

ORDINANCE NO. 09-03

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA, REPEALING ORDINANCE NO. 06-13 ENTITLED "AN ORDINANCE OF THE COUNTY COMMISSION OF HOLMES COUNTY, FLORIDA, AMENDING THE HOLMES COUNTY LAND DEVELOPMENT REGULATIONS, BY REVISING THE DEFINITION OF 'SUBDIVISION;' ESTABLISHING SUBDIVISION APPLICATION, REVIEW AND APPROVAL, PLATTING AND RECORDING PROCEDURES, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE"; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners unanimously passed Ordinance No. 06-13, after due public notice, on December 19, 2006;

**WHEREAS**, Ordinance No. 06-13 amended Chapter X of the Holmes County Land Development Regulations by revising the definition of a "subdivision" and establishing subdivision application, review, approval, platting and recording procedures;

**WHEREAS**, the Board of County Commissioners of Holmes County, Florida, now deem the provisions of Ordinance No. 06-13 to be contrary to the interests of the citizens of Holmes County, Florida;

**WHEREAS**, the Board of County Commissioners desire that Ordinance No. 06-13 be repealed and Chapter X of the Holmes County Land Development Regulations be returned to its original text, operation, and effect, as if Ordinance No. 06-13 had never been passed and adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA that:**

**SECTION I:** Ordinance No. 06-13 is hereby repealed.

**SECTION II:** Chapter X of the Holmes County Land Development Regulations is hereby returned to its original text, operation, and effect, as it was in existence prior to the passage and adoption of Ordinance No. 06-13.

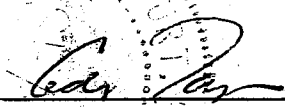
**SECTION III:** CONFLICTS. All Ordinances or parts of Ordinances of the Board of County Commissioners of Holmes County, Florida, in conflict with the provisions of this Ordinance are hereby repealed.

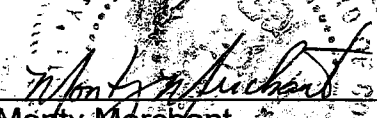
**SECTION IV:** SEVERABILITY. If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a Court of

competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

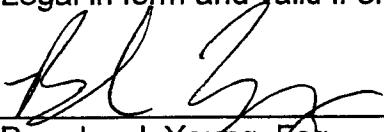
**SECTION V:** EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage as provided by law.

**PASSED** and **ORDAINED** by the Board of County Commissioners of Holmes County, Florida, on this 8th day of September, 2009, after due and proper public notice, by a vote of 5 to 0.

  
ATTEST: Cody Taylor  
Clerk

BY:   
Monty Merchant,  
Chairman

Legal in form and valid if enacted

  
Brandon J. Young, Esq.  
Attorney, Holmes County