 6.7.4.

(4) All ~~regulated~~ trees with a DBH of 10 inches or larger shall be considered protected trees, ~~unless listed by the UF/IFAS Assessment of Non-native Plants, "Prohibited" or "Invasive Not Recommended" tables, as updated.~~

(5) ~~A proper~~ After a Tree Survey is completed, an evaluation by a Certified Arborist or Landscape Architect shall be made to determine if existing ~~protected trees~~ Regulated Trees, or groups of ~~trees~~ existing Regulated Trees, are ~~good~~ suitable candidates for preservation before final site plans are developed. If the ~~site~~ applicant proposes preserving existing trees, or if the site contains Specimen Trees, this evaluation shall be submitted with the ~~development application~~ PUD Master Plan, Site Plan and/or Improvement Plan. The evaluation shall be used to guide decisions about tree preservation, tree protection, and tree removal and shall include:

(a) ~~Determination~~ Identification of species of tree(s); proposed for preservation;

(b) ~~Assessment of the health of the tree(s);~~

~~(c) Determination~~ Evaluation of the condition of the tree(s) to be preserved based on the species, ~~health~~ age, observations of ~~external~~ internal or external signs of disease or impacts, and ~~age and whether the tree(s) will provide a lasting value to the finished project (trees with fast growth habits and have a shorter life span may not be desirable);~~ possible longevity based on species type, site conditions, or location. If no evaluation is provided, all ~~regulated~~ trees are considered viable;

~~(d)~~ Assessment of the size (DBH) and canopy of the tree(s) to be preserved;

~~(e) Assessment of the rarity, uniqueness, and character of the tree(s);~~

~~(f) Assessment of the historic value, status as a specimen tree, or other outstanding quality;~~

~~(g) An general overview of the site and whether the tree(s) will provide a lasting and positive contribution to the site and general surroundings, and~~

~~(h) Determination if any minor alternations to the site topography will impact the long-term viability of preserving existing trees.~~

~~(d)~~ Identification of Specimen Trees; and ~~Any Specimen Tree proposed for removal for any reason requires field verification and approval by the County Landscape Architect.~~

~~(e)~~ Illustration of TPZ and CRZ areas for trees to be preserved.

B. Tree protection ~~zones are as follows:~~ measures shall be denoted on tree removal permit or site development review plans by illustrating and dimensioning the following:

(1) ~~Standards.~~ Tree protection standards are based on successful implementation of ANSI A300 (Part 5) – Construction Management Standards manual.

(2) Extents of the Tree Protection Zone (TPZ) ~~is a defined area surrounding the trunk of a tree (or group of trees) to be preserved, intended to protect roots and soil to ensure future tree health and stability.~~

~~(a) All tree measurements for tree protection and preservation shall be made at 4.5 feet above grade to establish the correct diameter at breast height (DBH).~~

~~(b) The TPZ shall be located at the dripline of the tree (or group of trees) to be preserved for trees proposed for preservation. For tree protection requirements, the dripline TPZ shall be indicated on a plan the grading and utility construction sheets as well as the Tree Removal and Preservation Plan or Landscape Plan as required in Section 6.7.6.E and determined by either of the following methods:~~

~~1. Field location by either a Surveyor and Mapper, a Landscape Architect, or a Certified Arborist, or~~

~~(23. Utilizing a "desktop canopy" rule generally understood as using one foot for every inch) Extents of DBH. For example, a 30-inch diameter tree would have a 30-foot radius dripline.~~

~~(2) The Tree Critical Root Zone (CRZ) is the area of soil around a tree trunk where roots are located that provide stability and uptake of water and minerals required for tree survival. For trees proposed for preservation when construction within the TPZ is planned.~~

(a) No excavation, ~~filling, trenching~~ construction, or ~~other intense~~ otherwise disruption of the root zone is allowed within the CRZ. Hand-digging and construction under the direct supervision of a Certified Arborist is allowed.

(b) The CRZ is established ~~on a tree-by-tree basis through definition, or~~ definition or based on an on-site review and assessment by either a Landscape Architect or a Certified Arborist prior to construction.

~~(c) Damage to roots in this area may result in penalties or fines.~~

~~(3) The County's Landscape Architect or his designee may reduce the limits of the TPZ to allow authorized construction to occur.~~

~~(4)~~ (34) No reduction of the TPZ or removal of barricades may occur without prior written authorization from a Certified Arborist or the County's Landscape Architect.

~~(5)~~ (45) The TPZ may be temporarily reduced in size and/or barricades may be temporarily removed to allow for minor construction or maintenance within the TPZ, as approved by a Certified Arborist or the County's Landscape Architect prior to construction activities. Barricades shall be reinstalled as soon as work within the TPZ is completed.

~~(6) The TPZ shall not be reduced to any point within the CRZ.~~

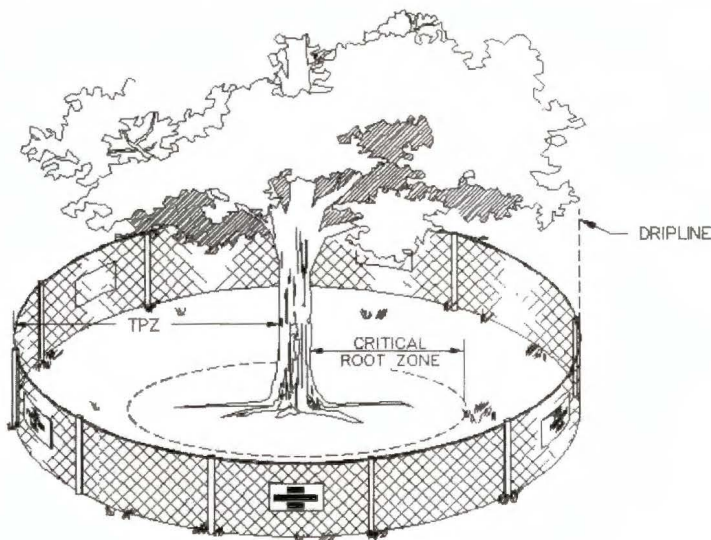


Figure 6.7-1 Tree Protection Zones ~~Zones~~

C. Tree protection barricades shall be:

- (1) No less than four feet (4) in height;
- (2) Constructed of rigid material capable of surviving for the duration of the construction; and
- (3) Posted with highly visible signs placed on the tree protection barricades at each quadrant of single protected trees and along driplines of groups of trees being protected at 50-foot intervals or less. Signs shall include the words "Tree Protection Zone."

D. Pre-construction tree protection.

- (1) The owner, applicant or Design Professional of Record shall be responsible for ~~insuring~~ensuring that all possible measures are taken to avoid damage to trees not approved for removal.
- (2) Prior to any clearing, grubbing, or any construction, tree protection barricades shall be erected around all trees, or groups of trees, within the construction area which are to be preserved.
- (3) The ~~County's~~ Landscape Architect or their designee shall be ~~notified~~given a 10-day notice requesting ~~and a pre-clearing/grubbing/grading on-site review of all required tree protection barricades will be conducted.~~

E. Tree protection shall continue ~~during the course of~~throughout construction. The following requirements shall be conditions of tree removal permits, all permits for private construction in public rights-of-way, and all development permits issued under and pursuant to this Code:

- (1) ~~The~~No cleaning of construction equipment or material or the disposal of waste materials including but not limited to, paint, oil, solvents, asphalt, concrete, and mortar shall be permissible within the TPZ of any tree which is being protected ~~is not allowed.~~
- (2) The movement of equipment or the storage of equipment, materials, debris, or fill within the TPZ of any tree which is being protected is not allowed.
- (3) The contractor shall inspect all tree protection barricades and signs on a weekly basis ~~during the course of~~throughout construction. Any barricade or sign which has been damaged or is missing shall be replaced immediately.
- (4) If any tree which has not been approved to be removed is destroyed, or receives major damage during construction, with the exception of natural events, so as to place its long term survival in question, the tree(s) must be replaced at an inch-to-inch basis of the total (combined) DBH of the tree(s) so destroyed or damaged. The replacement tree(s) shall be of comparable species of the destroyed or damaged tree(s) with a minimum replacement size of 3.5-inch caliper. The County reserves the right to establish a replacement value for such trees and payment into the Tree Mitigation Fund may be authorized by the County's Landscape Architect.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.4. Shade ~~trees~~Trees, Minimum Requirements

~~Shade trees are required for all developments excluding residential developments.~~

A. ~~A.~~ The post-development ratio of ~~S~~shade ~~t~~Trees to the area of the site ~~shall be a minimum of one shade tree per 3,000 square feet.~~ for all developments excluding single-family or duplex residential developments shall be as follows:

- (1) For the first five (5) acres, a minimum of one (1) ~~s~~Shade ~~t~~Tree per 3,000 square feet.
- ~~(1)~~(2) For the remaining acres, a minimum of one (1) ~~s~~Shade ~~t~~Tree per 5,000 square feet.

B. Shade trees may include:

- (1) Specimen Trees; and/or
- (2) Protected and preserved trees which havewith a favorable assessment;; and/or
- (23) Trees as required for buffers, parking areas, vehicle use areas, screening, and building areas; and/or
- (24) Trees as required as tree mitigation replacement trees.

C. ~~When mature~~ Priority shall be given to preserve Specimen Trees and those existing trees ~~with a full canopy of 30-foot radius or larger, with a favorable~~ that are the highest rated per the tree assessment.

D. Credits towards the Shade Tree requirement shall be given for preserved existing Regulated Trees ~~that are preserved on the project site, a credit of two shade by the development. Preserved trees may be used towards the overall shade tree requirement. for Shade Tree credits shall be subject to the approval of the County Landscape Architect. Tree credits shall be given for preserved Regulated Trees~~ as follows:

~~D.~~ Required shade trees shall meet the minimum size requirements in Section 6.8.10.C.

<u>Preserved Regulated Tree (DBH)</u>	<u>Number of Shade Trees Credited</u>
<u>10" – 19"</u>	One one
<u>20" – 29"</u>	Two One
<u>30" – 35"</u>	two Two
<u>36" – 47" Specimen Trees</u>	Five Three
48" and above 48" and above	Six Three

E. Required Shade Trees shall meet the minimum size requirements in Section 6.8.10.D.(3)(a)
(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.5. Tree trimming and tree removal permit.

A. For tree removals not associated with any development as outlined in this division, refer to Section 2.22.4. For all other tree removal applications, the approved development plans shall serve as the tree removal permit.

