



# BOARD OF COUNTY COMMISSIONERS

THE KEYSTONE COUNTY-ESTABLISHED 1827

435 W. Walnut St., Monticello, Florida 32344

**Benjamin "Benny"  
Bishop**

District 1, Vice-Chair

**John Nelson, Sr.**

District 2

**Hines F. Boyd**

District 3

**Betsy Barfield**

District 4, Chair

**Stephen Walker**

District 5

**Regular Session Agenda  
March 4, 2014 at the Courthouse Annex  
435 W. Walnut St. Monticello, FL 32344**

1. **9:00 A.M. – Call to Order, Invocation, Pledge of Allegiance**
2. **Public Announcements, Presentations, & Awards**
3. **Consent Agenda**
  - a) **Approval of Agenda**
  - b) **Minutes of February 18th, 2014 General Session**
4. **Citizens Request & Input on Non-Agenda Items (3 Minute Limit)**
5. **General Business**
  - a) **Planning Fees Discussion – Commissioner Bishop/Bill Tellefsen**
  - b) **Granny-Flat Tax Exemption– Property Appraiser Angela Gray**
6. **PUBLIC HEARING: (9:15 AM) CDBG Housing Grant Program**
  - a) **Resolution to Submit Application**
  - b) **Resolution Adopting Long-term and Short-term Goals**
  - c) **Resolution for Local Match**
  - d) **Housing Assistance Plan**
7. **County Coordinator**
  - a) **Code Enforcement Ordinance Revisions – Parrish Barwick**
8. **Commissioner Discussion Items**
9. **Adjourn**

From the manual "Government in the Sunshine", page 40:

Paragraph C. Each board, commission or agency of this state or of any political subdivision thereof shall include in the notice of any meeting or hearing, if notice of meeting or hearing is required, of such board, commission, or agency, conspicuously on such notice, the advice that if a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Kirk Reams**  
Clerk of Courts

**Parrish Barwick**  
County Coordinator

**T. Buckingham Bird**  
County Attorney  
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## **ITEM 3: CONSENT AGENDA MATERIALS**

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JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR SESSION  
February 18, 2014

The Board met this date in regular session. Present were Chairperson Betsy Barfield, Commissioners Benjamin “Benny” Bishop, Hines Boyd, John Nelson and Stephen Walker. Also present were County Coordinator Parrish Barwick, County Attorney Buck Bird and Clerk of Court Kirk Reams.

**ITEM 2: Public Announcements, Presentations & Awards**

1. Dr. Barbara Thomas-Reddick gave a brief presentation on a new substance abuse program called “Expanded Opportunities Outpatient Drug Treatment.” She stated it was licensed through the Department of Children & Families and served the community of Jefferson County. She further stated that transportation to this type of treatment program has been a barrier in the past but now services could be provided locally.
2. Property Appraiser Angela Gray thanked the Board and specifically Chairperson Barfield for accepting her challenge in the Chamber of Commerce’s Chili Cook-off.

**ITEM 3: Consent Agenda**

3. **On motion by Commissioner Walker, seconded by Commissioner Boyd and unanimously carried, the consent agenda—consisting of the approval of the agenda, the minutes of the February 4<sup>th</sup> Regular Session, the Sheriff Surveillance Grant Budget Amendment and the TDC Blogger Request—was approved.**

**ITEM 4: Citizens Request & Input**

4. Citizen C.P. Miller inquired about the “Attendance Card” that needed to be completed before speaking at a BOCC meeting. He stated his displeasure with the layout and said that it requested too much information. He also said that some people may not be able to read or write but could speak what was on their mind and may feel intimidated by this form. He also expressed his opinion that this form was not necessary unless there was a special meeting with a large crowd, since Jefferson County was not a large municipality like Jacksonville or Miami or even Tallahassee. Citizen Paul Henry concurred with Mr. Miller and stated it was excessive to request all of this information in order to address government. Chairperson Barfield stated the intent was for order in meetings and that any citizen could just write their name and that the other information was optional. Commissioner Boyd noted that this should have been implemented a while ago according to the Board’s rules and that he was glad it had been done.

**ITEM 6: County Coordinator’s Report**

5. County Coordinator Parrish Barwick stated there was a tractor at the Road Department that had issues with the hydraulic pump and transmission that he would like to surplus. E stated this piece of equipment was not of use to the county in its current condition and that Commissioner Bishop had offered to look at the tractor to give an approximate value. Commissioner Boyd inquired if the County Coordinator was requesting to sell the old tractor and purchase a new one, to which County Coordinator Barwick responded he was just requested to surplus the old tractor at this time. **On motion by Commissioner Boyd, seconded by Commissioner Nelson and unanimously carried, the Board declared the tractor surplus in order for it to be sold.**

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**ITEM 7: Commissioner Discussion Items**

6. Clerk of Court Kirk Reams stated he had attended a Suwannee River Water Management District meeting and learned that Jefferson County was awarded the \$140,000 grant for the Wacissa headwaters. He stated he would be bringing more information back to a future meeting.
7. County Coordinator Parrish Barwick discussed potholes on Fanlew Road and stated that the company that paved the road is going to repair the potholes immediately and will re-surface the entire problem area (approximately 200-300 feet) later this year.
8. Chairperson Barfield gave a report on site visitors to the region as part of the North Florida Economic Development program. She stated the two main things developers were looking for were web presence and infrastructure. She requested the Board keep these items in mind when discussing the Visioning Plan and working with Marcia Elder.
9. Chairperson Barfield requested an update from County Coordinator Parrish Barwick on the Transportation Plan. County Coordinator Barwick stated he was waiting on a date to have everyone respond (post office, Sheriff's Office, School Board/buses, Fire/EMS). Chairperson Barfield stated it was amazing what the County was doing with transportation and wanted to publicly thank Clerk of Court Kirk Reams for all of his hard work.

**ITEM 8: Adjournment**

10. The warrant register was reviewed and bills ordered paid.
11. **On motion by Commissioner Boyd, seconded by Commissioner Nelson and unanimously carried, the meeting was adjourned.**

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Chairman

## **ITEM 5(a): PLANNING FEES DISCUSSION**



**PLANNING AND ZONING DEPARTMENT**  
**JEFFERSON COUNTY/CITY OF MONTICELLO**  
445 W. PALMER MILL RD, MONTICELLO, FLORIDA 32345

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Phone (850) 342-0223 - Fax: (850) 342-0225

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## **MEMORANDUM**

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**TO:** PARRISH BARWICK; SCOTT SHIRLEY  
**FROM:** BILL TELLEFSEN  
**SUBJECT:** PROPOSED PLANNING DEPT. FEE SCHEDULE  
**DATE:** 2/26/2014  
**CC:**

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To save discussion time – some background:

The 2005 pdf is the current fee schedule for building & planning. The proposed fee schedule is for planning only. Wallace has been working on a new one for building. I think they should be separate since they are truly separate departments.

The impact spreadsheet is a breakdown of fees that indicates there would have been an overall slight increase in the average of total income from fees over the approximate 4 years of data. The fees in the spreadsheet are for the application & review process of each type of development, be it a subdivision or site plan. There are currently three levels of review/approval:

1. Planning Official: Reviews all applications for development & either approves/denies or makes recommendations to PC/BOCC. Can approve Lot splits, Minor Subdivisions up to 5 lots, Minor Replats, Boundary Adjustments, Minor Development Site Plans (multi-family residential under 10 units, non-residential up to 30,000 sq. ft. impervious surface).
2. Planning Commission: Recommends BOCC on Comp Plan/LDC Amendments, major developments, approval entity for variances to LDC requirements, cell towers, & subdivisions of 5-10 lots.
3. BOCC: Approval entity for Comp Plan/LDC Amendments, Special Exceptions, and Major Developments (subdivisions over 10 lots, site plans over 30,000 sq. ft. impervious).

The proposed fees are:

- Subdivision fees based solely on number of lots, regardless of review level
- Site plan fees based on the total size of the buildings
- Development Permits are required prior to construction on any parcel (residential or non-residential) and are flat-rate fees for Planning Dept. staff review to ensure LDC compliance prior to issuance of any type of construction permit.
- Miscellaneous Permits – generally self-explanatory

Not including 6 cell towers and 1 microwave tower approved by the Planning Commission, we have had very few applications for major developments since I became the Planning Official in October 2006:

1. Florida Home Builders site plan (approved multi-use recreational/educational center- never constructed)
2. Special Exception allowing Jimmy Mincy's Horse Arena/RV Parking (approved)



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3. Hurley Booth's Conservation subdivision (Bailey's Mill, approved 121 lots - never built – sold as Conservation Easement to FDEP)
4. Apalachee Mental Health Center Expansion (approved additional new building 28,871 sqft - never built)
5. (Industrial Park) American Hunter (approved two 40,000 sqft warehouses - never built – yet – still in “limbo”)
6. Mini-warehouse site between Jimmy's Auto & Catholic Church (withdrawn after Planning Commission 1<sup>st</sup> public hearing)
7. (industrial Park) Harrell Nut Company (approved – almost complete)

The overall economic situation has created the slight increase in “small” (essentially staff-review size) development activity and the decrease in “large” (PC/BOCC-review size) development activity. Overall, major developments have actually never been our “bread and butter”. In fact, the results of the last 4 approved major subdivisions (latest to oldest) were:

- Bailey's Mill (S side US 90 W, just east of Lake Miccosukee)(see above);
- Wolf Creek (N side US 90 E, about 1.5 mi east of city) – purchased as a whole, 8 or 9 lots being donated to Humane Society for construction of a building (working on funding) & remainder kept by the new owners, who built a \$1,000,000+ home;
- Heritage Hills (W side SR 59, just N of I-10)– 72 lots – 16 purchased by an investor, about 6 homes built – rest repossessed by FMB;
- The Sanctuary (E side SR 59, 2.5 mi+/- S of I-10) – 66 lots – 6 or 7 homes built, rest repossessed by Peoples South Bank

Note that the spreadsheet does not include “development permit” fees. A development permit is required to obtain any other type of construction permit. It is essentially a “ticket” to get any other permit. As far as I know, there are only a few exceptions to that statement:

- Federal permits or any possible State permits such as FDEP permits – the county does not “get involved” with any kind of permit from FDEP (construction in wetlands, including crossings, etc.) other than to require either an approved permit or some proof of exemption.
- Water Management District permits – county just requires either an approved permit or some proof of exemption for a stormwater permit. WMD's issue permits to build some types of ponds (farm, etc.).
- I made an “executive decision” to exclude the requirement for a \$100 dev. permit to obtain a septic tank repair permit from the Health Dept. Nobody is required to get a dev. permit for a plumber to fix their toilet. The HD will not issue a septic tank permit or permit to construct a well without a dev. permit. The electric companies will not hook up power without a dev. permit.

In the current fee schedule, development permits are under **C.**, beginning on second page. I found the first two listed items problematic because they basically indicate nothing except a reference to the Building Permit section. I've therefore eliminated them. I changed the next four items (Home additions, the small table of “Construction Valuation” below it, and the Mobile Home items) & swimming pools and placed them under Development Permit Fees as “flat” fees, with non-residential based on building area.

The rest of the items have been moved to Misc. fees because they are not usually considered “development permits”. Depending on the detail of the submittal, approvals of Development Applications that are called



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Final Development Orders may also be Development Permits, particularly at the staff-review level. Conceptual plans approved as Final DO's by the PC/BOCC are not usually DP's because they do not contain enough detail.

Approval of Construction plans (site plans or roadway plans in subdivisions) reviewed by our consulting engineers would essentially be development permits allowing them to "turn dirt" once any & all other permits are approved (all case-by-case). Since the county has no environmental rules, policies, procedures, or permits, with the exception of wetlands setbacks and the upcoming floodplain management ordinance, as far as I know (and has evidently been the practice), the county has no current method established for oversight of construction for subdivisions and site plans except as provided by the permitting agencies for their permits. We have no Code Enforcement Officer or Code Enforcement Board.

