

ORDINANCE 12-01

AN ORDINANCE OF HOLMES COUNTY, FLORIDA AMENDING HOLMES COUNTY, FLORIDA ORDINANCE 05-09; PROVIDING FOR AN AMENDED AND REDUCED INSTALLATION FEE FOR THE REPLACEMENT OF DRIVEWAY CULVERTS; PROVIDING FOR AN AMENDED AND REDUCED APPLICATION FEE FOR THE REPLACEMENT OF DRIVEWAY CULVERTS; PROVIDING THAT CITIZENS BE REQUIRED, WHERE NECESSARY, TO SUPPLY THE APPROPRIATE CULVERT PIPE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Holmes County, Florida (the "Board"), is responsible for adopting policies and procedures with respect to the maintenance, construction, updating and replacement of certain Holmes County, Florida roads and the driveways connected thereto; and

WHEREAS, the Board of County Commissioners intends to adopt an Ordinance amending certain policies and procedures that were formalized by the Board in Ordinance 05-09 pertaining to the permitting and associated fees of obtaining culvert permits and installing and replacing culverts in Holmes County, Florida; and

WHEREAS, the Board of County Commissioners intends to amend Ordinance 05-09 to reflect that Section "1" of said Ordinance dictate that the permit fee of \$25.00 charged for *replacement* culverts be reduced to \$0.00; and

WHEREAS, the Board of County Commissioners intends to amend Ordinance 05-09 to reflect that "Section 2" of said Ordinance dictate that the \$300.00 installation fee for installation of *replacement* culverts be reduced to \$0.00; and

WHEREAS, the Board of County Commissioners intends to require citizens to provide, without the assistance of the County, culverts (which meet County specifications and requirements) to a County designated location for the County to install; and

WHEREAS, the Board of County Commissioners intends that the remainder of the Ordinance remain in full force and effect, including the requirement of the \$25.00 application fee and the \$300.00 instillation fee for *new* driveway culverts.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Holmes County, Florida,

SECTION 1. Section "1" of Ordinance 05-09 is hereby deleted and replaced with the following:

“Section 1: Every person, business or organization who requests a new driveway culvert shall be required to purchase a culvert permit from the County. The permit fee shall be \$25.00, and this fee shall include an assessment by the County of the size culvert required.”

SECTION 2. Section “2” of Ordinance 05-09 is hereby deleted and replaced with the following:

“Section 2: Every person, business or organization who requests the County to install a new driveway culvert shall be required to pay a \$300.00 installation fee.”

SECTION 3. Section “3” of Ordinance 05-09 is hereby deleted and replaced with the following:

“Section 3: Every person, business or organization who request the County to install a replacement or new driveway culvert shall be responsible for the purchase, associated costs and delivery of the culvert pipe (should one be required) to a location and in a manner specified by the County.”

SECTION 4. Section “4” of Ordinance 05-09 is hereby deleted and replaced with the following:

“Section 4: The fees charged in Sections one (1) and two (2) above may be amended by resolution of the Board of County Commissioners.”

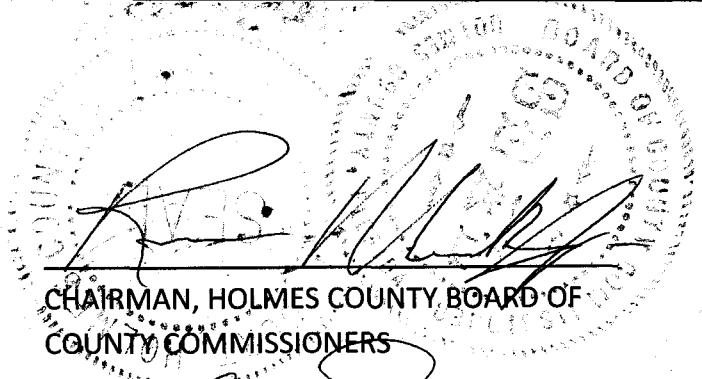
SECTION 5. SEVERABILITY:

If, for any reason, any section, phrase, sentence, clause, part or provision of this Ordinance is found to be invalid or unconstitutional by a Court of competent jurisdiction, the same shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of this Ordinance as a whole, or any portion thereof, other than the portion declared to be invalid.

SECTION 6. EFFECTIVE DATE:

This Ordinance shall be effective on the date of its filing with the Florida Department of State.

PASSED AND DULY ADOPTED this 29th day of May, 2012.



[Signature]

CHAIRMAN, HOLMES COUNTY BOARD OF
COUNTY COMMISSIONERS

[Signature]

ATTEST, CLERK OF COURT
HOLMES COUNTY, FLORIDA