B. A tree removal permit shall be required for the removal of any ~~tree with a DBH of 10 inches or larger, Regulated Tree~~ except for exempt activities as outlined in Section 6.7.2. A tree removal permit shall be obtained from the County's Landscape Architect or ~~his~~their designee prior to any site clearing, grading, or for any construction which requires a permit from the Marion County Building Department. The failure to obtain any such permit when required shall be a violation of this Code, subject to penalties provided herein.

C. A tree removal permit shall be obtained by any public or private utility or communications company undertaking construction activities that require tree removal. Prior to trimming or removal of any trees in the public right of way, related to the utilities operations and not associated with road construction or road maintenance activities, the contractor shall:

1. Contact the County's Landscape Architect and ~~providing~~provide a map of where all vegetation management practices and tree trimming or removal will be performed.
2. Conduct an on-site review of the vegetation management and/or tree removal to review potential impacts.
3. Consideration will be given to the removal of trees and palms which have been topped or have been "directionally pruned" ~~as to where recovery~~ the extent that the appearance and/or the ~~long-term~~long-term viability of the ~~tree~~tree or tree or palms is unlikely.
4. After removal of trees all stumps must be ground to a depth of no less than two (2) inches below grade and remove grinding refuse.
5. Stabilize all disturbed areas in an acceptable manner

D. Tree removal permits shall expire within one year or upon expiration of the building permit, whichever comes first. Trees authorized to be removed may not be removed after the permit expires unless a new permit is obtained pursuant to this division.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

Sec. 6.7.6. Submittal requirements.

The following requirements shall apply to the application for stand alone tree removal permits and site development review plans and are in addition to the Minimum Plan Requirements:

A. Depending on the density of existing trees, the applicant may provide a separate "Tree Removal and Preservation Plan." For development sites with lower density of trees, such information may be indicated on the Site Plan or the Landscape Plan. Either method used shall indicate the location of all ~~trees, with a DBH of 10 inches and larger,~~ Regulated Trees to be removed and trees to be preserved. Preserved trees and replacement trees shall be indicated on the Landscape Plan to demonstrate the final appearance of the site.

B. Tree calculations shall include:

(1) The total numbers of existing ~~trees~~ Regulated Trees within the site and the respective DBH of each tree; and

(2) The pre-development ratio of ~~native tree~~ Regulated Tree inches-per-acre; and

(3) The total DBH inches of ~~native trees~~ Regulated Trees to be removed; and

(4) The total DBH inches of ~~native trees~~ Regulated Trees to be preserved; and

(5) The native status of trees to be preserved.

C. A tree protection detail which graphically indicates the requirements of tree protection as required by this division.

D. ~~List~~ Listing general prohibitions ~~on the plan~~ as stated in Section 6.7.3.E.

E. Indication of all TPZs on the site plan, grading plan and on ~~which ever~~ whichever plan is used to demonstrate tree preservation and replacement.

F. Fees required for review and issuance of tree removal permits, inspections, and restoration plans shall be established by the Board, by resolution. Tree removal permit application fees for projects associated with any development (excluding stand alone permits) shall be included in the overall plan review and application fees available at the Office of the County Engineer.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.7. Review and approval procedures.

A. During review of tree preservation submittals, the County's Landscape Architect or ~~his~~ their designee may determine that modifications of the proposed plans or calculations are necessary. Conditions that may require changes include, but are not limited to, the following:

(1) ~~Preserving Required preservation of any tree due to their age, size, rarity, uniqueness, historic value, status as a specimen tree, or other outstanding quality.~~ Specimen Trees;

(2) Proposed grading or clearing activities ~~do not follow the requirements of this division. Within the TPZ;~~
and/or

(3) Proposed habitat destruction which conflicts with the requirements in Division 6.6.

B. The applicant will be ~~asked~~required to revise and update the tree preservation information according to review comments.

~~C. After approval, the County's Landscape Architect or his designee shall issue a tree removal permit if such tree removal is in accordance with all provisions of this Code. The approved development plans shall serve as the Tree Removal Permit.~~

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.8. Protected tree replacement requirements.

~~All trees not permitted~~Regulated Trees that are proposed for removal ~~must be protected and maintained. For those protected trees permitted for removal, trees~~ shall be replaced in accordance with the minimum standards set forth below.

~~A. Replacement is not required where the property owner retains existing trees on the site which total an average of 100 inches DBH per acre. If replacement is necessary, a minimum of 100 inches DBH per acre on the average shall be achieved.~~

~~B. If the pre-development number of inches is less than 100 DBH per acre on the average, the property owner shall replace trees to equal the pre-development number of DBH inches.~~

~~B-A. C. Replacement~~Removal of treesRegulated Trees less than ~~30~~36 inches DBH ~~and permitted for removal shall be as described below~~is permissible if the following replacement requirements are met:

(1) ~~Existing trees measuring 10 inches DBH to 19 inches DBH shall be replaced with a ratio of one inch replacement per two inches removed and the minimum replacement tree size is 3.5 inch caliper.~~

~~(2) Existing trees measuring 20 inches DBH to 29 inches DBH shall be replaced with 75% of inches a ratio of 1.5 inches replacement per two inches removed and the minimum replacement tree size is 3.5 inch caliper.~~

~~D. Replacement of (32)~~ Existing trees measuring 30 inches DBH ~~or to 35 inches DBH shall be replaced with a 100% of inches~~atio of 2 inches replacement per 2 inches removed.

(3) Replacement trees must be a minimum of 3.5 inch caliper, unless otherwise approved by the County Landscape Architect.greater and than 100 DBH per acre, the property owner shall replace trees equal to 100 DBH per acre

~~ECB. Removal of Specimen Trees is permissible~~may only be permitted for removal shall be following review and approval by the County's Landscape Architect. Such approval shall be given if:~~and as described below:~~

~~(1) All trees which receive a favorable assessment may be approved for removal by the County's Landscape Architect or his designee under per the following circumstances:~~

~~(a) The tree~~(a1) The Specimen Tree does not have a favorable assessment per an Certified aArborist's or Registered Landscape Architect; assessment and confirmed during a pre-development on site review meeting with the County Landscape Architect; and/or

~~(b2)-~~ The Specimen Tree is located within the proposed building footprint, required fire access, required utility corridors, or ~~code~~required parking or drainage areas and; and the applicant demonstrates that an alternative site configuration has been evaluated; and either (a) or (b).

~~(a) The applicant demonstrates that reasonable alternative site configurations have been evaluated; and~~

~~(ba) Preservation of the Specimen Tree would prevent compliance with zoning standards or reduce the site's buildable area or required parking; or~~

~~(cb)– Redesign would require elimination or reduction of a permitted principal use or result in disproportionate site inefficiencies not customarily required for similar development.~~

~~(1)–(d3)– The determination of the County Landscape Architect may be appealed to the Development Review Committee. The Specimen Tree materially interferes with the proposed location, service or function of the utility lines or services, or rights-of-way, and~~

~~(b)– The tree project site plan and the Specimen Tree cannot be preserved through re-design redesign of the site infrastructure.~~

~~(2)– All trees which receive a favorable assessment(34) If the County Landscape Architect approves for removal, then Specimen Trees shall be replaced at a with 200% of inches removed ratio of 3.0 inches replacement for 1 inch for inch removed and the minimum replacement tree size is 4.03.5-inch caliper.~~

~~FDC.~~ Existing trees that have experienced tree abuse as part of landscape maintenance or site development activities that cause critical impact as determined by the County Landscape Architect will require mitigation. Tree abuse may include:

~~(a1) Hatracking a tree; or~~

~~(2b) Destroying the natural habit of tree growth; or~~

~~(e3) Pruning which leaves stubs or results in a flush cut; or splitting of limb ends; or grading and/or clearing and grubbing resulting in ripping and tearing of roots within the TPZ of trees to be preserved; or~~

~~(d4) Removing tree bark to the extent that if a line is drawn at any height around the circumference of the tree, over 1/3 of the length of the line falls on portions of the tree where bark no longer remains; or~~

~~(e5) Using climbing spikes, nails, or hooks, except for purposes of total tree removal or as specifically permitted by standards set by the ANSI, as updated; or~~

~~(f6) Pruning that does not conform to standards or recommendations set by the ANSI A300 Part 1, as updated; or~~

~~(g7) Pruning of live palm fronds which initiate above the horizontal plane; or~~

~~(h8) Overlifting a tree; or~~

~~(i9) Shaping a tree(3)– All trees which receive; or~~

~~(i10) Removing more than 25% of the tree's canopy.~~

~~GED.~~ Existing trees that have had their CRZ or TPZ impacted by activities prohibited above will require tree mitigation.– Replacement trees for these impacted trees will be determined on a case-by-case basis by the County's Landscape Architect.

~~H.~~ Regardless of size, any Regulated Tree proposed for removal that receives an unfavorable assessment at the predesign on site review shall be replaced with a ratio of 1.5 inches replacement per two inches removed and the minimum replacement tree size is 3.5-inch caliper.

~~EFE.~~ If replanting replacement trees on site is not practical,le per best landscape design practices, then a fee in lieu of planting may be provided as per Section 6.7.10.

~~GFJ.~~ Trees removed pursuant to a permit for construction in rights-of-way, approved by the County, State or Federal authority, shall not be required to replace the DBH of trees removed are exempt from protected tree

removal requirements if such authority demonstrates that such trees conflict with proposed utilities, drainage, or roadway construction.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.9. Replacement trees.

A. Replacement trees are a part of the comprehensive tree program and shall work in combination with required shade trees, buffer trees, and any other required landscaping.

B. All trees and/or palms used for tree replacement purposes shall be nursery grown and Florida No. 1 quality or better, as established by Grades and Standards for Nursery Plants, Department of Agriculture, State of Florida, as amended.

C. Replacement trees shall meet the minimum tree requirements established in Section 6.7.8.

D. Replacement trees shall be Florida native species compatible to the site.

E. Palms may only be used to replace palms that are permitted for removal. Replacement palms shall have a clear trunk height of 10-foot minimum. The use of palms shall ~~work~~comply with the required palm ratio as required in Section 6.8.10.C.

F. For trees removed pursuant to a stand alone tree removal permit or development plan approval, required replacement trees shall be located within the parcel boundaries and shown on the site plan. If space constraints are such that the replacement trees cannot be located within the parcel boundaries using sound horticultural and design principles, then the replacement trees may be located on public property at the ~~County's~~ Landscape Architect's discretion, and as determined at the time of the permit or site development review. The public property location shall be specifically designated by the ~~County~~County, and such replacement trees shall be donated to the County. The County will be responsible for planting and maintenance of donated trees on public property.

~~G.~~ G. The preservation of existing Regulated Trees with a favorable assessment will count towards satisfying the required Replacement Tree amount at the following ratios:

(1) ~~(1)~~ Preserved trees measuring 10 inches DBH to 19 inches DBH shall count towards the replacement tree criteria at a ratio of one (1) inch of replacement value per one (1)-inch preserved.