As I understand it, Development Permits are required so Planning Department staff can review the proposed activity to ensure compliance with the Comprehensive Plan and Land Development Code. We are supposed to charge a reasonable fee for the service rendered. The fees should cover the cost of employee time, any materials such as forms, information brochures, etc., and a reasonable portion for everything from light/phone bills to building maintenance. I can justify fees based on structure size for non-residential developments (or larger multi-family developments) because bigger, more complex sites take more staff review time as well as engineering consultant involvement.





*Impact Fees*

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RESOLUTION  
NO. 2005-0818-01  
JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners of Jefferson County, Florida, did on July 1990, in conformity with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 et. Seq., Florida Statutes, and applicable laws of the State of Florida, adopt a Comprehensive Plan for Jefferson County: and

..

WHEREAS, the Board of County Commissioners of Jefferson County, Florida, did on December 13, 1990, in conformity with the requirements of Section 163.3203, Florida Statutes, and applicable laws of the State of Florida, adopt a Land Development Code for Jefferson County, the purposed of which is to serve as an instrument of implementation for the adopted Comprehensive Plan: and

WHEREAS, the Board of County Commissioners of Jefferson County, Florida, deems it necessary to adopt an amended schedule of fees for various applications made under and pursuant to the Land Development Code, so as to provide sufficient revenues to pay for the review and analysis of such applications by competent and qualified personnel, for the protection of the public health, welfare, and safety; and

WHEREAS, The Board of County Commissioners of Jefferson County, Florida, hereby finds that the amended schedule of application fees adopted herein includes no more than the reasonable costs of reviewing and analyzing each type of application:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Jefferson County, Florida, that.:

I. The following schedule fees to be charged, for the consideration of the specified applications made under and pursuant to the Jefferson County Land Development Code, except for applications initiated by the Planning Commission or by the Board of County Commissioners, is hereby adopted, and all prior fee schedules are hereby repealed:

**A. All fees shall double if work begins before the permit is issued. Fees are not refundable.**

**B. Application Fees (fees are not refundable):**

Preliminary Plat review of Major Developments and Subdivisions of 11 lots or more	\$1000 + \$50 per lot
Preliminary Plat review of Minor Developments, site plan reviews, and Subdivisions of 10 lots or less	\$1000 + \$50 per lot
Construction Plan engineering reviews	\$500+ consultant fees
Final Plat reviews with no improvements	\$100
Final Plat reviews with improvements,	\$700+ consultant fees

CERTIFIED TRUE AND CORRECT COPY  
CARL D. BOATWRIGHT  
CLERK OF CIRCUIT COURT  
JEFFERSON COUNTY, FLORIDA  
*Carl D. Boatwright*



Development of Regional Impact (DRI) and Florida Quality Developments, (major development fee listed above + consultant Fees as determined by the Planning Official	\$1000 + \$50 per lot + consultant fees
Minor Replat	\$100
Plat Vacation	\$200
Variance	\$200
Special Exception	\$1500
Land Development Code Amendment	\$300
Appeals Planning Commission or Board of County Commissioners	\$100
Concurrency Review	\$100
Comprehensive Plan Amendment	\$1500
Mining	\$300
Small scale excavation	\$300
Ponds (over one acre and under ten acres)	\$300
Ponds (over ten acres)	\$500

**C. Development Permits Issuing Fees (not refundable)**

Site Improvement Permit (Physical improvements)  
Based on valuation of each specific improvement (See Building Permit section)

Home Additions of 600 sq. feet or less are exempt from Development permit fees.

<u>Construction Valuation</u>	<u>Fee</u>
\$501 - \$5,000	\$115
\$5,001 - \$15,000	\$205
\$15,001-\$25,000	\$295
\$25,001- \$50,000	\$545
Over \$50,000 up to 150,000 add \$2.25 per \$1,000.	
Over \$50,000 and the total is over \$150,000 add \$3.85 per \$1,000.	

Mobile Homes replacement	\$150
Mobile Homes new location	\$285
Temporary Use	\$100
Swimming Pools up to 400 sq. feet	\$100
Swimming Pools over 400 sq. feet	\$200
Tree Removal (protected trees) New	\$50
911 Address	\$100
Change Road Name	\$150

Home Occupation Permit (Initial) Home Occupation Permit (Renewal)	\$100 \$50
Business Permit (Initial) Business Permit (Renewal)	\$100 \$50
Zoning Determination letter	\$75
Flood Plain Determination letter	\$75

**D. Required Newspaper Public Notices**

Base Newspaper legal ad fee	\$200
Base Newspaper Comprehensive Plan legal ad fee	\$450

In addition to the above-listed newspaper base legal ad fees, every applicant for any permit approval, appeal, or amendment, for which any legal notice is required to be published, shall pay any additional cost of publishing such notice. The applicant shall be notified by the Planning Official of any additional newspaper notice cost, and no application for any permit, approval, or amendment shall be considered for any final action thereon until such cost has been paid. From the time the applicant is notified of any additional cost, until such cost is paid, any applicable period or time in which final action is to be taken on the application shall be deemed to have been waived and suspended and tolled by the applicant.

**E. Certified Mail Notice**

The applicant shall send by certified mail a notice to all property owners within 500 feet of the site of the subject application. The Planning Department shall provide such notice to the applicant and the applicant will mail the notice and provide certified receipts to the Department.

**F. Posting of Signs**

In addition to the newspaper notice fees the applicant is responsible to purchase and post signs meeting the county code requirements at his own expense. If the signs are not posted in the required time to meet the sign posting requirement, the application process will be delayed until it can be considered at a later meeting of the planning commission or county commission that meets the required sign posting notice time frames.

**G. Other Review Fees**

For any Major Development in the Transportation/Utility overlay district; any other Major Development or any Subdivision of 11 lots or more; any Development of Regional Impact; any Florida Quality Development; and any Amendment to the Transportation Utility Overlay District Boundary, and any other development that the Planning Official requires consultant reviews, the applicant shall be notified that additional fees for consultant review time will be required. The applicant shall be obligated to pay the amount or any additional engineering or other review fees in the amount of \$165 per hour or as billed to the county. The applicant will be notified of the amount of additional fees required to be paid and no application for any permit, approval, or amendment shall be considered for any final action thereon until such additional fees have been paid. From the time the applicant is mailed or delivered notice of such additional fees, until such additional fees are paid, any applicable period of time in which final action is to be taken on the application shall be deemed to have been waived and suspended and tolled by the applicant.

**H. Extraordinary Review by Consultants**

Whenever, in the opinion of the Planning Official, an application and its supporting documentation cannot be fully and competently reviewed by Jefferson County employees, whether because of the complexity of the application and supporting materials, or because of a lack of expertise on staff, or because of the highly technical nature of the application materials, or because of the inclusion in the application or uses or activities involving toxic materials or other substances which are a potential threat to the natural environment, wildlife, other natural resources, ground water, surface water, or air quality in Jefferson County, or for any other reasonable grounds, the Planning Official may require that the applicant pay for the reasonable cost of outside consultants, retained by the county (which may include but is not limited to engineers, biologists, botanists, hydrologists, geologists, and attorneys), to review, analyze, critique, and report on the application and materials submitted with it. The Planning Official shall obtain an estimated cost for such consultant services and notify the applicant of the need for such services and the estimated cost thereof. The Planning Official's determination of the need for such outside consultant services shall be appealable by the applicant to the planning commission.

When the Planning Official notifies the applicant of the need for such consultant services and the estimated cost thereof, the applicant may withdraw the application or deposit with the Planning Official the estimated cost of such services and continue through the review process. Once the required deposit is made, the county shall contract for such services. If the actual cost of the consultant services exceeds the estimated amount deposited, the applicant shall pay the difference as additional review fees, and no application for any permit, approval, or amendment shall be considered for any final action thereon until such additional fees have been paid. Any applicable review period for the application shall be suspended during the time in which necessary consulting services are being retained by the County and are being performed. From the time the applicant is mailed or delivered notice of any additional fees due for such consultant services, until such additional fees are paid, any applicable period of time in which final action is to be taken on the application shall be deemed to have been further waived and suspended and tolled by the applicant.

**I. SCHEDULE OF BUILDING PERMIT FEES**

A minimum charge of \$35.00 for any permit issued if applicable

Add \$5.00 to each permit for permit issuing fee, (Office Use)

Demolish Building (if applicable)	\$50
Move and/or set-up structure (Electrical, plumbing or mechanical fee not included)	\$150
Lighted Unlighted Ground signs: 11 15 Sq. Ft. and over are to be permitted, Re-inspection Fee,	\$55 \$35
Advertising Signs      Public	\$35
Swimming Pool Private	\$200
Swimming Pool (Enclosure Separate permit required)	\$145 \$55

<b>Mobile Home Set Up</b>	
Single Wide	\$150
Double Wide	\$225
Attachments or portions of a section add	\$50
Used Home add	\$100
Modular Building Setup	\$158
(Site built additions extra per regular permit schedule)	
<u>Set-up fee does not include electrical, plumbing~ or a/c-ventilation permit fee.</u>	
Ship inspections for home sales	\$65

**New Construction Permit Structure**

An additional fee shall be assessed upon the determination of the Building Official or Development Administrator that additional staff time for research and study is required in order to analyze the application as presented. This fee shall be a minimum of \$50.00 plus any additional staff review charges incurred at \$50.00 per hour. Should consulting services be required by the county for assistance the estimated cost of services will be provided to the applicant as a courtesy prior to initiation of work.

**J. Setting Value**

Commercial space (Use contract amount for each trade utilizing the schedule of fees and evaluation chart )

Use \$70.00 per square foot for residential living space (heated).

Use \$23.00 per square foot for unheated living space (porches, work shop, garages, open porches, screen rooms, or any spaces with interior improvements including metal buildings as accessories to residential construction )(Used where there is a structural requirement)

Use \$15.00 per square foot for pole barns, car ports w/o floors or interior walls and metal buildings, barns with no interior improvements or floor system.

Minimum square footage requiring a permit will be based on design, use and upon the Building Officials discretion.

Official will determine permit by judgment of type, complexity, site and style of structure.

Use the value on a signed contract for total construction of a project if it includes all labor and materials.

Total value will include the value of the finished product, labor and all structures and components and service accessories added to/for the structure(s).

<u>Construction Valuation</u>	<u>Building Permit Fee</u>
\$501.00 -- \$6000.00	\$60.00
\$6001.00 -- \$10,000.00	\$90.00
\$10,001.00 -- \$15,000.00	\$140.00
\$15,001.00 -- \$20,000.00	\$270.00
\$20,001.00 -- \$40,000.00	\$370.00
\$40,001.00 -- \$50,000.00	\$430.00
over/after \$50,000	Add \$1.50 per \$1,000.00

**K. MECHANICAL**

Residential.

Fee for Heating, Ventilating, Duct, Air Conditioning and Refrigeration Systems shall be \$40.00. first ton. \$10.00 per each ton thereafter. Minimum of two ton requirement.

Repairs, alterations and addition to an existing system will be permitted with the same schedule of fees as new construction (above).

Commercial.

PRICE OF MECHANICAL PERMIT IS BASED ON CONTRACT PRICE OF JOB.

**L. SCHEDULE OF ELECTRICAL PERMIT FEES**

Applicable to base permit

No permits for electrical work as provided and required in this schedule shall be issued until after the following inspection fees have been paid to the county.