(~~21~~2) Preserved trees measuring 20 inches DBH to ~~29~~29 inches DBH shall count towards the replacement tree criteria at a ratio of two (~~3~~2) inches of replacement value per one (1) inch preserved.

(3)~~323~~ Preserved trees measuring 30 inches DBH to 35 inches DBH shall count towards the replacement tree criteria at a ratio of three~~four~~ (34) inches of replacement per one (1) inch preserved.~~three~~

(~~34~~4) Specimen Trees preserved shall count towards the replacement criteria at a ratio of six~~eight~~ (86) inches of replacement per one (1) inch preserved. ~~six~~

H. As an alternative to replacement, the property owner may comply with the requirement of Section 6.7.8 by designating existing trees on site which are native tree species and less than ~~10~~20 inches DBH as conservation trees, provided that the property owner takes steps to designate and protect such conservation trees. If the owner chooses to utilize this provision, then the location, number, size, and type (genus and species) of those trees or groups of trees requested as conservation trees shall be included in the tree survey.

1 ~~Hi.~~ A property owner designating conservation trees shall record in the covenant and restrictive deeds~~public~~
2 ~~records of Marion County,~~ a notice to subsequent property owners that the site contains conservation trees,
3 subject to maintenance requirements, with reference to the development plan on file with the County
4 designating such trees. A copy of such recorded notice on a form provided by the County shall be supplied to
5 the ~~Planning/Zoning Manager~~Growth Service Director or ~~his~~their designee prior to the issuance of a Certificate
6 of Occupancy.

7 (Ord. No. 13-20, § 2, 7-11-2013)

8 **Sec. 6.7.10. Tree mitigation fund.**

9 A. The Tree Mitigation Fund has been created in the general trust fund of Marion County for the purpose of
10 accepting and disbursing the contributions made to the Board as part of the tree replacement monies
11 deposited for tree replacement purposes. This fund shall be used to enhance tree replacement in Marion
12 County and to enhance the Marion County Parks system.

13 B. An application to pay in lieu of installing any required tree mitigation replacement trees is made through the
14 County's Landscape Architect. The "pay in lieu" option shall only be used for tree mitigation replacement trees
15 ~~and for no other landscape or tree planting requirement as stated in this Code.~~

16 C. At the County's discretion, in lieu of installing replacement trees, a permittee may pay a fee into the Tree
17 Mitigation Fund at ~~a per tree cost. The amount of such fee shall be determined on a case by case basis through~~
18 ~~the public solicitation for bids and the amount shall be based on the tree replacement fee as listed in the~~
19 ~~County's annual fee list~~the per-inch replacement rate provided to the Development Review Committee by the
20 County's Landscape Architect.

21 ~~(1) The wholesale cost of material~~

22 ~~(2) Cost of labor for installation~~

23 ~~(3) Cost of maintenance for two years~~

24 D. Payment into the Tree Mitigation Fund shall be ~~recommended~~approved by the County's Landscape Architect
25 and approved by the Board prior to issuance of the tree removal permit or development approval.

26 ~~E. Tree mitigation funds shall be used by the County for the installation, establishment, and maintenance of trees~~
27 ~~on public property within Marion County.~~

28 E. The County Landscape Architect shall provide an annual report to the Board describing the available funds,
29 annual expenditures, and a narrative describing the disbursement and utilization of tree mitigation funds.

30 (Ord. No. 13-20, § 2, 7-11-2013)

31 **Sec. 6.7.11. Tree maintenance and management.**

32 ~~A. Unless otherwise permitted by this division, no person shall cause or authorize:~~

33 ~~(1) The removal of any protected tree without first obtaining a tree removal permit as required by this Code.~~

34 ~~(2) Tree abuse which includes:~~

35 ~~(a) Hatracking a tree; or~~

36 ~~(b) Destroying the natural habit of tree growth; or~~

37 ~~(c) Pruning which leaves stubs or results in a flush cut, or splitting of limb ends; or~~

~~(d) Removing tree bark to the extent that if a line is drawn at any height around the circumference of the tree, over 1/4 of the length of the line falls on portions of the tree where bark no longer remains; or~~

~~(e) Using climbing spikes, nails, or hooks, except for purposes of total tree removal or as specifically permitted by standards set by the ANSI, as updated; or~~

~~(f) Pruning that does not conform to standards or recommendations set by the ANSI, as updated; or~~

~~(g) Pruning of live palm fronds which initiate above the horizontal plane; or~~

~~(h) Overlifting a tree; or~~

~~(i) Shaping a tree.~~

~~(3) Any encroachments, excavations, or change the natural grade within the Tree Protection Zone (TPZ), as defined herein, of a tree unless it can be demonstrated to the County's Landscape Architect prior to commencement of said activity, that the activity will not negatively impact any tree.~~

~~(4) Land clearing or the operation of heavy equipment in the vicinity of a protected tree without placing and maintaining a protective barrier around the TPZ.~~

~~(5) The storage or use of materials or equipment within the TPZ of any protected tree, or attachments, other than those of a protective and non-damaging nature, to any tree.~~

~~(6) Land clearing, including the removal of understory, without first obtaining authorization as herein provided.~~

B. The following requirements shall be conditions of any tree removal permit which includes a requirement for replacement trees:

(1) Replacement trees required in conjunction with a commercial or industrial development or subdivision approval shall be considered required improvements and shall be subject to certification of satisfactory completion contained in this Code.

(2) All replacement trees shall be maintained in a living, healthy condition ~~for a period of two years following final inspection and approval~~, or else be replaced, by the owner, successor, or assignee. ~~No replacement shall be required beyond such two-year period. After the two-year period, the owner of record shall be responsible for maintaining the replacement trees in a healthy condition.~~

(3) The permittee or the property owner shall record in the covenants and restrictive deeds ~~public records of Marion County~~, appropriate notice to subsequent owners of the maintenance period or replacement requirement for replacement trees with reference to the development plans on file with the County identifying such trees. A copy of such recorded notice shall be supplied to the ~~Planning/Zoning Manager or his designee~~ County prior to the issuance of a Certificate of Occupancy.

(4) For ~~residential and mixed-use~~ developments where tree preservation and replacement requirements ~~are approved with any application~~ may be fulfilled by future or subsequent developers or builders, the developer shall require future property owners of lots where protected trees have been preserved to continue to protect and preserve such trees. Such requirements shall run with the parcel until ~~removal~~ replacement of the tree(s) is required due to age, declining health, or for the protection of public safety.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.12. Tree inspections.

The following tree preservation and/or replacement inspections shall be required to ensure compliance with this division and with the requirements of permits issued hereunder. No Certificate of Occupancy or Certificate of Completion, as appropriate, may be issued for any development involving the removal of trees requiring a permit until ~~all of~~ all the following inspections have been completed and approval is granted:

- A. A ~~preliminary~~ preconstruction inspection shall be conducted by the County's Landscape Architect or ~~his~~ their designee prior to any demolition or site construction in order to confirm that the permittee has marked trees permitted to be removed and has installed tree protection barricades around trees, or groups of trees, to be preserved prior to any clearing, grubbing, or construction. Any deficiencies noted during this inspection shall be cause to withhold approval until they are corrected by the permittee and reinspected. Approval, after preliminary inspection, shall be noted by the County's Landscape Architect or ~~his~~ their designee on the permit and shall constitute notice to proceed with tree removal.
- B. A final inspection shall be conducted by the County's Landscape Architect or ~~his~~ their designee after completion of tree removal and replacement in accordance with the approved plans. It is the Owner's responsibility to notify the ~~County Landscape~~ County's Landscape Architect of completion of tree removal activities. Approval, after final inspection, shall be noted by the County's Landscape Architect or ~~his~~ their designee on the permit and shall constitute notice of commencement of the required maintenance period of replacement trees if replacement is required.
- C. During the final inspection, if trees preserved towards tree preservation credits, Shade Trees, or any other preserved Regulated Trees, which are damaged during site construction and deemed unviable by the County's Landscape Architect or their designee, may require replacement at the ratios provided in Section 6.7.9 above prior to final approval.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.13. Violation and enforcement.

It shall be a violation of this Code to fail to obtain a tree removal permit when required, to fail to comply with any condition of any tree removal permit issued, or to violate any provision of this division. When such violations occur, the following sanctions apply:

- A. If unauthorized tree removal or site grading occurs, the County's Landscape Architect or ~~his~~ their designee may issue a stop work order for the ~~affected project area of such unauthorized tree removal~~ project and all related site work will cease until a restoration plan is prepared by the owner, developer, contractor, or agent, and then submitted to, and approved by the County's Landscape Architect or ~~his~~ their designee.
- B. If a restoration plan is not presented within 30 days, the owner, developer, contractor, or agent will be cited by the County's Landscape Architect, or designee, and referred to the Code Enforcement Board.
- C. A Certificate of Occupancy will not be granted until all trees and vegetation shown upon the approved restoration plan have been installed and all site grades restored.
- D. All trees and vegetation shown upon the approved site restoration plan must be installed on the property and the site grade restored even if project termination occurs before completion of the project. Failure to complete the approved restoration plan is a violation of this Code and the owner, developer, contractor, or agent will be cited by the County's Landscape Architect or ~~his~~ their designee and referred to the Code Enforcement Board.
- E. In addition to all other remedies provided herein, the ~~Landscape Architect~~ County may seek injunctive relief or the imposition of fines and penalties for any violation of this division, if no restoration plan is submitted. Fines may be assessed by the County based on pre-development density of trees per acre discovered through aerial

1 photos and at the same rate established by the County for use in the Tree Mitigation Replacement Rate in
2 6.7.10.C. Fines shall be assessed at up to 100" per acre across entire site affected by unauthorized tree
3 removal.

4 (Ord. No. 13-20, § 2, 7-11-2013)

- LAND DEVELOPMENT CODE
Article 6 - TECHNICAL STANDARDS AND REQUIREMENTS
DIVISION 7. TREE PROTECTION AND REPLACEMENT

DIVISION 7. TREE PROTECTION AND REPLACEMENT

Sec. 6.7.1. Purpose and intent.

- A. The purpose of this division is to regulate the protection, removal, replacement, and maintenance of trees on public and private property, excluding existing residential properties. Tree protection and replacement shall work cooperatively with landscaping requirements to preserve and enhance the aesthetic quality of Marion County, complementing the natural and built environments, while providing shade and habitat through:
- (1) Preservation of existing trees and native plant communities;
 - (2) Replacement of trees that are removed;
 - (3) Maintenance of trees;
 - (4) Prevention of tree abuse; and
 - (5) Enforcement.
- B. The preservation of trees, along with the planting of new trees as required in Division 8, shall be considered as a priority in the development of improvement plans. The process of site design, from the PUD/Master Plan level, through construction design details, shall take the protection of existing trees and the mature sizes of proposed trees into consideration.