Concealed Work and Open Work. All switches, receptacles and light terminal outlets including outlets for wall switches and controls flush or surface type, or for pendant switches \$\$.50 (With new construction)

Fans. For each ceiling or bracket fan and including exhaust / supply air fans permanently or attached to circuit wire or receiving device. (with new construction) \$2.50

Motors. For each electrical motor of three-fourths horsepower or less operating at a potential of 600 volts or less \$300 (with new construction)

For each electrical motor of over three-fourths horsepower thru five horsepower operating at a potential of 600 volts or less \$5.00

For each electrical motor of over five thru twenty horsepower operating at any voltage \$35.00

For each electrical motor of twenty one thru one hundred horsepower \$45.00

For each electrical motor of over one hundred horsepower \$125.00

**Generators & Motor Generators.**

For each electrical generator 600 volts or less. less but not over 10K. W. with accessories (with new construction) \$35.00

For each electrical generator over 10 K.W. or higher in capacity at any voltage with accessories. \$70.00  
Inspection of transfer switch only (all) \$35.00

Transformers and rectifiers. For each transformer fee based upon Engineer/Architectural fee is applicable, or contractor price

Electrical Devices. For each electrical cooking and heating device consuming more than 600 watts of electrical energy \$4.00

Services. Temporary or construction service and permanent electric service (With New Construction of Home) (each) \$20.00

Replacement Service for Mobile Home, or other application. \$55.00

Radio Towers & Antenna etc. (Refer to Planning Dept.) (See Commercial Fee)

Tent shows, Carnivals, Circuses, etc. For each supply service if applicable \$55.00

**M. SCHEDULE OF PLUMBING PERMIT FEES**

For each plumbing fixture, floor drain or trap (including water and DWV piping) \$5.00

For each house sewer or septic connection \$20.00

For each house sewer or septic having to be replaced or repaired \$35.00

Solar hot water system with construction \$30.00

Hot water system in existing building \$35.00

Hot water system for swimming pool \$35.00

Commercial (See commercial permit schedule)

Vacuum Breakers or backflow devices (hose connections)

Installed subsequent to the equipment or piping installed

1/2 inch thru 1 inch \$4.00 each with base construction permit

1.25 inch thru 2 inch \$20.00 each with base construction permit

Greater than 2 inch (Refer to commercial permit schedule.)

Storage Tanks, Hot water / potable water etc. in any capacity over 1.1 gallon and/or any unit requiring use of a pressure relief valve. \$20.00

All additional tanks excluding toilets \$5.00 each

**N. Fire Safety Inspection Commercial** (Service's provided by Fire Department)

**O. Churches and Non-profit groups** (Full Fee Schedule as per commercial schedule)

2. The fee schedule adopted hereby shall apply to every application of the types specified which is filed with Jefferson County after the date of this Resolution is adopted.
3. This resolution shall supersede all previous resolutions dealing with this subject.
4. It is the declared intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase, or provision of this resolution 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 resolution.
5. The effective date of this resolution shall be the date it is approved by the Jefferson County Board of County Commissioners and signed

3.

DULY ADOPTED in public meeting this 18 day of August 2005.



Felix "Skeet" Joyner Chairman.  
Jefferson County Board of County  
Commissioners

ATTEST:

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Carl D. Boatwright  
Clerk to the  
Jefferson County  
Board of County  
Commissioners



**RESOLUTION NO. 2013-\_\_\_\_\_**  
**JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS**  
**PLANNING DEPARTMENT**  
**DEVELOPMENT REVIEW & PERMIT**  
**FEE SCHEDULE**

**WHEREAS**, the Board of County Commissioners of Jefferson County, Florida, did on July 19, 1990, in conformity with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3 161 et. Seq., Florida Statutes, and applicable laws of the State of Florida, adopt a Comprehensive Plan for Jefferson County: and

**WHEREAS**, the Board of County Commissioners of Jefferson County, Florida, did on December 13, 1990, in conformity with the requirements of Section 163.3202, Florida Statutes, and applicable laws of the State of Florida, adopt a Land Development Code (LDC) for Jefferson County, the purposed of which is to serve as an instrument of implementation for the adopted Comprehensive Plan: and

**WHEREAS**, the Board of County Commissioners of Jefferson County, Florida, deems it necessary to adopt an amended schedule of fees for various applications made under and pursuant to the Land Development Code, so as to provide sufficient revenues to pay for the review and analysis of such applications by competent and qualified personnel, for the protection of the public health, welfare, and safety; and

**WHEREAS**, The Board of County Commissioners of Jefferson County, Florida, hereby finds that the amended schedule of application fees adopted herein includes no more than the reasonable costs of reviewing and analyzing each type of application:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Jefferson County, Florida, that:

The following fee schedule to be adopted, for the consideration of the specified applications made under and pursuant to the Jefferson County Land Development Code, except for applications initiated by county staff as directed by the Board of County Commissioners, is hereby adopted, and all prior fee schedules are hereby repealed:

**A. ALL FEES SHALL DOUBLE IF WORK BEGINS BEFORE A PERMIT IS ISSUED.**

**B. FEES ARE NOT REFUNDABLE.**

**C. Development Order/Development Permit Review and Issuance Fees:**

Development Permit Fees shall be paid upon submittal of a complete application for review. An approved Final Development Order (FDO) may be required prior to issuance of an approved Development Permit. For many development projects, approved FDO's are Development Permits. An approved Development Permit is required prior to issuance of all other types of Jefferson County construction permits.

Consultant fees usually result when developments are large enough to warrant engineering reviews regarding utilities, traffic studies, stormwater rate control/treatment, and/or similar issues. Consultant fees shall be added to base fees when required for special review. Whenever possible, consultant fees should be established prior to submittal of an application.

<b>DEVELOPMENT REVIEW/PERMIT FEE SCHEDULE</b>	
<b>Planning Commission (PC) and/or BOCC Public Hearing</b>	
Site Plan Review (Fee based on gross square feet of all buildings)	\$50 + \$0.05/ft <sup>2</sup>
Subdivision Review (Fee based on number of lots)	\$75/lot
Boundary Adjustment	\$25
Rezoning Application (PC + BOCC)	\$250
Planned Unit Development (PC + BOCC)	\$500
Final Plat with no improvements (BOCC only)	\$100
Final Plat with improvements (BOCC only)	\$250
Development of Regional Impact (DRI)/Florida Quality Developments (PC + BOCC)	\$1,500
DRI NOPC (Notice of Proposed Change) (PC + BOCC)	\$1,000
DRI Substantial Deviation (PC + BOCC)	\$1,000
Plat Vacation (BOCC only)	\$100
Variance (PC Only)	\$50
Special Exception (PC + BOCC)	\$250
Land Development Code Amendment (PC + BOCC)	\$300
Appeal to Planning Commission	\$500
Concurrency Review	\$100
Comprehensive Plan Amendment – Large Scale (PC + BOCC)	\$3,000
Comprehensive Plan Amendment – Small Scale (PC + BOCC)	\$1,500
Comprehensive Plan Amendment - Text (PC + BOCC)	\$750
Change Road Name (BOCC)	\$100

**DEVELOPMENT PERMIT FEES**

Note: Development Permit for the following includes staff review of a site plan to verify that the location of the structures on the property meets the appropriate setbacks and all other LDC requirements.

Non-Residential Building Addition (addition area)	\$50 + \$0.05/ft <sup>2</sup>
Residential Building - New Construction on parcel	\$100
Mobile Home Placement Permit	\$100
Swimming Pool	\$50
Placement of any improvement requiring a 911 address that is not a principal structure or associated with any other type of permit, such as: power pole; accessory structure; septic tank; well, etc.	\$25

**MISCELLANEOUS REVIEWS/PERMITS/ETC.**

Construction Plan Engineering Reviews	\$50 + Consultant fees
Ponds	WMD Approval*
Modification to an Existing Site Plan	\$250
Temporary Use Permit	\$100
Tree Removal Permit (protected trees on non-residential site)	\$50
911 Address	\$25
Business/Home Business Permit (Initial)	\$100
Business/Home Business Permit (Renewal)	\$50
“Zoning”/Permitted Use Determination letter	\$25

\*Provide a copy of an approved permit from the appropriate water management district for all types of pond construction including, but not limited to, farm ponds, aquaculture ponds, recreational ponds, etc. 5 acres and less may only require a Simple Permit (no fee at time of this writing). Stormwater ponds associated with developments and other ponds over 5 acres require a General Permit.

<b>Required Notices – Mail &amp; Newspaper</b>	
Certified Mail Notice to Property Owners within 500 feet of perimeter boundary of development site.	\$10.00 per letter
Newspaper Development legal ad fee	\$50
Newspaper Comprehensive Plan legal ad fee	\$100 + map preparation fee

In addition to the above-listed newspaper base legal advertisement fees, every applicant for any permit, approval, appeal, or amendment, for which any legal notice is required to be published, shall pay any additional cost of publishing such notice. The applicant shall be notified by the Planning Official of any additional newspaper notice cost and no application for any permit, approval, or amendment shall be considered for any final action thereon until such cost has been paid. From the time the applicant is noticed of any additional cost, until such cost is paid, any applicable period of time in which final action is to be taken on the application shall be deemed to have been waived and suspended and tolled by the applicant.

### **C. Certified Mail Notice**

When mail notice is required, the applicant shall obtain a map and certified list of all property owners within 500 feet of the site of the subject application from the Property Appraiser's Office and deliver a copy of the map and list to the Planning Department. The Planning Department shall prepare and send said notice by certified mail to all property owners on the certified list.

### **D. Posting of Signs**

In addition to the newspaper notice fees the applicant is responsible to purchase and post signs meeting the county code requirements at his own expense. If the signs are not posted in the required time to meet the sign posting requirement, the application process will be delayed until it can be considered at a later meeting of the planning commission or county commission that meets the required sign posting notice time frames

### **E. Other Review Fees**

For any Major Development; Development of Regional Impact; Florida Quality Development; any Amendment to a Transportation Utility Overlay District Boundary, and any other development the Planning Official determines requires consultant reviews, the applicant shall be notified that additional fees for consultant review time will be required. The applicant shall be obligated to pay the amount of any additional engineering or other review fees in the amount of \$165 per hour or as billed to the county. The applicant will be notified of the amount of additional fees required to be paid and no application for any permit, approval, or amendment shall be considered for any final action thereon until such additional fees have been paid. From the time the applicant is mailed or delivered notice of such additional fees, until such additional fees are paid, any applicable period of time in which final action is to be taken on the application shall be deemed to have been waived and suspended and tolled by the applicant.

### **F. Extraordinary Review by Consultants**

Whenever, in the opinion of the Planning Official, an application and its supporting documentation cannot be fully and competently reviewed by Jefferson County employees, whether because of the complexity of the application and supporting materials, or because of a lack of expertise on staff, or because of the highly technical nature of the application materials, or because of the inclusion in the application of uses or activities involving toxic materials or other substances which are a potential threat to the natural environment, wildlife, other natural resources, ground water, surface water, or air quality in Jefferson County, or for any other reasonable grounds, the Planning Official may require that the applicant pay for the reasonable cost of outside consultants, retained by the county (which may include but is not limited to engineers, biologists, botanists, hydrologists, geologists, and attorneys), to review, analyze, critique, and report on the application and materials submitted with it. The Planning Official shall obtain an estimated cost for such consultant services and notify the applicant of the need for such services and the estimated cost thereof. The Planning Official's determination of the need for such outside consultant services shall be appealable by the applicant to the Planning Commission.

When the Planning Official notifies the applicant of the need for such consultant services and the estimated cost thereof, the applicant may withdraw the application or deposit with the Planning Official the estimated cost of such services and continue through the review process. Once the required deposit is made, the county shall contract for such services. If the actual cost of the consultant services exceeds the estimated amount deposited, the applicant shall pay the difference as additional review fees, and no application for any permit, approval, or amendment shall be considered for any final action thereon until such additional fees have been paid. Any applicable review period for the application shall be suspended during the time in which necessary consulting services are being retained by the County and are being performed. From the time the applicant is mailed or delivered notice of any additional fees due for such consultant services, until such additional fees are paid, any applicable period of time in which final action is to be taken on the application shall be deemed to have been further waived and suspended and tolled by the applicant.

An additional fee shall be assessed upon the determination of the Building or Planning Official that additional staff time for research and study is required in order to analyze the application as presented. This fee shall be a minimum of \$50.00 plus any additional staff review charges incurred at \$50.00 per hour. Should consulting services be required by the county for assistance, the estimated cost of services will be provided to the applicant as a courtesy prior to initiation of work.

**G. Churches and Non-profit groups**

Churches and Non-profit Organizations shall be assessed fees in accordance with this full adopted Fee Schedule as per non-residential or commercial schedule.

**H. General Notes:**

1. The fee schedule adopted hereby shall apply to every application of the types specified which is filled with Jefferson County after the date of this Resolution is adopted.
2. This resolution shall supersede all previous resolutions dealing with this subject.
3. It is the declared intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this resolution 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 resolution.
4. The effective date of this resolution shall be the date it is approved by the Jefferson County Board of County Commissioners and signed.

**DULY ADOPTED** in public meeting this \_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_

John Nelson  
Chairman, Jefferson County  
Board of County  
Commissioners

**ATTEST:**

\_\_\_\_\_  
Kirk Reams  
Clerk to the Jefferson County  
Board of County Commissioners

IMPACTS OF PROPOSED PLANNING DEPARTMENT FEE SCHEDULE CHANGE vs ACTUAL COLLECTED FEES

Existing Fee Schedule	Lot Split		Family Subdivision			Minor Replat			Minor Development				Major Development				TOTALS OLD	TOTALS NEW					
	\$100.00		\$100.00			\$100.00			Non-Residential: \$1000.00 Residential: \$1000.00 + \$50.00/Lot				Non-Residential: \$1000.00 Residential: \$1000.00 + \$50.00/Lot										
Proposed Fee Schedule	\$75.00/Lot		\$75.00/Lot			\$75.00/Lot			Non-Residential: \$50.00 + \$0.05/sq.ft. Impervious Residential: \$75.00/Lot				Non-Residential: \$50.00 + \$0.05/sq.ft. Impervious Residential: \$75.00/Lot				TOTALS OLD	TOTALS NEW					
	Month-Year	#	CURRENT	LOTS	PROPOSED	#	CURRENT	LOTS	PROPOSED	#	CURRENT	LOTS	SQ.FT.	PROPOSED	#	CURRENT			LOTS	SQ.FT.	PROPOSED		
January-08	3	\$300.00	6	\$450.00				\$0.00	1	\$100.00	2	\$150.00			1	\$1,500.00			\$1,500.00	maj=spec exc			
February-08	1	\$100.00	2	\$150.00	3	\$300.00	7	\$525.00	1	\$100.00	2	\$150.00	1	\$1,250.00	5	\$500.00	1	\$1,000.00		\$1,500.00	maj=cell tower		
March-08	1	\$100.00	2	\$150.00	1	\$100.00	3	\$225.00				\$0.00											
April-08				\$0.00				\$0.00				\$0.00	1	\$1,000.00	16,000.00	\$1,300.00					maj=ps art addition		
April-08	2	\$200.00	4	\$300.00	3	\$300.00	17	\$1,275.00	1	\$100.00	3	\$225.00					1	\$1,000.00		\$500.00	min= Nash Rd. SWMF		
May-08	2	\$200.00	4	\$300.00	1	\$100.00	2	\$150.00	1	\$100.00	4	\$300.00	1	\$1,250.00	4	\$400.00	1	\$1,000.00		\$1,500.00	maj=cell tower		
June-08				\$0.00				\$0.00				\$0.00					1	\$1,000.00		\$1,500.00	maj=cell tower		
July-08				\$0.00	1	\$100.00	4	\$300.00	2	\$200.00	5	\$375.00					1	\$1,000.00		\$1,500.00	maj=cell tower		
August-08				\$0.00				\$0.00				\$0.00											
September-08				\$0.00				\$0.00				\$0.00											
<b>Fiscal Year</b>	<b>9</b>	<b>\$900.00</b>	<b>18</b>	<b>\$1,350.00</b>	<b>9</b>	<b>\$900.00</b>	<b>33</b>	<b>\$2,475.00</b>	<b>6</b>	<b>\$600.00</b>	<b>16</b>	<b>\$1,200.00</b>	<b>7</b>	<b>\$3,500.00</b>		<b>\$2,200.00</b>	<b>4</b>	<b>\$6,500.00</b>		<b>\$8,000.00</b>		<b>\$12,400.00</b>	<b>\$15,225.00</b>
October-08	1	\$100.00	2	\$150.00				\$0.00				\$0.00	1	\$1,000.00	2,101	\$605.05	1	\$1,000.00		\$1,500.00	maj=cell tower		
November-08	2	\$200.00	4	\$300.00	1	\$100.00	6	\$450.00	1	\$100.00	2	\$150.00					1	\$1,500.00		\$1,500.00	spec ex - beau turner		
December-08	4	\$400.00	8	\$600.00				\$0.00				\$0.00											
January-09				\$0.00	1	\$100.00	2	\$150.00				\$0.00					1	\$4,450.00	64	\$1,540.00	maj s/d=bailey's mill		
February-09	1	\$100.00	2	\$150.00				\$0.00				\$0.00					1	\$2,850.00	57	\$1,470.00	maj s/dbailey's mill add		
March-09	2	\$200.00	4	\$300.00	1	\$100.00	6	\$450.00				\$0.00					1	\$1,000.00	5,000	\$750.00	maj=aucilla school add		
April-09				\$0.00				\$0.00	1	\$100.00	5	\$375.00											
May-09	1	\$100.00	2	\$150.00	1	\$100.00	4	\$300.00				\$0.00											
June-09				\$0.00				\$0.00	1	\$100.00	1	\$75.00					1	\$2,400.00	28,871	\$1,943.55	maj=apalachee clinic add		
July-09	1	\$100.00	2	\$150.00				\$0.00	2	\$200.00	4	\$300.00											
August-09	1	\$100.00	2	\$150.00				\$0.00	2	\$200.00	8	\$600.00											
September-09				\$0.00				\$0.00				\$0.00											
<b>Fiscal Year</b>	<b>13</b>	<b>\$1,300.00</b>	<b>26</b>	<b>\$1,950.00</b>	<b>4</b>	<b>\$400.00</b>	<b>18</b>	<b>\$1,350.00</b>	<b>7</b>	<b>\$700.00</b>	<b>20</b>	<b>\$1,500.00</b>	<b>3</b>	<b>\$1,000.00</b>		<b>\$605.05</b>	<b>7</b>	<b>\$13,200.00</b>		<b>\$8,703.55</b>		<b>\$16,600.00</b>	<b>\$14,108.60</b>
October-09	1	\$100.00	2	\$150.00				\$0.00				\$0.00											
November-09	1	\$100.00	2	\$150.00	1	\$100.00	5	\$375.00	2	\$200.00	4	\$300.00											
December-09	2	\$200.00	4	\$300.00	1	\$100.00	5	\$375.00	1	\$100.00	2	\$150.00											
January-10				\$0.00	1	\$100.00	5	\$375.00				\$0.00											
February-10				\$0.00	1	\$100.00	4	\$300.00	1	\$100.00	2	\$150.00	1	\$1,150.00	3	\$300.00							
March-10	1	\$100.00	2	\$150.00				\$0.00				\$0.00	1	\$1,200.00	4	\$400.00							
March-10				\$0.00				\$0.00				\$0.00	1	\$1,000.00	6,000	\$800.00					min=church addition		
April-10	1	\$100.00	2	\$150.00				\$0.00				\$0.00											
May-10	0			\$0.00				\$0.00	1	\$100.00	2	\$150.00					1	\$1,000.00		\$1,500.00	maj=cell tower		
June-10	0			\$0.00				\$0.00				\$0.00											
July-10	3	\$300.00	6	\$450.00	1	\$100.00	6	\$450.00	1	\$100.00	2	\$150.00	1	\$1,010.00		\$0.00					min=thompson site plan		
August-10				\$0.00				\$0.00	1	\$100.00	2	\$150.00											
September-10	1	\$100.00	1	\$75.00	2	\$200.00		\$0.00	1	\$100.00	2	\$150.00											
<b>Fiscal Year</b>	<b>10</b>	<b>\$1,000.00</b>	<b>19</b>	<b>\$1,425.00</b>	<b>7</b>	<b>\$700.00</b>	<b>25</b>	<b>\$1,875.00</b>	<b>8</b>	<b>\$800.00</b>	<b>16</b>	<b>\$1,200.00</b>	<b>4</b>	<b>\$4,360.00</b>		<b>\$1,500.00</b>	<b>1</b>	<b>\$1,000.00</b>		<b>\$1,500.00</b>		<b>\$7,860.00</b>	<b>\$7,500.00</b>
October-10				\$0.00	1	\$100.00	3	\$225.00	2	\$200.00	4	\$300.00	1	\$1,000.00	1,920	\$596.00							
November-10	1	\$100.00	2	\$150.00	1	\$100.00	5	\$375.00				\$0.00											
December-10				\$0.00				\$0.00				\$0.00	1	\$1,000.00	480	\$524.00							
December-10				\$0.00				\$0.00	2	\$200.00	5	\$375.00	1	\$1,000.00	1,774	\$588.70							
January-11				\$0.00	1	\$100.00	7	\$525.00				\$0.00											
February-11	1	\$100.00	2	\$150.00				\$0.00				\$0.00					1	\$1,000.00		\$1,500.00	maj=microwave tower		
March-11				\$0.00				\$0.00				\$0.00											
April-11				\$0.00				\$0.00				\$0.00					1	\$1,000.00	45,215	\$2,760.75	maj=mini-warehouses		
May-11	1	\$100.00	2	\$150.00				\$0.00				\$0.00											
June-11	3	\$300.00	6	\$450.00				\$0.00				\$0.00											
July-11	1	\$100.00	2	\$150.00				\$0.00	2	\$200.00	4	\$300.00											
August-11	8	\$800.00	16	\$1,200.00				\$0.00				\$0.00											
September-11				\$0.00				\$0.00				\$0.00											
<b>Fiscal Year</b>	<b>15</b>	<b>\$1,500.00</b>		<b>\$2,250.00</b>	<b>3</b>	<b>\$300.00</b>		<b>\$1,125.00</b>	<b>6</b>	<b>\$600.00</b>	<b>0</b>	<b>\$975.00</b>	<b>3</b>	<b>\$3,000.00</b>		<b>\$1,708.70</b>	<b>2</b>	<b>\$2,000.00</b>		<b>\$4,260.75</b>		<b>\$7,400.00</b>	<b>\$10,319.45</b>
1/08 TO 9/11	47	\$4,700.00		\$6,975.00	23	\$2,300.00		\$6,825.00	27	\$2,700.00		\$4,875.00	17	\$11,850.00		\$6,013.75	14	\$22,700.00		\$22,464.30	TOTALS	\$44,260.00	\$47,153.05

**ITEM 6: PUBLIC HEARING: CDBG HOUSING  
GRANT PROGRAM**

## SECOND PUBLIC HEARING NOTICE

Jefferson County is applying to the Florida Department of Economic Opportunity (DEO) for a grant under the Housing Rehabilitation category in the amount of \$700,000.00 under the FFY 2013 Small Cities Community Development Block Grant (CDBG) program. For each activity that is proposed, at least 70% of the funds must benefit low and moderate income persons. The activities, dollar amounts and estimated percentage benefit to low and moderate income persons for which Jefferson County is applying are:

<u>Activity Number and Name</u>	<u>Budget</u>	<u>LMI% Benefit</u>
14A – Housing Rehab/Demolition/ Replacement	\$575,000.00	At Least 51%
08 – Temporary Relocation	\$ 20,000.00	At Least 51%
21A – Administration	<u>\$105,000.00</u>	N/A
Total	\$700,000.00	

The project will undertake the rehabilitation or demolition/replacement of at least ten (10) homes located in the unincorporated areas of Jefferson County.

Jefferson County plans to minimize displacement of persons as a result of planned CDBG funded activities; if any persons are displaced as a result of these planned activities, Jefferson County will assist with relocation payments based on uniform act requirements.