Sec. 6.7.2. Exceptions.

The preservation and replacement of trees and protected plant species shall apply to all development with the following exceptions:

- A. The removal of trees for purposes of conducting bona fide agricultural uses such as field crops, landscape nursery, citrus nursery, forest crops, animal husbandry, greenhouses, aquaculture, silviculture and the like, on lands with an agricultural zoning classification.
- B. Property used for bona fide agricultural use, as listed in Section 6.7.2.A above, zoned other than agriculture and possessing an agriculture classification from the County Property Appraiser per § 193.461 FS.
- C. On lands where either of the two exemptions in Sections 6.7.2.A and B above has enabled tree removal without a permit, no applications for any land use or zoning changes from rural to urban designations shall be accepted within two (2) years of the tree removal date unless:
- (1) The applicant provides tree replacement at 100 inches DBH of native trees per acre, or lower based on the pre-clearing density of existing trees; or
 - (2) The applicant/owner provides payment into a Tree Mitigation fund in the equivalent amount of planting 100 inches DBH of native trees per acre, or lower based on the pre-clearing density of existing trees.
- D. Any removal conducted under an agricultural exemption within two (2) years prior to an application for land use or zoning changes, or site plan approval, shall be presumed to have been conducted in anticipation of development. For any parcel where trees were removed within the preceding two (2) years, the tree mitigation and replacement requirements shall be based on the canopy density and tree count shown in aerial photography provided by the Marion County Information Technology Department, flown between December 2023 and February 2024, representing the legally mandated January 1, 2024 benchmark. To rebut this

presumption, the application must provide a sworn affidavit and evidence (e.g. crop yields, livestock sales, or timber receipts) proving that the clearing was part of a bona fide agricultural operation.

- E. The removal of trees which have a DBH of less than 20 inches, except those trees which have been designated replacement and conservation trees pursuant to Section 6.7.9.G.
- F. The removal of trees on an individual parcel of record used or to be used for single-family or duplex dwelling units.
- G. The removal of trees associated with construction, rehabilitation, or routine maintenance of roads, utilities, and drainage systems within public rights-of-way or easements, by the County or agencies having local jurisdiction.
- H. The removal of trees associated with the rehabilitation or routine maintenance of roads, utilities and drainage systems within private rights-of-way or easements.
- I. Tree removal or trimming for the construction of firebreaks and firelines by the County or agencies having local jurisdiction and surveying associated with this construction.
- J. The removal of trees which pose an immediate and direct threat to persons or property, and the removal of trees that are dead or dying due to natural causes as determined by a Landscape Architect or a Certified Arborist.
- K. Transplanting of any size tree.
- L. Removal of trees required by a development plan which has been fully approved by the County.
- M. Removal of exotic or nuisance tree or plant species as listed by the UF/IFAS Assessment of Non-native Plants, "Prohibited" or "Invasive - Not Recommended" tables, as updated.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.3. Tree Protection, General.

- A. Design for the protection of trees.
 - (1) Site development shall consider tree preservation by balancing the requirements of site and utility design with preserving existing trees in an integrated manner across the site.
 - (2) The preservation of existing trees and vegetation for use as perimeter land use buffers shall be considered early in the site design process to provide required buffers while preserving habitat and lowering the cost of development.
 - (3) In all cases, a post-development ratio of Shade Trees to of the site must be provided as required in Section 6.7.4.
 - (4) All Regulated trees shall be considered protected trees.
 - (5) After a Tree Survey is completed, an evaluation by a Certified Arborist or Landscape Architect shall be made to determine if existing Regulated Trees, or groups of existing Regulated Trees, are suitable candidates for preservation before final site plans are developed. If the applicant proposes preserving existing trees, or if the site contains Specimen Trees, this evaluation shall be submitted with the PUD Master Plan, Site Plan and/or Improvement Plan. The evaluation shall be used to guide decisions about tree preservation, tree protection, and tree removal and shall include:
 - (a) Identification of species of tree(s) proposed for preservation;

- (b) Evaluation of the condition of the tree(s) to be preserved based on the species, age, observations of internal or external signs of disease or impacts, and possible longevity based on species type, site conditions, or location. If no evaluation is provided, all Regulated trees are considered viable;
 - (c) Assessment of the size (DBH) and canopy of the tree(s) to be preserved;
 - (d) Identification of Specimen Trees; and
 - (e) Illustration of TPZ and CRZ areas for trees to be preserved.
- B. Tree protection measures shall be denoted on tree removal permit or site development review plans by illustrating and dimensioning the following:
- (1) Tree protection standards are based on successful implementation of ANSI A300 (Part 5) – Construction Management Standards manual.
 - (2) Extents of the Tree Protection Zone (TPZ) for trees proposed for preservation. For tree protection requirements, the TPZ shall be indicated on the grading and utility construction sheets as well as the Tree Removal and Preservation Plan or Landscape Plan as required in Section 6.7.6.E.
 - (3) Extents of the Tree Critical Root Zone (CRZ) for trees proposed for preservation when construction within the TPZ is planned.
 - (a) No excavation, construction, or otherwise disruption of the root zone is allowed within the CRZ. Hand-digging and construction under the direct supervision of a Certified Arborist is allowed.
 - (b) The CRZ is established by definition or based on an on-site review and assessment by either a Landscape Architect or a Certified Arborist prior to construction.
 - (4) No reduction of the TPZ or removal of barricades may occur without prior written authorization from a Certified Arborist or the County's Landscape Architect.
 - (5) The TPZ may be temporarily reduced in size and/or barricades may be temporarily removed to allow for minor construction or maintenance within the TPZ, as approved by a Certified Arborist or the County's Landscape Architect prior to construction activities. Barricades shall be reinstalled as soon as work within the TPZ is completed.

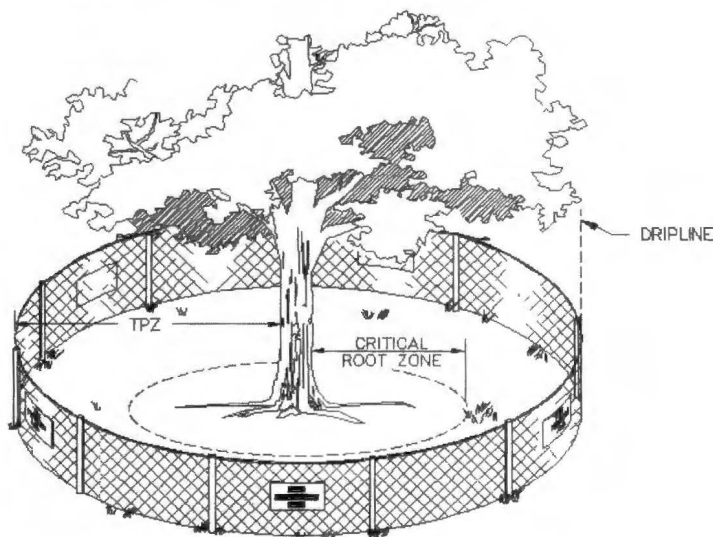


Figure 6.7-1 Tree Protection Zones

-
- C. Tree protection barricades shall be:
- (1) No less than four feet (4) in height;
 - (2) Constructed of rigid material capable of surviving for the duration of the construction; and
 - (3) Posted with highly visible signs placed on the tree protection barricades at each quadrant of single protected trees and along driplines of groups of trees being protected at 50-foot intervals or less. Signs shall include the words "Tree Protection Zone."
- D. Pre-construction tree protection.
- (1) The owner, applicant or Design Professional of Record shall be responsible for ensuring that all possible measures are taken to avoid damage to trees not approved for removal.
 - (2) Prior to any clearing, grubbing, or any construction, tree protection barricades shall be erected around all trees, or groups of trees, within the construction area which are to be preserved.
 - (3) The County's Landscape Architect or their designee shall be given a 10-day notice requesting a pre-clearing/grubbing/grading on-site review of all required tree protection barricades.
- E. Tree protection shall continue throughout construction. The following requirements shall be conditions of tree removal permits, all permits for private construction in public rights-of-way, and all development permits issued under and pursuant to this Code:
- (1) No cleaning of construction equipment or material or the disposal of waste materials including but not limited to, paint, oil, solvents, asphalt, concrete, and mortar shall be permissible within the TPZ of any tree which is being protected.
 - (2) The movement of equipment or the storage of equipment, materials, debris, or fill within the TPZ of any tree which is being protected is not allowed.
 - (3) The contractor shall inspect all tree protection barricades and signs on a weekly basis throughout construction. Any barricade or sign which has been damaged or is missing shall be replaced immediately.
 - (4) If any tree which has not been approved to be removed is destroyed, or receives major damage during construction, with the exception of natural events, so as to place its long term survival in question, the tree(s) must be replaced at an inch-to-inch basis of the total (combined) DBH of the tree(s) so destroyed or damaged. The replacement tree(s) shall be of comparable species of the destroyed or damaged tree(s) with a minimum replacement size of 3.5-inch caliper. The County reserves the right to establish a replacement value for such trees and payment into the Tree Mitigation Fund may be authorized by the County's Landscape Architect.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.4. Shade Trees, Minimum Requirements

- A. The post-development ratio of Shade Trees to the area of the site for all developments excluding single-family or duplex residential developments shall be as follows:
- (1) For the first five (5) acres, a minimum of one (1) Shade Tree per 3,000 square feet.
 - (2) For the remaining acres, a minimum of one (1) Shade Tree per 5,000 square feet.
- B. Shade trees may include:
- (1) Specimen Trees; and/or
 - (2) Protected and preserved trees with a favorable assessment; and/or

- (3) Trees as required for buffers, parking areas, vehicle use areas, screening, and building areas; and/or
- (4) Trees as required as tree mitigation replacement trees.
- C. Priority shall be given to preserve Specimen Trees and those existing trees that are the highest rated per the tree assessment.
- D. Credits towards the Shade Tree requirement shall be given for preserved existing Regulated Trees as follows:

Preserved Regulated Tree (DBH)	Number of Shade Trees Credited
10" – 19"	One
20" – 29"	One
30" – 35"	Two
36" – 47"	Three
48" and above	Three

- E. Required Shade Trees shall meet the minimum size requirements in Section 6.8.10.D.(3)(a)
(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.5. Tree trimming and tree removal permit.

- A. For tree removals not associated with any development as outlined in this division, refer to Section 2.22.4. For all other tree removal applications, the approved development plans shall serve as the tree removal permit.
- B. A tree removal permit shall be required for the removal of any Regulated Tree except for exempt activities as outlined in Section 6.7.2. A tree removal permit shall be obtained from the County's Landscape Architect or their designee prior to any site clearing, grading, or for any construction which requires a permit from the Marion County Building Department. The failure to obtain any such permit when required shall be a violation of this Code, subject to penalties provided herein.
- C. A tree removal permit shall be obtained by any public or private utility or communications company undertaking construction activities that require tree removal. Prior to trimming or removal of any trees in the public right of way, related to the utilities operations and not associated with road construction or road maintenance activities, the contractor shall:
 - 1. Contact the County's Landscape Architect and provide a map of where all vegetation management practices and tree trimming or removal will be performed.
 - 2. Conduct an on-site review of the vegetation management and/or tree removal to review potential impacts.
 - 3. Consideration will be given to the removal of trees and palms which have been topped or have been "directionally pruned" to the extent that the appearance and/or the long-term viability of the tree or palms is unlikely.
 - 4. After removal of trees all stumps must be ground to a depth of no less than two (2) inches below grade and remove grinding refuse.
 - 5. Stabilize all disturbed areas in an acceptable manner
- D. Tree removal permits shall expire within one year or upon expiration of the building permit, whichever comes first. Trees authorized to be removed may not be removed after the permit expires unless a new permit is obtained pursuant to this division.

(Ord. No. 13-20, § 2, 7-11-2013; Ord. No. 17-08, § 2(Exh. A), 4-11-2017)

Sec. 6.7.6. Submittal requirements.

The following requirements shall apply to the application for stand alone tree removal permits and site development review plans and are in addition to the Minimum Plan Requirements:

- A. Depending on the density of existing trees, the applicant may provide a separate "Tree Removal and Preservation Plan." For development sites with lower density of trees, such information may be indicated on the Site Plan or the Landscape Plan. Either method used shall indicate the location of all Regulated Trees to be removed and trees to be preserved. Preserved trees and replacement trees shall be indicated on the Landscape Plan to demonstrate the final appearance of the site.
- B. Tree calculations shall include:
 - (1) The total numbers of existing Regulated Trees within the site and the respective DBH of each tree; and
 - (2) The pre-development ratio of Regulated Tree inches-per-acre; and
 - (3) The total DBH inches of Regulated Trees to be removed; and
 - (4) The total DBH inches of Regulated Trees to be preserved; and
 - (5) The native status of trees to be preserved.
- C. A tree protection detail which graphically indicates the requirements of tree protection as required by this division.
- D. Listing general prohibitions as stated in Section 6.7.3.E.
- E. Indication of all TPZs on the site plan, grading plan and on whichever plan is used to demonstrate tree preservation and replacement.
- F. Fees required for review and issuance of tree removal permits, inspections, and restoration plans shall be established by the Board, by resolution. Tree removal permit application fees for projects associated with any development (excluding stand alone permits) shall be included in the overall plan review and application fees available at the Office of the County Engineer.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.7. Review and approval procedures.

- A. During review of tree preservation submittals, the County's Landscape Architect or their designee may determine that modifications of the proposed plans or calculations are necessary. Conditions that may require changes include, but are not limited to, the following:
 - (1) Required preservation of any Specimen Trees;
 - (2) Proposed grading or clearing activities within the TPZ; and/or
 - (3) Proposed habitat destruction which conflicts with the requirements in Division 6.6.
- B. The applicant will be required to revise and update the tree preservation information according to review comments.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.8. Protected tree replacement requirements.

Regulated Trees that are proposed for removal shall be replaced in accordance with the minimum standards set forth below.

- A. Removal of Regulated Trees less than 36 inches DBH is permissible if the following replacement requirements are met:
 - (1) Existing trees measuring 20 inches DBH to 29 inches DBH shall be replaced with 75% of inches removed.
 - (2) Existing trees measuring 30 inches DBH to 35 inches DBH shall be replaced with 100% of inches removed.
 - (3) Replacement trees must be a minimum of 3.5 inch caliper, unless otherwise approved by the County Landscape Architect.
- B. Removal of Specimen Trees is permissible following review and approval by the County's Landscape Architect. Such approval shall be given if:
 - (1) The Specimen Tree does not have a favorable assessment per a Certified Arborist or Registered Landscape Architect; or
 - (2) The Specimen Tree is located within the proposed building footprint, required fire access, required utility corridors, or required parking or drainage areas and the applicant demonstrates that an alternative site configuration has been evaluated; and either (a) or (b).
 - (a) Preservation of the Specimen Tree would prevent compliance with zoning standards or reduce the site's buildable area or required parking; or
 - (b) Redesign would require elimination or reduction of a permitted principal use or result in disproportionate site inefficiencies not customarily required for similar development.
 - (3) The determination of the County Landscape Architect may be appealed to the Development Review Committee.
 - (4) If approved for removal, Specimen Trees shall be replaced with 200% of inches removed and the minimum replacement tree size is 3.5-inch caliper.
- C. Existing trees that have experienced tree abuse as part of landscape maintenance or site development activities that cause critical impact as determined by the County Landscape Architect will require mitigation. Tree abuse may include:
 - (1) Hatracking a tree; or
 - (2) Destroying the natural habit of tree growth; or
 - (3) Pruning which leaves stubs or results in a flush cut or splitting of limb ends; or grading and/or clearing and grubbing resulting in ripping and tearing of roots within the TPZ of trees to be preserved; or
 - (4) Removing tree bark to the extent that if a line is drawn at any height around the circumference of the tree, over $\frac{1}{3}$ of the length of the line falls on portions of the tree where bark no longer remains; or
 - (5) Using climbing spikes, nails, or hooks, except for purposes of total tree removal or as specifically permitted by standards set by the ANSI, as updated; or
 - (6) Pruning that does not conform to standards or recommendations set by the ANSI A300 Part 1, as updated; or
 - (7) Pruning of live palm fronds which initiate above the horizontal plane; or
 - (8) Overlifting a tree; or

-
- (9) Shaping a tree; or
 - (10) Removing more than 25% of the tree's canopy.
- D. Existing trees that have had their CRZ or TPZ impacted by activities prohibited above will require tree mitigation. Replacement trees for these impacted trees will be determined on a case-by-case basis by the County's Landscape Architect.
 - E. If replanting replacement trees on site is not practical per best landscape design practices, then a fee in lieu of planting may be provided as per Section 6.7.10.
 - F. Trees removed pursuant to a permit for construction in rights-of-way, approved by the County, State or Federal authority, are exempt from protected tree removal requirements if such authority demonstrates that such trees conflict with proposed utilities, drainage, or roadway construction.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.9. Replacement trees.

- A. Replacement trees are a part of the comprehensive tree program and shall work in combination with required shade trees, buffer trees, and any other required landscaping.
- B. All trees and/or palms used for tree replacement purposes shall be nursery grown and Florida No. 1 quality or better, as established by Grades and Standards for Nursery Plants, Department of Agriculture, State of Florida, as amended.
- C. Replacement trees shall meet the minimum tree requirements established in Section 6.7.8.
- D. Replacement trees shall be Florida native species compatible to the site.
- E. Palms may only be used to replace palms that are permitted for removal. Replacement palms shall have a clear trunk height of 10-foot minimum. The use of palms shall comply with the required palm ratio as required in Section 6.8.10.C.
- F. For trees removed pursuant to a stand alone tree removal permit or development plan approval, required replacement trees shall be located within the parcel boundaries and shown on the site plan. If space constraints are such that the replacement trees cannot be located within the parcel boundaries using sound horticultural and design principles, then the replacement trees may be located on public property at the County Landscape Architect's discretion as determined at the time of the permit or site development review. The public property location shall be specifically designated by the County, and such replacement trees shall be donated to the County. The County will be responsible for planting and maintenance of donated trees on public property.
- G. The preservation of existing Regulated Trees with a favorable assessment will count towards satisfying the required Replacement Tree amount at the following ratios:
 - (1) Preserved trees measuring 10 inches DBH to 19 inches DBH shall count towards the replacement tree criteria at a ratio of one (1) inch of replacement value per one (1) inch preserved.
 - (2) Preserved trees measuring 20 inches DBH to 29 inches DBH shall count towards the replacement tree criteria at a ratio of two (2) inches of replacement value per one (1) inch preserved.
 - (3) Preserved trees measuring 30 inches DBH to 35 inches DBH shall count towards the replacement tree criteria at a ratio of three (3) inches of replacement per one (1) inch preserved.
 - (4) Specimen Trees preserved shall count towards the replacement criteria at a ratio of six (6) inches of replacement per one (1) inch preserved.

-
- H. As an alternative to replacement, the property owner may comply with the requirement of Section 6.7.8 by designating existing trees on site which are native tree species and less than 20 inches DBH as conservation trees, provided that the property owner takes steps to designate and protect such conservation trees. If the owner chooses to utilize this provision, then the location, number, size, and type (genus and species) of those trees or groups of trees requested as conservation trees shall be included in the tree survey.
 - I. A property owner designating conservation trees shall record in the covenant and restrictive deeds, a notice to subsequent property owners that the site contains conservation trees, subject to maintenance requirements, with reference to the development plan on file with the County designating such trees. A copy of such recorded notice on a form provided by the County shall be supplied to the Growth Service Director or their designee prior to the issuance of a Certificate of Occupancy.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.10. Tree mitigation fund.

- A. The Tree Mitigation Fund has been created in the general trust fund of Marion County for the purpose of accepting and disbursing the contributions made to the Board as part of the tree replacement monies deposited for tree replacement purposes. This fund shall be used to enhance tree replacement in Marion County and to enhance the Marion County Parks system.
- B. An application to pay in lieu of installing any required tree mitigation replacement trees is made through the County's Landscape Architect. The "pay in lieu" option shall only be used for tree mitigation replacement trees.
- C. At the County's discretion, in lieu of installing replacement trees, a permittee may pay a fee into the Tree Mitigation Fund at the per-inch replacement rate provided to the Development Review Committee by the County's Landscape Architect.
- D. Payment into the Tree Mitigation Fund shall be approved by the County's Landscape Architect and approved by the Board prior to issuance of the tree removal permit or development approval.
- E. The County Landscape Architect shall provide an annual report to the Board describing the available funds, annual expenditures, and a narrative describing the disbursement and utilization of tree mitigation funds.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.11. Tree maintenance and management.