A public hearing to provide citizens an opportunity to comment on the application will be held on Tuesday, March 4, 2014 at 9:15 a.m. or as soon thereafter as possible at the Jefferson County Courthouse Annex located at 435 West Walnut Street, Monticello, Florida. A draft copy of the application will be available for review at that time. A final copy of the application will be made available at the Jefferson County Coordinator's Office, Monday through Friday between the hours of 8:30 a.m. and 5:00 p.m. no more than five (5) working days after March 12, 2014. The application will be submitted to DEO on or before March 12, 2014. To obtain additional information concerning the application and the public hearing, contact Mr. Parrish Barwick, Jefferson County Coordinator, 450 West Walnut Street, Monticello, Florida 32344, (850) 342-0287.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours-before the workshop by contacting: Parrish Barwick at (850) 342-0287 or by e-mail at [pbarwick@jeffersoncountyfl.gov](mailto:pbarwick@jeffersoncountyfl.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

Pursuant to Section 102 of the HUD Reform Act of 1989, the following disclosures will be submitted to DEO with the application. The disclosures will be made available by Jefferson County and DEO for public inspection upon request. These disclosures will be available on and after the date of submission of the application and shall continue to remain available for a minimum period of six years.

1. Other Government (federal, state, and local) assistance to the project in the

form of a gift, grant, loan, guarantee, insurance payment, rebate, subsidy, credit, tax, benefit or any other form of direct or indirect benefits by source and amount;

2. The identities and pecuniary interests of all developers, contractors, or consultants involved in the application for assistance or in the planning or development of the project or activity;
3. The identities and pecuniary interests of any other persons with a pecuniary interest in the project that can reasonably be expected to exceed \$50,000.00 or 10% of the grant request (whichever is lower);
4. For those developers, contractors, consultants, property owners, or others listed in two (2) or three (3) above which are corporations, or other entities, the identification and pecuniary interest by corporation or entity of each officer, director, principal stockholder, or other official of the entity;
5. The expected sources of all funds to be provided to the project by each of the providers of those funds and the amount provided; and
6. The expected uses of all funds by activities and amount.

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Date to Run: One time no later than Friday, February 21, 2014

**ONE TIME ONLY  
BLOCK DISPLAY AD  
AS SMALL AS POSSIBLE**

Bill to: Jefferson County  
450 West Walnut Street  
Monticello, Florida 32344

**PLEASE SEND AFFIDAVITS AS PROOF OF PUBLICATION ASAP TO:**

Fred Fox Enterprises, Inc.	&	Jefferson County
P. O. Box 1047		450 West Walnut Street
St. Augustine, FL 32085		Monticello, FL 32344

Any questions regarding this ad, please contact Melissa Fox at Fred Fox Enterprises, Inc.



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF JEFFERSON COUNTY AUTHORIZING THE IMPLEMENTATION OF THE LONG TERM AND SHORT TERM OBJECTIVES OF JEFFERSON COUNTY COMMUNITY DEVELOPMENT PLAN**

**WHEREAS**, Based on the 2010 U.S. Census, the County's population is 14,761. Of the 14,761 residents, 2,775 or 18.8% are below the poverty level.

**NOW THEREFORE, BE IT RESOLVED BY JEFFERSON COUNTY, FLORIDA, THAT:** the County shall implement the following objectives:

**LONG TERM OBJECTIVES:**

1. To improve the physical environment of the community to make it more functional, safe, and efficient and to preserve the integrity of the neighborhood.
2. To promote the public interest.
3. To inject long range considerations into the determination of short range decisions.
4. To bring professional and technical knowledge to bear on issues concerning social, economical, or physical development.
5. To facilitate effective cooperation and coordination between all concerned with community development.
6. To identify all available resources for major opportunities and to improve the way of life for all in the community.

**SHORT TERM OBJECTIVES:**

1. To apply for Community Development Block Grant funds in the Housing Rehabilitation category to rehabilitate or replace at least ten (10) homes located in the unincorporated areas of Jefferson County.
2. To explore other possible resources for the purpose of improving the way of life for all citizen's, especially those who live in deteriorated housing and neighborhoods.

**DULY PASSED AND ADOPTED** by the County Commission of Jefferson County, Florida at a regular meeting on this 4th day of March, 2014

\_\_\_\_\_  
Betsy Barfield, Chairman

**ATTESTED:**

\_\_\_\_\_  
Kirk Reams, Clerk of Courts

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE USE OF SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) OF JEFFERSON COUNTY FUNDING AS LEVERAGE FOR THE SMALL CITIES HOUSING REHABILITATION COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION THE COUNTY IS SUBMITTING TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FEDERAL FISCAL YEAR 2013.**

**WHEREAS**, Jefferson County (the “County”) desires to show evidence of its commitment to provide a specific amount of leverage funding to be used in carrying out the Small Cities Housing Rehabilitation Community Development Block Grant Application.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, FLORIDA:**

1. That the County hereby commits to providing a minimum of Seventy-five Thousand Dollars (\$75,000.00) as leverage for a Community Development Block Grant application in the Housing Rehabilitation category; and
2. That Seventy-five Thousand Dollars (\$75,000.00) of the leverage funding shall come from the County’s SHIP funding for the Housing Rehab/Demolition/Replacement Activity.
3. That the County understands these funds will be expended, following approval of the Community Development Block Grant, after the Department of Economic Opportunity’s site visit for the project, but prior to the County submitting the administrative closeout for the project to the Florida Department of Economic Opportunity.
4. This Resolution shall take effect immediately upon its adoption.

**THIS RESOLUTION ADOPTED THIS 4th DAY OF MARCH, 2014.**

\_\_\_\_\_  
Betsy Barfield, Chairman

ATTEST:

\_\_\_\_\_  
Kirk Reams, Clerk of Courts

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FEDERAL FISCAL YEAR 2013.**

**WHEREAS**, Jefferson County desires to submit an application to the Florida Department of Economic Opportunity for a Small Cities Community Development Block Grant to benefit persons of low and moderate income.

**NOW THEREFORE, BE IT RESOLVED** by the County Commission of Jefferson County as follows:

1. That Jefferson hereby authorizes the filing of an application for a Housing Rehabilitation Community Development Block Grant, and
2. That the Chairman of the Jefferson County Board of County Commissioners is hereby authorized to execute all documents required in connection with the filing of said application to be submitted on March 12, 2014.

**THIS RESOLUTION PASSED THIS 4th DAY OF MARCH, 2014.**

\_\_\_\_\_  
Betsy Barfield, Chairman

ATTEST:

\_\_\_\_\_  
Kirk Reams, Clerk of Courts

**JEFFERSON COUNTY**  
**HOUSING ASSISTANCE PLAN**  
**REHABILITATION/REPLACEMENT/RELOCATION GUIDELINES**  
**AND**  
**GENERAL INFORMATION FOR PARTICIPANTS**  
**FFY 2013 CDBG PROGRAM**

**I. GENERAL**

This repository of information is to advise potential participants of the guidelines by which the County will operate its Community Development Block Grant (CDBG) program. These guidelines have been established to give a program overview and procedures to ensure compliance with the requirements established by the Florida Department of Economic Opportunity (DEO) and Federal Department of Housing and Urban Development (HUD). The information contained herein is subject to change upon action of DEO, HUD, or the County Commission.

It is illegal to discriminate on the basis of an individual's **RACE, CREED, COLOR, SEX, RELIGION, ETHNICITY, HANDICAP, AGE, NATIONAL ORIGIN, OR FAMILY STATUS**. Individuals in the County are also protected by the State's Fair Housing Act, Sections 760.20, 760.22, 760.23, and any amendments thereto.

The County Commission has established a Citizen's Advisory Task Force (CATF) to serve as an oversight committee for the County's CDBG program. This committee will meet as needed to ensure that the program is operating in accordance with all Local, State, and Federal requirements.

In order to qualify for the CDBG Housing program, the applicant must currently be the owner of the housing unit and occupy the housing unit proposed for rehabilitation or replacement as their primary residence.

The owner of the housing unit will be asked to give personal and financial information about themselves and their household to a representative of the County or the Housing Specialist in order to begin the application process. This information will be recorded and become a part of the applicant's file. The information provided must be accurate and true. The Housing Specialist, upon advice from the Citizen's Advisory Task Force, will use the information to ascertain if the applicant is eligible to participate in the CDBG Housing program.

The home of each applicant who qualifies for the CDBG housing program will be inspected by the Housing Specialist to determine the extent of rehabilitation that will be required to bring the residence within program guidelines. The applicant or their representative must be present while their home is being inspected and will be requested to provide input concerning their housing needs. The Housing Specialist will meet with a representative of the local Building Department to insure the local building code and housing code requirements related to addressing each structure will be met. The Housing Specialist will develop an inspection report based on the housing needs and estimate the costs necessary to bring each of the housing units up to the required minimum property standards. Additional bedroom space can only be provided as needed to ensure those household members in permanent residence do not share a bedroom with a member of the

opposite sex, except husband and wife in addition no more than two individuals of the same sex can occupy the same bedroom. The construction work on a dwelling will be completed by a state registered or certified contractor, under no circumstances may the contractor or his/her subcontractors be the owner of the residence, a relative of the owner of the residence or an occupant of the residence that is to be rehabilitated. Neither shall any of the aforementioned be paid for their own labor with CDBG funds for the rehabilitation of said residence.

The owner(s) of the residence will be required to sign certain documents before the construction process begins. These documents will outline the work to be performed on their property and give an estimate of the cost to address the improvements needed on the property. Construction will cause a certain amount of debris; however, every effort will be made by the contractor to leave the work site in a clean and orderly fashion. Work on the foundation and exterior of the dwelling may cause damage to shrubs and lawn ornaments around the dwelling. If possible, the owner of the property shall have all of these items moved prior to the time work is to begin. Although the contractor will be as careful as possible to protect the trees, shrubs and bushes located on the property, neither the County, Housing Specialist, nor the contractor will be responsible for any damage done to the trees, shrubs and bushes located on the property during the course of the construction, demolition or renovation.

## **II. OBJECTS OF PROGRAM**

- A. To provide a Deferred Payment Loan (DPL) to very low income (up to 30% of Area Median Income) and low/moderate income (Up to 80% of Area Median Income) participants whose homes are in need of repair or replacement. Each housing unit considered for inclusion in the CDBG Housing program must contain a violation pertaining to building code or HUD Section 8 Housing standards. (DPL is explained further in the financing section). The purpose is to bring the residence up to Section 8 Minimum Property Standards and/or the standards set forth in the Florida Housing Code currently adopted by the County.
- B. To improve the conditions of housing while maintaining housing costs at a level affordable to lower-income households; to provide a safe and sanitary dwelling.
- C. To reverse the physical deterioration of the community by providing a mechanism to allow for the rehabilitation of existing housing stock in a community. In no case shall the amount spent on the rehabilitation of a residence exceed 50% of the assessed value of that residence when the work has been completed.
- D. To eliminate slums and blight and provide a safer, more sanitary environment in which to live.

## **III. FINANCING**

- A. The type of assistance which will be available to eligible applicants is known as a Deferred Payment Loan (DPL). A brief description of this program is presented below. Grants will not be utilized as a part of the CDBG Housing program.

Deferred Payment Loans: This type of loan will be available to eligible, approved homeowners. The DPL can be used in the owner-occupied rehabilitation program. The DPL will be secured by a lien on the property. The DPL payments will be deferred for a period of 5 years. The DPL will depreciate at the rate of 20% per full year. The DPL will

be forgiven at the end of the 5 year period. If the owner sells or rents the property or otherwise violates the terms of the mortgage at any time within the 5 year period, the remaining mortgage balance will be due and payable. This is done to assure that the applicant will occupy the residence and not sell or rent the property for 5 years after the rehabilitation of the dwelling has been completed.

#### **IV. ELIGIBILITY**

- A. Only those properties containing owner occupied conventionally built structures located within the unincorporated areas of Jefferson County will be considered for participation in the CDBG Housing program. No rental properties or mobile homes will be addressed under this project.
- B. Household income must be within the Section 8 income limit guidelines as published by the State of Florida and/or HUD for the region.
- C. No member of the County Commission, member of the CATF, employee of the County, or relatives of any of these as defined by HUD and Florida Statutes, shall be eligible for program participation unless they are granted a waiver by the Department of Economic Opportunity. The prohibition shall continue for one year after an individual's relationship with the County is terminated.