- A. The following requirements shall be conditions of any tree removal permit which includes a requirement for replacement trees:
 - (1) Replacement trees required in conjunction with a commercial or industrial development or subdivision approval shall be considered required improvements and shall be subject to certification of satisfactory completion contained in this Code.
 - (2) All replacement trees shall be maintained in a living, healthy condition, or else be replaced, by the owner, successor, or assignee.
 - (3) The permittee or the property owner shall record in the covenants and restrictive deeds appropriate notice to subsequent owners of the maintenance period or replacement requirement for replacement trees with reference to the development plans on file with the County identifying such trees. A copy of such recorded notice shall be supplied to the County prior to the issuance of a Certificate of Occupancy.
 - (4) For developments where tree preservation and replacement requirements may be fulfilled by future or subsequent developers or builders, the developer shall require future property owners of lots where

protected trees have been preserved to continue to protect and preserve such trees. Such requirements shall run with the parcel until replacement of the tree(s) is required due to age, declining health, or for the protection of public safety.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.12. Tree inspections.

The following tree preservation and/or replacement inspections shall be required to ensure compliance with this division and with the requirements of permits issued hereunder. No Certificate of Occupancy or Certificate of Completion, as appropriate, may be issued for any development involving the removal of trees requiring a permit until all the following inspections have been completed and approval is granted:

- A. A preconstruction inspection shall be conducted by the County's Landscape Architect or their designee prior to any demolition or site construction in order to confirm that the permittee has marked trees permitted to be removed and has installed tree protection barricades around trees, or groups of trees, to be preserved prior to any clearing, grubbing, or construction. Any deficiencies noted during this inspection shall be cause to withhold approval until they are corrected by the permittee and reinspected. Approval, after preliminary inspection, shall be noted by the County's Landscape Architect or their designee on the permit and shall constitute notice to proceed with tree removal.
- B. A final inspection shall be conducted by the County's Landscape Architect or their designee after completion of tree removal and replacement in accordance with the approved plans. It is the Owner's responsibility to notify the County's Landscape Architect of completion of tree removal activities. Approval, after final inspection, shall be noted by the County's Landscape Architect or their designee on the permit and shall constitute notice of commencement of the required maintenance period of replacement trees if replacement is required.
- C. During the final inspection, if trees preserved towards tree preservation credits, Shade Trees, or any other preserved Regulated Trees, which are damaged during site construction and deemed unviable by the County's Landscape Architect or their designee, may require replacement at the ratios provided in Section 6.7.9 prior to final approval.

(Ord. No. 13-20, § 2, 7-11-2013)

Sec. 6.7.13. Violation and enforcement.

It shall be a violation of this Code to fail to obtain a tree removal permit when required, to fail to comply with any condition of any tree removal permit issued, or to violate any provision of this division. When such violations occur, the following sanctions apply:

- A. If unauthorized tree removal or site grading occurs, the County's Landscape Architect or their designee may issue a stop work order for the project and all related site work will cease until a restoration plan is prepared by the owner, developer, contractor, or agent, and then submitted to, and approved by the County's Landscape Architect or their designee.
- B. If a restoration plan is not presented within 30 days, the owner, developer, contractor, or agent will be cited by the County's Landscape Architect, or designee, and referred to the Code Enforcement Board.
- C. A Certificate of Occupancy will not be granted until all trees and vegetation shown upon the approved restoration plan have been installed and all site grades restored.
- D. All trees and vegetation shown upon the approved site restoration plan must be installed on the property and the site grade restored even if project termination occurs before completion of the project. Failure to complete

Created: 2024-03-29 12:10:43 [EST]

(Supp. No. 5)

the approved restoration plan is a violation of this Code and the owner, developer, contractor, or agent will be cited by the County's Landscape Architect or their designee and referred to the Code Enforcement Board.

- E. In addition to all other remedies provided herein, the County may seek injunctive relief or the imposition of fines and penalties for any violation of this division, if no restoration plan is submitted. Fines may be assessed by the County based on pre-development density of trees per acre discovered through aerial photos and at the same rate established by the County for use in the Tree Mitigation Replacement Rate in 6.7.10.C. Fines shall be assessed at up to 100" per acre across entire site affected by unauthorized tree removal.

(Ord. No. 13-20, § 2, 7-11-2013)

Susan Mills McAllister

From: Susan Mills McAllister
Sent: Friday, July 17, 2026 05:02 PM
To: countyordinances@dos.myflorida.com
Subject: FW: MRN20260708_ORDINANCE_2026_26
Attachments: MRN20260708_ORDINANCE_2026_26.pdf

Please disregard the highlighted portion of the previous email.

From: Susan Mills McAllister <SusanM@marioncountyclerk.org>
Sent: Friday, July 17, 2026 4:59 PM
To: countyordinances@dos.myflorida.com
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>
Subject: MRN20260708_ORDINANCE_2026_26

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of the Marion County Ordinance 26-26. **Also included is the cover letter from the Growth Services Deputy Director in regard to this issue.** The Ordinance was adopted by the Marion County Board of County Commissioners on Wednesday, July 8, 2026.

Please advise our office of the date on which this corrected Ordinance is received or should you need anything further.

Thank you in advance for your cooperation in this matter.



Susan Mills McAllister

Clerk, Commission Records
352-671-5727 | SusanM@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller
PO Box 1030, Ocala FL 34478-1030
352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"

Susan Mills McAllister

From: County Ordinances <CountyOrdinances@dos.fl.gov>
Sent: Monday, July 20, 2026 09:17 AM
To: Susan Mills McAllister; County Ordinances
Subject: RE: MRN20260708_ORDINANCE_2026_26
Attachments: Marion20260717_Ordinance26_26_Ack.pdf

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 26-26.

Thank you,

David Parrish

Government Operations Consultant II
Office of the General Counsel
Department of State
Room 701 – The Capitol – Tallahassee, FL
P: (850) 245-6271
David.Parrish@dos.fl.gov

From: Susan Mills McAllister <SusanM@marioncountyclerk.org>
Sent: Friday, July 17, 2026 5:02 PM
To: County Ordinances <CountyOrdinances@dos.fl.gov>
Subject: FW: MRN20260708_ORDINANCE_2026_26

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Please disregard the highlighted portion of the previous email.



Susan Mills McAllister

Clerk, Commission Records
352-671-5727 | SusanM@marioncountyclerk.org
Office of Gregory C. Harrell
Marion County Clerk of Court and Comptroller
PO Box 1030, Ocala FL 34478-1030
352-671-5604 | www.marioncountyclerk.org
"Here to serve and protect the public trust"

From: Susan Mills McAllister <SusanM@marioncountyclerk.org>
Sent: Friday, July 17, 2026 4:59 PM
To: countyordinances@dos.myflorida.com
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>
Subject: MRN20260708_ORDINANCE_2026_26

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of the Marion County Ordinance 26-26. Also included is the cover letter from the Growth Services Deputy Director in regard to this issue. The Ordinance was adopted by the Marion County Board of County Commissioners on Wednesday, July 8, 2026.

Please advise our office of the date on which this corrected Ordinance is received or should you need anything further.

Thank you in advance for your cooperation in this matter.



Susan Mills McAllister

Clerk, Commission Records

352-671-5727 | SusanM@marioncountyclerk.org

Office of Gregory C. Harrell

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org

"Here to serve and protect the public trust"



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 23, 2026

Gregory C. Harrell
Clerk of Court
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 26-27, which was filed in this office on July 22, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

Emily Sherouse

From: County Ordinances <CountyOrdinances@dos.fl.gov>
Sent: Thursday, July 23, 2026 09:52 AM
To: Emily Sherouse; County Ordinances
Cc: Debra Windberg; Debra Lewter; Susan Mills McAllister
Subject: RE: MRN20260721_ORDINANCE_2026_27
Attachments: Marion20260722_Ordinance26_27_Ack.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 26-27.

Thank you,

David Parrish

Government Operations Consultant II
Office of the General Counsel
Department of State
Room 701 – The Capitol – Tallahassee, FL
P: (850) 245-6270

From: Emily Sherouse <emilys@marioncountyclerk.org>
Sent: Wednesday, July 22, 2026 4:22 PM
To: County Ordinances <CountyOrdinances@dos.fl.gov>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>
Subject: MRN20260721_ORDINANCE_2026_27

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of the Marion County Ordinance 26-27. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, July 21, 2026.

Please advise our office of the date on which this corrected Ordinance is received or should you need anything further.



Outlook

MRN20260721_ORDINANCE_2026_27

From Emily Sherouse <emilys@marioncountyclerk.org>**Date** Wed 7/22/2026 4:22 PM**To** countyordinances@dos.myflorida.com <countyordinances@dos.myflorida.com>**Cc** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>

1 attachment (105 KB)

MRN20260721_ORDINANCE_2026_27.pdf;

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of the Marion County Ordinance 26-27. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, July 21, 2026.

Please advise our office of the date on which this corrected Ordinance is received or should you need anything further.

Thank you in advance for your cooperation in this matter.

**Emily Sherouse**

Clerk, Commission Records

352-671-5622 | emilys@marioncountyclerk.org**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org*"Here to serve and protect the public trust"*

ORDINANCE NO. 26- 27

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IV, BOARD AND COMMISSIONS, DIVISION 3, HOUSING FINANCE AUTHORITY, SECTION 2-98, MEMBERSHIP; PROVIDING FOR REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature in Chapter 159, Part IV, Florida Statutes, known and cited as the "Florida Housing Finance Authority Law" (the "Act"), authorized counties to create by ordinance a separate public body corporate and politic, to be known as the "Housing Finance Authority" of the county for which it is created to carry out only the powers granted in the Act; and

WHEREAS, the Board of County Commissioners of Marion County (the "Board") adopted Ordinance 80-03 on June 3, 1980, and Ordinance 80-05 on July 15, 1980, creating a separate public body corporate and politic to be known as the Housing Finance Authority of Marion County, Florida (the "Authority"), to carry out and exercise, without limitation except as expressly stated, all powers and public and governmental functions set forth in and contemplated by the Act; and

WHEREAS, the Board may, at its sole discretion, and at any time, alter or change the structure, organizations, programs or activities of the Authority, including the power to terminate the Authority, subject to any limitation on the impairment of contracts entered into by the Authority and subject to the limitations or requirements of the Act; and

WHEREAS, the Authority has requested that alternate members be added to the Authority's membership to help ensure that a quorum can be achieved at future meetings; and

WHEREAS, the Board finds that amending the membership requirements to provide alternate members and to otherwise update the composition of the Authority will promote the efficient conduct of Authority business and further the purposes of the Authority; and

NOW, THEREFORE, BE IT DULY ORDAINED by the Board of County Commissioners of Marion County, Florida as follows:

SECTION 1. RECITALS. The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. CODE AMENDMENT. Per section 1-6.3 – Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, **Chapter 2** of the Marion County Code, Administration, **Article IV, Board and Commissions, Division 3, Section 2-98** is hereby amended to which section reads as follows (additions shown in underline text and deletions are shown in ~~strikeout~~ text):

Sec. 2-98. - Membership.

The authority shall be composed of five (5) members and two (2) alternate members, one of whom shall be designated chairman. No fewer than three (3) of the members shall be knowledgeable in one of the following fields: Labor, finance or commerce. The terms of the members shall be staggered with each member serving four (4) years. A member shall hold office until his successor has been appointed and has qualified. Each vacancy shall be filled for the remainder of the unexpired term. ~~Each member of the authority shall take and subscribe the oath or affirmation required by the State Constitution. A record of each such oath shall be filed in the office of the clerk of the circuit court, and the certificate of the appointment or reappointment of any member shall be filed with the clerk of the circuit court, and the certificate shall be conclusive evidence of the due and proper appointment of the member.~~ A member shall receive no compensation for his services but shall be entitled to necessary expenses, including traveling expenses, incurred in the discharge of his duties.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 4. CONFLICTS. In the event that any other ordinances conflict with this ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 5. INCLUSION IN COUNTY CODE. It is the intention of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be part of the Marion County, Florida Code of Ordinances; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intent; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

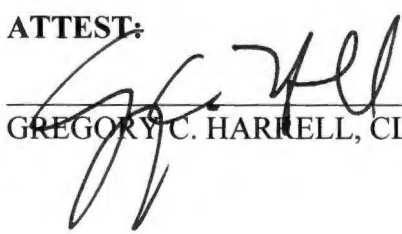
SECTION 6. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Secretary of State of Florida by the Clerk within ten (10) days after enactment by the Board and shall take effect upon receipt of official acknowledgement of filing as provided in Section 125.66(2)(b), Florida Statutes.

DULY ADOPTED on this 21_ day of July, 2026.

**BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA**


CARL ZALAK, III, CHAIRMAN

ATTEST:


GREGORY C. HARRELL, CLERK

RECEIVED NOTICE FROM SECRETARY OF STATE
ON JULY 23, 2026 ADVISING ORDINANCE WAS
FILED ON JULY 22, 2026.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 23, 2026

Gregory C. Harrell
Clerk of Court
Marion County
P.O. Box 1030
Ocala, FL 34478-1030

Dear Gregory Harrell:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Marion County Ordinance No. 26-28, which was filed in this office on July 22, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

Emily Sherouse

From: County Ordinances <CountyOrdinances@dos.fl.gov>
Sent: Thursday, July 23, 2026 09:52 AM
To: Emily Sherouse; County Ordinances
Cc: Debra Windberg; Debra Lewter; Susan Mills McAllister
Subject: RE: MRN20260721_ORDINANCE_2026_28
Attachments: Marion20260722_Ordinance26_28_Ack.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Attached is the acknowledgement letter for Marion County Ordinance 26-28.

Thank you,

David Parrish

Government Operations Consultant II
Office of the General Counsel
Department of State
Room 701 – The Capitol – Tallahassee, FL
P: (850) 245-6270

From: Emily Sherouse <emilys@marioncountyclerk.org>
Sent: Wednesday, July 22, 2026 4:25 PM
To: County Ordinances <CountyOrdinances@dos.fl.gov>
Cc: Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>
Subject: MRN20260721_ORDINANCE_2026_28

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of the Marion County Ordinance 26-28. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, July 21, 2026.

Please advise our office of the date on which this corrected Ordinance is received or should you need anything further.



Outlook

MRN20260721_ORDINANCE_2026_28

From Emily Sherouse <emilys@marioncountyclerk.org>**Date** Wed 7/22/2026 4:24 PM**To** countyordinances@dos.myflorida.com <countyordinances@dos.myflorida.com>**Cc** Debra Windberg <DebraW@marioncountyclerk.org>; Debra Lewter <DebraL@marioncountyclerk.org>; Susan Mills McAllister <SusanM@marioncountyclerk.org>

1 attachment (281 KB)

MRN20260721_ORDINANCE_2026_28.pdf;

Good afternoon Ms. Grosenbaugh,

Pursuant to provisions of Florida Statutes, attached for filing in your office is an electronic pdf copy of the Marion County Ordinance 26-28. The Ordinance was adopted by the Marion County Board of County Commissioners on Tuesday, July 21, 2026.

Please advise our office of the date on which this corrected Ordinance is received or should you need anything further.

Thank you in advance for your cooperation in this matter.

**Emily Sherouse**

Clerk, Commission Records

352-671-5622 | emilys@marioncountyclerk.org**Office of Gregory C. Harrell**

Marion County Clerk of Court and Comptroller

PO Box 1030, Ocala FL 34478-1030

352-671-5604 | www.marioncountyclerk.org*"Here to serve and protect the public trust"*

ORDINANCE NO. 26- 28

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 17, SPECIAL ASSESSMENTS, ARTICLE VI, LOCAL PROVIDER PARTICIPATION FUND OF THE MARION COUNTY CODE OF ORDINANCES; AMENDING SECTION 17-293, PURPOSE; AMENDING SECTION 17-295, DEFINITIONS; AMENDING SECTION 17-297, ASSESSMENT; AMENDING SECTION 17-298, COMPUTATION OF ASSESSMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the hospitals in Marion County's jurisdiction (the "Hospitals") annually provide millions of dollars of uncompensated care to those who qualify for Medicaid because Medicaid, on average, historically covers only 61% of the costs of the health-care services actually provided by Hospitals to Medicaid-eligible persons, leaving Hospitals with significant uncompensated costs; and

WHEREAS, the State of Florida (the "State") operates several supplemental payment programs designed to provide reimbursement to cover the Medicaid reimbursement shortfall, to provide resources to support charity care, and to ensure improvements in quality of care; and

WHEREAS, certain non-public Hospitals have asked Marion County (the "County") to impose assessments upon certain real property upon which Hospitals operate to help finance the non-federal share of the State's Medicaid program; and

WHEREAS, the only properties to be assessed are the real property sites of such Hospitals; and

WHEREAS, the funding raised by the County assessments will through intergovernmental transfers ("IGTs") consistent with federal guidelines, support additional funding for Medicaid supplemental payments to Hospitals; and

WHEREAS, the County acknowledges that the Hospital properties assessed can benefit directly and especially from the assessments as a result of the above-described additional funding; and

WHEREAS, the County has determined that a logical relationship exists between the services provided and the special and particular benefit to the real property upon which the Hospitals operate; and

WHEREAS, the County has an interest in promoting access to healthcare for its low-income and uninsured residents; and

WHEREAS, leveraging additional federal support through the above-described IGTs to fund supplemental payments to the Hospitals for healthcare services directly and specifically

benefits the properties upon which Hospitals operate and supports their continued ability to provide those services; and

WHEREAS, imposing assessments limited to the properties upon which the Hospitals operate to help fund the provision of these services and the achievement of certain quality standards by the Hospitals to residents of the County is a valid public purpose that benefits the health, safety, and welfare of the citizens of the County; and

WHEREAS, the assessments support the financial stability and viability of the Hospitals providing such services; and

WHEREAS, the Hospitals are important contributors to the overall County's economy, and the financial benefit to these Hospitals directly and specifically supports their mission, as well as their ability to grow, expand, and maintain their facilities in concert with the population growth in the jurisdiction of the County; and

WHEREAS, the County finds that the assessments will enhance the Hospitals' ability to grow, expand, maintain, improve, and increase the value of their properties and facilities under all present circumstances and those of the foreseeable future; and

WHEREAS, the County is proposing properly apportioned assessments by which certain Hospitals will be assessed a uniform amount that is compliant with 42 C.F.R. § 433.68(d); and

WHEREAS, the County adopts this Ordinance enabling the County to levy uniform non-ad valorem special assessments, which are fairly and reasonably apportioned among the properties upon which Hospitals operate within the County's jurisdictional limits, to establish and maintain a system of funding for IGTs to support the non-federal share of Medicaid supplemental payments, thus directly and specially benefitting properties upon which Hospitals operate; and

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

SECTION 1. RECITALS. The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. CODE AMENDMENT. Per section 1-6.3 – Amendments to Code; effect of new ordinance; amendatory language, of the Marion County Code, **Chapter 17** of the Marion County Code, Special Assessments, **Article VI**, Local Provider Participation Fund, is hereby amended to which section reads as follows (additions shown in underline text and deletions are shown in ~~strikeout~~ text):

Sec. 17-291. – Title.

This Article VI shall be known, and may be cited as the “Marion County Local Provider Participation Fund Ordinance.”

Sec. 17-292. – Authority.

Pursuant to Article VIII, Section 1(f) of the Constitution of the State of Florida and Chapter 125 of the Florida Statutes, the Board is authorized to impose a special assessment against private for-profit and not-for-profit hospitals located within Marion County (the "Hospitals") to fund the non-federal share of Medicaid payments associated with Local Services.

Sec. 17-293. – Purpose.

The non-ad valorem special assessments authorized by this article shall be imposed, levied, collected, and enforced against the Assessed Properties located within Marion County. Proceeds from the Assessments shall be used to benefit the Assessed Properties through ~~enhanced~~ Medicaid Payment for Local Services. When imposed, the Assessment shall constitute a lien upon the Assessed Properties equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments, and failure to pay may cause foreclosure proceedings to be instituted that could result in loss of title. The assessment shall be computed and assessed only in the manner provided for in this Ordinance.

Sec. 17-294. – Alternative Method.

This Ordinance and its implementing resolutions shall together be deemed to provide an additional and alternative method, as specified in § 197.3631, Fla. Stat., for the assessment and collection of the non-ad valorem special assessment described herein. The Ordinance shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing or which may exist in the future. This Ordinance, being necessary for the health, safety, and welfare of the inhabitants of the County, shall be liberally construed to effect the purposes hereof.

Sec. 17-295. – Definitions.

When used in this Ordinance, the following terms shall have the following meanings, unless the context clearly requires otherwise:

Annual Final Assessment Resolution means the resolution described in Sections 17-304 and 17-305 hereof, which shall be the final proceeding for the imposition of an Assessment, establishing the rate for the non-ad valorem assessment for a specific Fiscal Year.

Assessed Property means an institutional Health Care Provider holding a right of possession and right of use to real property in the County through an ownership or leasehold interest, thus making it subject to the Assessment.

Assessment means a non-ad valorem special assessment imposed by the County on Institutional Health Care Providers located in the County limits to fund the non-federal share of Medicaid and Medicaid managed care payments associated with ~~directed to hospitals~~ providing Local Services in the County.