All applicants will receive a conflict of interest affidavit that will include a list of the names of all local County Commission members, CATF members and local government employees associated with decision making related to this program. The conflict of interest affidavit in addition will request if the applicant is related to any local government employees in general.

The local Commission, CATF members and local government employees associated with decision making related to this program will receive a conflict of interest affidavit with the list of names of all eligible applicants to determine if a possible conflict of interest exists.

The name of all eligible homeowners will be read aloud at a CATF meeting and County Commission meeting and all Board members shall publically acknowledge any relationship that could be a possible conflict of interest. Acknowledgment shall include the applicants name and how they are related.

If a potential conflict of interest is noted, it will be presented to the Department of Economic Opportunity and a determination or waiver will be obtained prior to the applicant receiving final approval.

A final list of all eligible applicants and their ranking will be presented to the CATF and the County Commission for final consideration and will be noted in the meeting minutes for public review.

- D. For a person with a potential conflict of interest to be eligible to participate in the program, the following steps must be taken:

1. The person(s) must declare on the application form/conflict of interest affidavit that a conflict of interest may exist.
  2. The potential conflict will be presented publically to the CATF and the task force must decide whether to recommend to the County Commission whether or not to proceed with requesting a waiver on the applicant despite the conflict of interest.
  3. The potential conflict will be presented publically to the County Commission and the County Commission must decide whether to proceed with requesting a waiver on the applicant despite the conflict of interest.
  4. If the person with whom the conflict of interest exists is a voting member of the County Commission or CATF, that person must declare a conflict of interest and not vote on the applicant.
  5. The County Attorney shall prepare a written document stating in his opinion proceeding with the rehabilitation or replacement of the applicant's residence would not violate any state or local law.
  6. A written request for waiver is sent by the County Commission to DEO for review and approval.
  7. If a waiver is obtained, the applicant would be placed on the potential client list with the other applicants for ranking as outlined herein.
- E. Priority will be given to applicants in the following order:
1. Very low income (30% of Median income) households will be given priority over low and moderate income (50% and 80% of Median Income) households.
  2. Low income (50% of Median income) households will be given priority over low and moderate income (80% of Median Income) households.
  3. Disabled and/or handicapped head of household.
  4. Head of Household is over 62 years of age.
  5. Households with large families (five or more).
  6. Households with small families (four or less).
- F. The geographic distribution of funds shall not be considered.
- G. To select participants in the Rehabilitation - Permanent Relocation Activity, the following steps will be taken:
1. A display ad will be placed in one or more local newspapers of general circulation advising local residents of the availability of grant funds and establishing a convenient time and place for interested residents to obtain information and pick up application forms to allow them to be considered for inclusion in the program. Applications will be accepted by the County for a minimum of twelve (12) calendar days after the display ad is placed in the newspaper.

2. Once a list of applicants is obtained, the Housing Specialist shall perform initial inspections on the housing units to determine which of the following categories each housing unit fall into:

For conventionally built structures and modular homes:

- a. Minor rehabilitation – the cost to correct all existing code violations is estimated at twenty thousand dollars (\$20,000.00) or less.
- b. Moderate rehabilitation – the cost to correct all existing code violations is estimated between twenty thousand and one dollars (\$20,001.00) and thirty-five thousand dollars (\$35,000.00).
- c. Major rehabilitation – the cost to correct all existing code violations is estimated between thirty-five thousand and one dollars (\$35,001.00) and fifty thousand dollars (\$50,000.00).
- d. Replacement housing – the cost to correct all existing code violations is estimated to exceed fifty thousand dollars (\$50,000.00) or, the cost to correct all existing code violations exceeds fifty percent (50%) of the appraised value of the property and based upon the local Building Departments direction the dwelling must be brought up to the current building code, or the housing unit is deemed structurally unsound and not feasible for rehabilitation.

3. Applications containing income and owner CDBG information shall then be processed by the Housing Specialist on all potential participants. If the list of applicants exceeds the number of available units to be addressed in the Community Development Block Grant program, the applicant ranking order shall be recommended by the Housing Specialist and selected by the County Commission utilizing the criteria in Section IV (E) & (G) of these Guidelines.

- H. In the event that changes in circumstances occur which are beyond the control of the County Commission to cause beneficiaries or structures to no longer be eligible, the Housing Specialist may pick alternates and recommend them to the governing body to replace those selected under Section IV (E) & (G). In all cases, it is understood the financial limitations associated with a Community Development Block Grant Housing program specifically addressing the number of units required to be completed under the activity and program contract shall be an overriding factor in determining which units shall ultimately be addressed.

**V. ADMINISTRATIVE PROCEDURES FOR REHABILITATION/REPLACEMENT**

- A. The Housing Specialist will make initial contact with the resident, explain the program, and provide a copy of the program guidelines.
- B. The Housing Specialist will take the information necessary to begin the application process including: household size, name of the property owner, ages of residents, and income, along with other additional information as may be required. The representative will verify all information including, but not limited to, the following:



1. assets/liabilities
  2. mortgage
  3. taxes
  4. title search (O & E Report) – obtained from a licensed abstract company
  5. household income
  6. lot size
  7. zoning
- C. The Housing Specialist will provide their recommendation to the designated County Staff for their review. The Housing Specialist will include the following items and any other information that may be necessary along with their recommendation:
1. Assigned case number
  2. Name and address of applicant
  3. Estimated cost of rehabilitation
  4. Description of rehabilitation work
  5. Source of household income
  6. Size and description of household
  7. Property title information
  8. Legal description of property
  9. Lot size
- D. The Housing Specialist will review the aforementioned with County Staff and submit their recommendation to the County Commission. If an applicant feels that his/her case has been rejected by the County CDBG Coordinator for unjust reasons, the applicant may request that his/her case be submitted to the County Commission for review.
- The Housing Specialist will provide the County Commission with the client's application data.
- E. Approval: In receiving the recommendation for approval from the Housing Specialist, the County Commission will receive the following information:
1. Assigned case number
  2. Name and address of applicant
  3. Cost of rehabilitation
  4. Size and description of household
  5. Amount of the Deferred Payment Loan (DPL)
  6. Legal description of property
  7. Lot size
  8. Date the County Housing Specialist recommended the application
  9. Additional information requested by the Commission
- F. The Commission will, after review of the information, approve or deny the application and sign the appropriate documents.

**VI. REHABILITATION GUIDELINES EXTENT OF REHABILITATION**

A. In order for the program to commit funds to the rehabilitation of a unit, the following must be met:

1. The units eligible for rehabilitation must have all local housing code and/or Section 8 Housing Quality Standards (HQS) violations corrected.
2. The following “green” elements will be implemented with CDBG funds for all Housing units addressed under the program:
  - a. Refrigerators that are replaced or installed shall be Energy Star rated. Gas water heaters that are replaced or installed shall be energy star rated.
  - b. All exterior doors and windows that are replaced or installed shall be energy star rated.
  - c. All lighting fixtures and ceiling fans that are replaced or installed shall be energy star rated.
3. All homes being rehabilitated with CDBG funds will receive at minimum the following Supplemental “Green Standards – Weatherization” items:
  - a. The installation of attic insulation with a factor of R-30 or greater.
  - b. Housing units containing first floor wood or metal floor framing will receive floor joist insulation if sufficient access is available within the crawl space for installation of the materials.
  - c. The installation of new weather stripping around all attic access panels and existing doors leading to unconditioned areas.
  - d. The installation of new thresholds and door sweeps on all doors leading to unconditioned areas.
  - e. All exterior walls shall be properly sealed including cracks around windows, exterior faucets, plumbing, electrical boxes, settlement cracks and open joints.
  - f. All HVAC replacement units and new installations shall be energy Star rated and have a minimum SEER rating of 14.

4. The following components may be rehabilitated, replaced, or added as a part of the CDBG Housing program:

- a. Structural system
- b. Electrical system
- c. Plumbing system
- d. Heating system
- e. Windows
- f. Insulation
- g. Kitchen cabinets
- h. Stove and refrigerator
- i. Roofing system
- j. Extra bedrooms (if required due to family size)
- k. Handicap accessibility/ADA requirements
- l. Weatherization elements
- m. Green elements

## **VII. SIZE OF UNITS**

- A. For owner-occupied structures: the final size of the housing unit will depend upon the size and condition of the existing structure and the size and makeup of the household. Those household members who are not the head of household or spouse and are over 18 years of age but under the age of 62 must provide documentation that they have occupied the residence for a minimum of 6 months prior to submitting an application for CDBG housing rehabilitation assistance to be counted as eligible for a bedroom unless they have been certified as mentally or physically handicapped. Proof of disability will be required from an appropriate physician.

## **VIII. CONDITION OF REHABILITATION ASSISTANCE**

- A. Maximum amount: The maximum amount of funds available for the rehabilitation of an individual housing unit will be the amount required to eliminate all code violations giving consideration to the average amount per structure in the application. This amount must conform with the extent of rehabilitation section and shall be brought to the County Commission for final approval. However, no rehabilitation shall exceed the amount of \$60,000 of CDBG funds unless specifically approved by the Housing Specialist and County Commission as exceeding the limits set out herein.
- B. Community Development funds are to be provided for the benefit of the owner(s) of the residential housing units to rehabilitate their homes. Prior to beginning work on the property, the owner(s) will be required to sign a mortgage and promissory note in an amount equal to the cost of the work. This is called a Deferred Payment Loan (DPL) and shall be forgiven in 5 years. If the property is sold within that 5 year period, the owners will be required to repay any unforgiven portion of that note. However, if the owner dies within the 5 year period, the Commission will forgive the remaining portion of the note. The County Commission shall also retain the option to forgive the note in case of hardship.

- C. The purchase of Comprehensive Home Owners Insurance on the property will be required prior to the participant moving back into the residence. Comprehensive homeowners insurance must include fire, casualty and liability coverage. If the property is located in a designated flood zone, flood insurance for the property must also be obtained. All property insurance must be maintained until the Defereed Payment loan is satisfied.

**IX. ELIGIBILITY CRITERIA FOR REPLACEMENT/RELOCATION**

- A. For a unit to be eligible, the following criteria must be met:

The estimated cost of rehabilitating the housing unit must exceed fifty percent (50%) of the assessed value of the property. The cost of Lead Based paint inspection and abatement shall be included in calculating the rehabilitation cost.

**X. REPLACEMENT HOME CRITERIA**

- A. Once a participant has been deemed eligible for a Replacement Home, he/she may have a conventionally built home placed on the property where the house is currently located.

1. The construction of the new dwelling unit must meet all local building and zoning code requirements.
2. Home Construction award process will begin as follows:
  - a. The Housing Specialist will place a legal notice in a local newspaper to solicit interested contractors to participate in the program. (Contractors must be Licensed by the State of Florida, Department of Business and Professional Regulations and meet all local building department requirements and be to be eligible to obtain a building permit for the construction of the dwelling as a contractor).
  - b. The homeowner will choose a home layout as provided by the Housing Specialist that meets the program requirements.
  - c. The Housing Specialist will develop bid specifications that meet program requirements for the floor plan that was selected by the client.
  - d. The pool of pre-approved contractors will attend a mandatory pre-bid meeting and receive a bid package.
  - e. Sealed bids will be accepted from contractors until the bid deadline date and time.
  - f. A public bid opening will be held and the amount of the bids received will be read aloud.
  - g. Bids will be reviewed for completeness by the Housing Specialist and a recommendation of award will be presented to the County Commission.

The low bid, if within 15% above or below the Housing Specialists estimate, will then be presented to County staff for review and the Housing specialists recommendations will then be submitted to the County Commission for approval. The County Commission reserves the right to approve the low bid outside the 15% margin from a qualified bidder if the County Commission feels the bid price is justified.

- h. The Jefferson County Commission makes award for construction to the selected contractor.