Assessment Coordinator means the person appointed to administer the Assessment imposed pursuant to this Article, or such person's designee.

Assessment Resolution means the resolution described in Section 17-299 hereof.

Board means the Board of County Commissioners of Marion County, Florida.

Comptroller means the Marion County Comptroller, ex officio Clerk to the Board, or other such person as may be duly authorized to act on such person's behalf.

County means Marion County, Florida.

Fiscal Year means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the County.

Institutional Health Care Provider means a licensed private for-profit or not-for-profit hospital that provides inpatient hospital services, unless the Centers for Medicare and Medicaid Services (CMS) exempts the hospital through an approved or pending health care tax waiver.

Local Services means the provision of inpatient and outpatient hospital services to Medicaid, indigent and uninsured members of the Marion County community.

Medicaid payments mean funding received through the Directed Payment Program and any other supplemental or managed care quality incentive program or arrangement authorized by CMS and expressly designated in an assessment resolution as described in section 17-299 hereof.

Non-ad valorem Assessment Roll means the special assessment roll prepared by the County.

Ordinance means the Marion County Local Provider Participation Fund Ordinance.

Tax Collector means the Marion County Tax Collector.

Sec. 17-296. – Interpretation.

Unless the context indicates otherwise, the terms “hereof,” “hereby,” “herein,” “hereunder,” and similar terms refer to this Article. The term “hereafter” means after, and the term “heretofore” means before the effective date of the Ordinance.

Sec. 17-297. – Assessment.

Pursuant to §125.01, Fla. Stat., the Board is hereby authorized to create a non-ad valorem special assessment that shall be imposed, levied, collected, and enforced against Assessed Property to fund the non-federal share of Medicaid payments benefitting Assessed Properties providing Local Services in the County. Funds generated as a result of the Assessment shall be held in a separate account called the local provider participation fund and shall be available to be used only to (1) provide to the Florida Agency for Health Care Administration (AHCA) the non-federal share for Medicaid payments to be made directly or indirectly in support of hospitals serving Medicaid beneficiaries and (2) reimburse the County for administrative costs associated with the implementation of the Assessment authorized by this Ordinance, as further specified in the Assessment Resolution.

The Assessment must comport with federal and state requirements for health care-related assessments ~~will be broad based, and the amount of the Assessment must be uniformly imposed~~

~~on each Assessed Property.~~ The Assessment may not hold harmless any Institutional Health Care Provider, as required under 42 U.S.C. § 1396b(w). As set forth in Section 17-293, the Assessment shall constitute a lien upon the Assessed Properties equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. In addition to other remedies available at law or equity, the enforcement of the aforementioned Assessment may be at the same time and in like manner as ad valorem taxes and may be subject to all ad valorem tax enforcement procedures afforded to use of the official annual real property tax notice.

Creation and implementation of the Assessment will not result in any additional pecuniary obligation on the County, Board, or County residents as the Assessment shall be imposed, levied, collected, and enforced against only Assessed Properties, and the Assessment Resolution shall provide that the County's administrative costs shall be reimbursed from the collected amounts. The County's administrative costs shall not exceed \$150,000.00. Any reasonable expenses the County incurs to collect delinquent assessments, including any attorney's fees incurred as a result of contracting with an attorney to represent the county in seeking and enforcing the collection of delinquent assessments, are not subject to the limitation on administrative costs.

Sec. 17-298. – Computation of Assessment.

The annual Assessment shall be specified for each Assessed Property. The amount of the Assessment required of each Assessed Property may not exceed an amount that, when added to the amount of other required assessments, equals an amount of revenue that exceeds the maximum percent of the aggregate net patient revenue of all Assessed Hospitals in the County state permitted by 42 C.F.R. §433.68(f)(3)(i)(A). Assessments for each Assessed Property will be derived from data contained in the Florida Hospital Uniform Reporting System, as available from the Florida Agency for Health Care Administration.

Sec. 17-299. – Assessment Resolution.

The Assessment Resolution shall describe (a) the Medicaid payments proposed for funding from proceeds of the Assessment; (b) the benefits to the Assessment Properties associated with the Assessment; (c) the methodology for computing the assessed amounts; and (d) the method of collection, including how and when the assessment is to be paid.

Sec. 17-300. – Non-Ad Valorem Assessment Roll.

The Assessment Coordinator shall prepare, or direct the preparation of, the Non-Ad Valorem Assessment Roll, which shall contain the following:

- (1) The names of the Assessed Properties;
- (2) The Assessment rate and amount of the Assessment to be imposed against each Assessed Property based on the Assessment Resolution.

The Non-Ad Valorem Assessment Roll shall be retained by the Assessment Coordinator and shall be open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Assessment for each Assessed Property can be determined by use of a computer terminal available to the public.

Sec. 17-301. – Notice by Publication.

Upon completion of the Non-Ad Valorem Assessment Roll, the Assessment Coordinator shall publish once in a newspaper of general circulation within the County, or on a publicly accessible website, pursuant to Chapter 50, Florida Statutes, in lieu of newspaper publication, notice stating that at a meeting of the Board on a certain day and hour, not earlier than 20 calendar days from such publication, which meeting shall be a regular, adjourned, or special meeting, the Board will hear objections of all interested persons to approve the aforementioned Non-Ad Valorem Assessment Roll. Such notice shall include:

- (1) The Assessment rate;
- (2) The procedure for objecting to the Assessment rate;
- (3) The method by which the Assessment will be collected; and
- (4) A statement that the Non-Ad Valorem Special Assessment Roll is available for inspection at the Office of the Assessment Coordinator.

Sec. 17-302. Notice by Mail.

In addition to the published notice required by Section 17-301, but only for the first year in which an Assessment is imposed by the Board against Assessed Properties, the Assessment Coordinator shall provide notice of the proposed Assessment by first class mail to the Assessed Properties. Such notice shall include:

- (1) The purpose of the Assessment;
- (2) The Assessment Rate to be levied against each Assessed Property;
- (3) The unit of measurement applied to determine the Assessment;
- (4) The total revenue to be collected by the County from the Assessment;
- (5) A statement that failure to pay the Assessment may cause a tax certificate to be issued against the property or foreclosure proceedings to be instituted, either of which may result in a loss of title to the property;
- (6) A statement that all affected and / or interested parties have a right to appear at the hearing and to file written objections with the Board within 20 days of the notice; and
- (7) The date, time, and place of the hearing.

Notice shall be mailed at least 20 calendar days prior to the hearing, to each Assessed Property at such address as is shown on the Assessment Roll. Notice shall be deemed mailed upon delivery thereof to the possession of the United States Postal Service. The Assessment Coordinator may provide proof of such notice by affidavit. Failure of the Assessed Property to receive such notice, due to mistake or inadvertence, shall not affect the validity of the Assessment Roll or release or discharge any obligation for payment of the Assessment imposed by the Board pursuant to this Article.

Sec. 17-303. – Adoption of Assessment Resolution and Non-Ad Valorem Assessment Roll.

At the time named in the notice, the Board shall receive and consider any written objections of interested persons. All objections to the Assessment Resolution and Non-Ad Valorem

Assessment Roll shall be made in writing and filed with the Assessment Coordinator at or before the time or adjourned time of such hearing. At the date and time named in the notice, the Board may adopt the Assessment Resolution and Non-Ad Valorem Assessment Roll which shall:

- (1) Set the rate of the Assessment to be imposed;
- (2) Approve the Non-Ad Valorem Assessment Roll, with such amendments as the Board deems just and right; and
- (3) Affirm the method of collection.

Sec. 17-304. – Annual Final Assessment Resolution.

The Board may revise the Non-Ad Valorem Assessment Roll during the Fiscal Year to change the Assessment rate if calculations suggest such change or correction is necessary. However, the Board must adopt an Annual Final Assessment Resolution during the Fiscal Year to memorialize the final rate applicable for the Fiscal Year.

Sec. 17-305. – Effect of Annual Final Assessment Resolution.

The adoption of the Annual Final Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the method of apportionment and Assessment, the Assessment rate, the initial rate of Assessment, the Non-Ad Valorem Assessment Roll, and the levy and lien of the Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action on the Annual Final Assessment Resolution. The Non-Ad Valorem Assessment Roll shall be delivered to the Tax Collector or such other official as the Board by resolution shall designate.

Sec. 17-306. – Method of Collection.

The amount of the assessment may be collected pursuant to the Alternative Method, as specified in the Assessment Resolution.

Sec. 17-307. – Refunds.

If, at the end of the Fiscal Year, additional amounts remain in the local provider participation fund, the board is hereby authorized to make refund to Assessed Properties in proportion to the amounts paid in during the Fiscal Year for all or a portion of the unutilized local provider participation fund.

Sec. 17-308. – Responsibility for Enforcement.

The County and its agent, if any, shall maintain the duty to enforce the prompt collection of the Assessment by the means provided herein. The duties related to collection of assessments may be enforced at the suit of any holder of obligations in a court of competent jurisdiction by mandamus or other appropriate proceedings or actions.

Sec. 17-309. Correction of Errors and Omissions.

No act of error or omission on the part of the Comptroller, Property Appraiser, Tax Collector, Assessment Coordinator, Board, or their deputies or employees shall operate to release

or discharge any obligation for payment of the Assessment imposed by the Board under the provisions of this Chapter.

SECTION 3. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

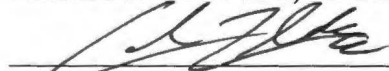
SECTION 4. CONFLICTS. In the event that any other ordinances conflict with this ordinance, the provisions of this ordinance shall prevail to the extent of such conflict.

SECTION 5. INCLUSION IN COUNTY CODE. It is the intention of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be part of the Marion County, Florida Code of Ordinances; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intent; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION 6. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Secretary of State of Florida by the Clerk within ten (10) days after enactment by the Board and shall take effect upon receipt of official acknowledgement of filing as provided in Section 125.66(2)(b), Florida Statutes.

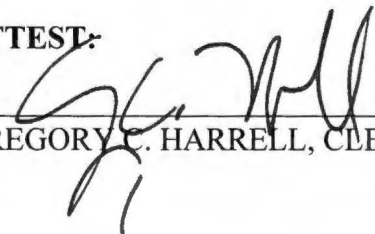
DULY ADOPTED on this 21 day of July, 2026.

**BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA**



CARL ZALAK, III, CHAIRMAN

ATTEST:



GREGORY C. HARRELL, CLERK

RECEIVED NOTICE FROM SECRETARY OF
STATE ON JULY 23, 2026 ADVISING
ORDINANCE WAS FILED ON JULY 22, 2026.