**XI. SIZE OF UNITS**

- A. The size of each housing unit shall be determined based upon local zoning requirements and information provided by the permanent residents living in the existing housing unit based upon the following criteria:
  - No more than two (2) persons of the same sex may occupy the same bedroom.
  - Two (2) persons of the opposite sex may not occupy the same bedroom (excluding husband and wife or couples).
  - Only the husband, wife, dependent children (including those who are mentally and/or physically handicapped of any age ), adults over the age of 18 with documentation that they are handicapped or have resided in the residence for a minimum of 6 months prior to the owner submitting an application for assistance, documented full time caregivers, family members 62 years of age or older and currently residing in the household will be counted in calculating family size and the minimum number of bedrooms and square footage allowance.

**XII. SQUARE FOOTAGE ALLOWANCE**

- A. A displaced family will be eligible for the following replacement housing payment allowance:

Number of Bedrooms	Payment	Est. Square Footage
1 bedroom	\$60,000	800
2 bedrooms	\$67,000	900
3 bedrooms	\$75,000	1,000
4 or more bedrooms	\$86,000	1,150

Square footage amounts may be increased based upon local deed restrictions and zoning requirements. The deed restricted or zoning requirement minimum square footages will be utilized if it exceeds the noted above square footage amount.

### **XIII. CONSTRUCTION IN A FLOOD PLAIN**

The finished floor elevation of any housing unit located within a flood zone addressed with CDBG funds as part of the Jefferson County CDBG Housing program must be at a minimum one foot (1') above the established flood elevation for the property.

### **XIV. MOVING EXPENSES**

This procedure will take place, if required, as follows:

The County, at the direction of the Housing Specialist, will provide to the head of household moving expenses totaling four hundred dollars (\$400.00). Two hundred dollars (\$200.00) will be provided to the head of household when the household moves their belongings from the existing dwellings to the central storage location, and two hundred dollars (\$200.00) will be provided to the head of household when the household moves their belongings from the central storage location back to the housing unit that has been rehabilitated or replaced.

The head of household will certify they accept full responsibility for moving all of their belongings.

The County at the direction of the Housing Specialist will provide the head of household with storage for the belongings and furnishings in the dwelling. The head of household will be responsible for moving the furniture out of the existing dwelling into the storage unit; and moving their belongings from the storage unit back to the housing unit after the housing unit has been rehabilitated or replaced. In addition the head of household will supply their own lock for the storage unit and shall remove all items from the storage unit and sweep out the storage unit prior to submitting for the moving expense for relocating into the rehabilitated or new housing unit. All of the items must be removed from the storage unit and the storage unit cleaned prior to the moving expense allowance for the second move being approved by the Housing Specialist.

### **XV. TEMPORARY RELOCATION ALLOWANCES**

Temporary Relocation assistance will only be provided to families who vacate the rehabilitated residence to facilitate the rehabilitation.

It is the homeowner's responsibility to find alternate housing for all occupants of the residence during the construction phase of the project. The County will offer monthly utility allowances of one hundred dollars (\$100.00) for families of one or two persons and monthly utility allowances of one hundred fifty dollars (\$150.00) for families with three or more members. These CDBG funds will be provided by the County to the participant to offset the increase in utilities of the friends, private homes, other family members, etc. that are supplying temporary housing. The participating family will be responsible for packing and unpacking all of their belongings.

Neither the County nor the Housing Specialist will be responsible for any items lost, stolen, or damaged during the temporary relocation process. The applicants shall be encouraged to make satisfactory arrangements to secure family valuables.

**XVI. CONDITION OF REHABILITATION/REPLACEMENT ASSISTANCE**

- A. Maximum amount: The maximum amount of funds available for the replacement of a specific property will be the amount specified in Section XII of the Housing Assistance Plan, giving consideration to the average amount per structure in the application. This amount must be in compliance with the extent of rehabilitation section of the Housing Assistance Plan and shall be brought to the County Commission for final approval. However, the cost of a replacement structure shall not exceed the amount specified in Section XII of the Housing Assistance Plan unless specifically recommended by the County Housing Specialist and approved by the County Commission.
  
- B. Community Development funds are to be provided to or for the benefit of the owner(s) of the residence to rehabilitate/replace their home. Prior to beginning work on the property, the owner(s) will be required to sign a mortgage and promissory note in an amount equal to the cost of the work. This is called a Deferred Payment Loan (DPL) and shall be forgiven in 5 years. If the property is sold within that 5 year period, the owners will be required to repay any unforgiven portion of that note. However, if the owner dies within the 5 year period, the County will forgive the remaining portion of the note. The County Commission shall also retain the option to forgive the note in case of hardship.
  
- C. The purchase of Comprehensive Home Owners Insurance and Flood Insurance, if the property is located in a designated flood zone, will be required prior to the participant moving back into the residence. Comprehensive Home Owner’s Insurance and Flood Insurance, if required, shall be maintained on the property, by the property owner, until the Deferred Payment Loan is satisfied.

**XVII. LEVERAGING CDBG FUNDS WITH OTHER FUNDS**

Where feasible the program will combine the following funds sources:

- A. Weatherization funds
  
- B. SHIP funds

**XVIII. OPERATIONAL PROCEDURES FOR THE REHABILITATION/REPLACEMENT PROGRAM**

- A. The Housing Specialist will place a legal notice in a local newspaper to solicit interested contractors to participate in the program. (Contractors must be licensed by the State of Florida, Department of Business and Professional regulations and must either be State Certified or state Registered and meet all local building department requirements. The contractor must be properly licensed to obtain a permit from the local building department to either construct a new residence or rehabilitate an existing residence.

- B. After verification of the participant's eligibility, the property will be inspected by both the Housing Specialist and the home owner. Upon completion of the inspection, a rehabilitation work write-up or demolition/replacement bid specifications will be completed.
- C. Before the work is advertised for bid, the Housing Specialist and the participants will meet to review all the information associated with the rehabilitation or replacement of their dwelling unit, to insure the participant has a full understanding of the program and wants to participate.
- D. The documents are then dated and signed by the participants.
- E. The work is then advertised for bid. Bidding is limited to pre-qualified contractors licensed by the State of Florida, Department of Business and Professional Regulation and who have pre-qualified in an opened, advertised prequalification process.

Documents shall be included in the bid package wherein the contractor shall agree in writing that any change orders for rehabilitation or reconstruction of a housing unit that are being paid with CDBG funds and cumulatively exceed one thousand dollars (\$1,000.00) above the original contract amount, shall only be paid with CDBG funds if those change orders are to correct documented code violations, health and safety items or items required to bring the residence up to Section 8 Housing Standards.

Additionally, the contractor shall agree in his bid and contract, if awarded, that all change orders for housing rehabilitation or reconstruction shall be approved by the owner of the housing unit or his or her representative, the contractor, Housing Specialist, and a representative of the local government prior to any initiation of additional work based on said change order.

All pre-qualified bidders will be notified of bid solicitations. The bids will then be received and tabulated. The low bid, if within 15% above or below the Housing Specialists estimate, will then be presented to County staff for review and the Housing specialists recommendations will then be submitted to the County Commission for approval. The County Commission reserves the right to approve the low bid outside the 15% margin from a qualified bidder if the County Commission feels the bid price is justified.

- F. Should the bid be higher than the acceptable range, the residence will be re-bid.
- G. The contract will be awarded to the lowest acceptable bidder.
- H. The successful contractor will have 72 hours from the date of notification to produce all necessary licenses and insurances. Should the contractor fail to perform in accordance with the bid or be unable to produce the necessary licenses and insurances, the County Commission will, at its discretion, award the contract to the next lowest bidder or have the work re-bid.
- I. When the contract has been successfully awarded, the participant may be required to temporarily relocate out of their residence.



- J. The participant will move and store their belongings. (See Temporary Relocation Guidelines for details.)
  - K. After the participant has vacated the dwelling unit, the contractor receives a Notice to Proceed (further information is contained in the construction contract and construction specifications) and the Notice of Commencement is recorded.
  - L. The house is then rehabilitated in accordance with the rehabilitation standard specifications, the Florida Building Code, and the work write-up. At each draw request, a partial waiver, final waiver, or release of liens is required prior to payment.
  - M. The Housing Specialist in cooperation with the local building official will inspect the residence at various times during the project, particularly at the time of each draw request.
  - N. The Housing Specialist does not have the authority to supersede the building inspector, but may require stricter compliance in some areas. As a rule, the most stringent requirement will prevail.
  - O. Upon completion of the project, the local building inspector will issue a Certificate of Occupancy or similar document verifying that the housing unit meets applicable local codes. The contractor is required to submit to the Housing Specialist a request for final payment including the following information:
    - (1) a waiver or release of liens from the prime contractor
    - (2) a waiver or release of liens from all material suppliers, subcontractors, persons, or organizations that may have supplied material or labor to carry out the job or have an investment in the job as a result of the work performed
    - (3) a statement from the contractor that all items in the initial work write-up as modified through the approved change order(s) has been completed.
  - P. The applicant inspects the work and is requested to sign a work acceptance statement. The work acceptance statement shall include language that the work write-up has been completed based upon the work write-up and approved change orders. Should all requirements be fulfilled and the homeowner or their representative refuse to acknowledge completion of the work, the housing unit case file shall contain a statement detailing the stated reason for said refusal.

Copies of the applicant's work acceptance or detailed explanation for refusal of the acceptance shall be included in the administrative closeout package submitted to the state at the conclusion of the project.
- Note: In the event of any disputes between the participants and the contractor concerning the completion of the rehabilitation work, the Housing Specialist shall work with both parties in an attempt to negotiate a satisfactory solution. If a solution cannot be arrived at, Section 27 "Termination of Owner" of the construction contract shall be invoked.
- Q. The Housing Specialist shall indicate in writing that the completed housing unit meets the applicable local code and Section 8 Housing Quality Standards.
  - R. The participant is given notice to move back to their residence.

- S. The Housing Specialist will conduct a sixty (60) day inspection of the residence to ensure that all improvements are still in good working order.

Note: Periodic inspections will be made by the Housing Specialist to ensure that the terms of the contract between the County and the participants are being maintained.

**XIX. PARTICIPANT NOTIFICATION PROCEDURES**

When a previously approved housing unit is deleted by the Housing Specialist or County Commission from the list of proposed homes for rehabilitation or replacement, the County shall notify the owner of said housing unit by certified mail that their unit is being deleted and the specific reason for this deletion.

**XX. COMPLAINT PROCEDURES**

- A. Complaints concerning the Community Development Block Grant Program shall be submitted in writing and addressed to the County Coordinator, 450 W. Walnut, Monticello, FL 32344. The Commission Chairman or County Coordinator will have fifteen (15) days to respond. Additional information is available in the Grievance Procedure for the County's CDBG grant program.

**XXI. PERMANENT RELOCATION**

With the exception of the demolition/relocation program, where the owner of a dilapidated structure received a payment for a replacement structure and the existing structure is removed, no existing housing units that have the potential to be occupied by low and moderate income households will be demolished or converted to non-low moderate income housing as a part of this project.

**XXII. LOCAL TRASH NUISANCE, ENVIRONMENTAL OR HEALTH CODE ORDINANCES**

Prior to approval of any residential dwelling unit for final inclusion in the program all local trash, nuisance, environmental, or health code violations that will not be addressed as part of the Community Development Block Grant or CDBG programs must be eliminated.

### **XXIII. LEAD BASED PAINT POISONING**

**IN NO INSTANCE SHALL LEAD BASED PAINT BE UTILIZED IN THE REHABILITATION OF A STRUCTURE.** If a dwelling was constructed before 1978, there is a possibility it may contain lead-based paint. All properties built before 1978, not being replaced, will be tested for lead-based paint by a certified lead testing organization prior to bidding the rehabilitation of the dwelling. Where lead-based paint is found, removal and/or abatement procedures by a licensed lead abatement contractor will be included in the rehabilitation bid specifications for the housing unit based upon the lead based paint inspection report and required abatement procedures. If the rehabilitation of the dwelling is found to be feasible after bidding out the work to be addressed, a clearance test will be performed by the licensed lead based paint inspector prior to final acceptance of the rehabilitation. No owner will be approved for occupancy of any lead abated home rehabilitated with CDBG funds until a clearance has been obtained from the pre-approved lead inspector. The housing unit owner will be provided literature pertaining to lead-based paint poisoning and the dangers of lead by the Housing Specialist

### **XIV. HISTORICAL STRUCTURES**

The Housing Specialist will utilize the Counties Property Appraisers Records to determine the age of the home. Information on all structures being considered for inclusion in the CDBG Rehabilitation or Demolition Replacement Activities that are 50 yrs of age or older will be supplied to the Department of State, Division of Historical Resources for review and comment prior to approval by the County.

### **XV. SITE SPECIFIC ENVIRONMENTAL REVIEWS**

A Site Specific Environmental Review will be developed by the Housing Specialist for each property being considered for inclusion in the CDBG Housing Program. The Site Specific Environmental Review shall be submitted to DEO for review and approved by DEO prior to the execution of the contract for the rehabilitation or replacement of the residence.

### **XVI. REHABILITATION RECORDS**

Note: Housing rehabilitation documentation will be completed prior to grant ending date and submittal of closeout. The following data will be provided by housing unit and summarized by activity as part of the administrative closeout for each activity providing direct benefit:

- a. Address of each housing unit rehabilitated with CDBG funds, the date the construction was completed on the housing unit, and the amount of CDBG funds spent on that housing unit.
- b. If the housing unit has a female head of household, the number of handicap people occupying the household, the number of elderly people occupying the household and the household income status -VLI or LMI
- c. The number of occupants in the household, categorized by sex

d. The racial demographics of the household by number (White, Black, Hispanic, Asian/Pacific Islander, or American Indian/Alaskan Native).

ADOPTED BY THE COUNTY COMMISSION OF JEFFERSON COUNTY, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_. 2014.

County of Jefferson

BY: \_\_\_\_\_  
Chief Elected Official

ATTEST:

\_\_\_\_\_  
County Clerk

**ITEM 7(a): COUNTY COORDINATOR/CODE  
ENFORCEMENT ORDINANCE REVISIONS**

## PROPOSED REVISION: 2014

Jefferson County, Florida, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 21 - CODE ENFORCEMENT >>Chapter 21 - CODE ENFORCEMENT

- Sec. 21-1. - Generally.
- Sec. 21-2. - ~~Definitions of code enforcement officer.~~
- Sec. 21-3. - Creation of code enforcement board; composition, terms and removal of members; organization.
- Sec. 21-4. - Legal counsel.
- Sec. 21-5. - Jurisdiction.
- Sec. 21-6. – Complaint procedure.
- Sec. 21-67. - Enforcement procedure.
- Sec. 21-8.- Hearing procedure.
- Sec. 21-79. - Appeal.
- Sec. 21-810 - Notices.
- Sec. 21-11 ~~–Abatement bid procedure.~~
- Sec. 21.12 ~~–Immunity.~~
- Sec. 21-13- Costs.

### **Sec. 21-1. - Generally.**

~~The Jefferson County Code Enforcement Officer and Code Enforcement Board, pursuant to F.S. ch. 162, shall enforce this Code, the Land Development Code, County Building Code requirements, and those codes as to which jurisdiction is stated herein, according to the procedures set forth below.~~

This ordinance outlines code enforcement procedures and creates the Jefferson County Code Enforcement Board, pursuant to ch. 162, F.S.

### **Sec. 21-2. – ~~Definitions of code enforcement officer.~~**

Code Enforcement is the prevention, detection, investigation and enforcement of violations of statutes or ordinances regulating public health, safety, and welfare, public works, business activities and consumer protection, building standards, land-use, or municipal affairs.

Code Enforcement Board (CEB) shall mean the county code enforcement board created pursuant to ch. 162, F.S.

Code Enforcement Inspector shall mean those authorized agents or employees of the county whose duty it is to ensure compliance with ordinances and codes related to Building, Planning, and Fire Safety.

~~For the purpose of this article, Code Enforcement Officer~~ shall mean any authorized agent or employee of the county whose possesses specialized training in code enforcement by the Florida Association of Code Enforcement and is appointed by the Board of County Commissioners to carry out the function of Code Enforcement in Jefferson County.

### **Sec. 21-3. - Creation of code enforcement board; composition, terms and removal of members; organization.**

(a) There is created a code enforcement board for the county, which shall consist of seven members appointed by the board of county commissioners. The board of county commissioners may appoint up to two alternate members to serve on the board in the absence of code enforcement board members. All members of the code enforcement board shall be residents of the county and shall serve without compensation.

(b) The membership of the code enforcement board shall, whenever possible, be made on the basis of experience or interest in the fields of zoning and building control ~~and other areas listed in section 21-5~~ and shall, whenever possible, include:

- (1) An architect;
- (2) A business person;
- (3) An engineer;
- (4) A general contractor;
- (5) A subcontractor;
- (6) A realtor; and
- (7) A citizen lay[man] appointee.

(c) The initial appointments to the code enforcement board shall be as follows:

- (1) Two members shall be appointed for a term of one year.
- (2) Three members shall be appointed for a term of two years.
- (3) Two members shall be appointed for a term of three years.
- (4) Alternate members, if appointed, shall be appointed for a term of one year.

Thereafter, each member shall be appointed by the board of county commissioners for a term of three years. A member may be reappointed. Appointments to fill any vacancy on the code enforcement board shall be for the remainder of the unexpired term of office.

(d) Any member of the board who fails to attend two out of three successive meetings during any calendar year shall automatically forfeit such appointment and the Board of County Commissioners shall promptly fill such vacancy.

~~If any member of the code enforcement board fails to attend two of three successive meetings without providing prior notice to the secretary of the code enforcement board, or if any member is absent from 33 percent of the regularly scheduled meetings in a given calendar year regardless of prior notice, then the county coordinator's office shall send a letter to the member so failing to attend and request to know their intentions with regard to the continued service on the code enforcement board. The response to the county coordinator's letter shall be relayed to the board of county commissioners for consideration of whether a vacancy should be declared; any vacancy so created shall be promptly filled by appointment of the board of county commissioners.~~

(e) Members of the code enforcement board may be suspended and removed from office by the board of county commissioners for cause after ten days' written notice and hearing before the board of county commissioners.

(f) At the first meeting of the code enforcement board, the members shall elect a chair and a vice-chair, who shall be voting members, from among the members of the code enforcement board. The persons so elected shall function as chair and vice-chair for a one-year term. The presence of four or more

members, including alternate members, shall constitute a quorum of the code enforcement board necessary to take action. Special meetings of the code enforcement board may be convened by the chair upon giving 48 hours' written notice to each member of the board.

(g) Regular meetings of the board shall occur no less frequently than once per quarter, ~~or as necessary.~~ The chairman may call enforcement board hearings and such hearings may also be called by a written notice signed by three members of the board. The code enforcement board may at any hearing set a future hearing date.

(h) Minutes and mechanical recordings shall be maintained for all meetings and hearings held by the code enforcement board; and all meetings, hearings and proceedings shall be open to the public.

(i) The board of county commissioners shall provide ~~clerical~~ administrative support, including necessary supplies, to the code enforcement board as may be reasonably required for the proper performance of its duties.

**Sec. 21-4. - Legal counsel.**

(a) The county attorney is hereby designated by the board of county commissioners to attend meetings of the code enforcement board in order to assist and advise the code enforcement board in the conduct of its hearings, including the application of the procedures for hearings as set forth herein.

(b) An attorney (other than the county attorney) ~~shall~~ may be appointed by the board of county commissioners to represent the county staff during such proceedings. The appointed attorney or a member of the administrative staff of the county shall present each case before the code enforcement board. The board may appoint the county planning commission attorney to function in this capacity.

(c) In no event may the county attorney serve in both capacities.

**Sec. 21-5. - Jurisdiction.**

(a) The code enforcement board shall have the jurisdiction to hear and decide alleged violations occurring within the unincorporated county and, if approved by interlocal agreement, within the municipal limits of the City of Monticello, of the following codes and ordinances that have been, or will in the future be, adopted by the county, or if applicable, by the city:

- (1) Florida Building Code, Building.
- (2) Florida Building Code, Residential.
- (3) Florida Building Code, Existing Building.
- (4) Florida Building Code, Plumbing.
- (5) Florida Building Code, Fuel Gas.
- (6) Florida Building Code, Mechanical.
- (7) Florida Building Code, Test Protocols.
- (8) Florida Building Code, Energy.
- (9) Florida Accessibility Code.
- (10) Florida Fire Prevention Code.
- (11) Florida Life Safety Code.
- (12) Land Development Code and Comprehensive Plan.



- (13) Subdivision codes.
- (14) Licensing codes, including business tax receipts and licensing.
- (15) Mobile Home Inspection Code.
- (16) Code of Ordinances.

(b) The jurisdiction of the code enforcement board shall not be exclusive. Any alleged violation of any of the codes and ordinances referred to in subsection (a) of this section may be pursued by appropriate remedy in court, or in any other manner, or using any procedure, provided by state statute or by any local code in effect, or which in the future may be in effect, at the option of the appropriate official whose responsibility it is to enforce that respective code or ordinance.

**Sec. 21-6. – Complaint procedure.**

(a) A citizen of Jefferson County may initiate a complaint for investigation by the code enforcement officer.

(b) Complaints shall be made in writing, verified or affirmed, on a form to be supplied by the code enforcement officer and shall contain the following:

- (1) Date of offense and date of filing the complaint.
- (2) General statement of facts of the offense including the location and owners name and contact information, if known.
- (3) Name, signature, and contact information of the complainant.

**Sec. 21-67. - Enforcement procedure.**

(a) It shall be the duty of the code enforcement officer to initiate enforcement proceedings of the various codes and ordinances. No member of the code enforcement board may initiate enforcement proceedings.

~~When the code enforcement officer has reason to believe that the provisions of this code or any county building code requirements are being violated, it shall initiate enforcement proceedings via the process set forth in this section.~~

- (1) A notice of violation shall be served upon the owner, agent, custodian, lessee, or occupant to terminate and abate the violation in not less than 30 days ~~of~~ from the date such notice is received by certified mail, hand delivery, or advertised in a newspaper of general circulation in the county. Such notice of violation shall include:
  - a. a sufficient description by address and/or legal description to identify the property upon which the violation exists;
  - b. a description of the violation to be terminated and abated; and
  - c. a statement that if the described violation is not terminated and abated within a specified period of time, which shall be not less than 30 days after notice as

herein provided, the code enforcement board may order the code enforcement officer to cause the violation to be terminated and abated, and to impose a lien upon the property for the actual cost of such termination and abatement.

The code enforcement officer may provide additional time in which to cure a violation if, in the discretion of the code enforcement officer, such additional time is reasonably necessary in view of the actions required to achieve compliance.

(2) If such violation has not been terminated and abated within the time specified in the notice, a second notice shall be sent notifying the offender that a code enforcement hearing has been requested. Such notice of violation shall further state the date, time and place in which the violation will be called up for hearing before the code enforcement board. The second notice as referenced herein shall be sent to the violator not less than 30 days before the hearing before the code enforcement board.

(3) If a violation presents a serious threat to the public health, safety, and welfare, the code enforcement officer shall immediately take the case before the code enforcement board, even if the violator has not been notified.

(4) If a repeat violation is found, the code inspector shall notify the violator; but is not required to give the violator a reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, shall notify the code enforcement board and request a hearing. The code enforcement board, through its ~~clerical~~ administrative staff, shall schedule a hearing and shall provide notice pursuant to this chapter. The case may be presented to the code enforcement board even if the repeat violation has been corrected prior to the board hearing; and the notice shall so state.

**Sec. 21-68.- Hearing procedure.**

~~(5) All hearings before the code enforcement board pertaining to this article shall be public hearings and shall be noticed as provided in land development code section 9.02.07A — C. and shall be conducted in accordance with the procedures set forth in this Code.~~

~~(a)(b)~~ After a case is set for hearing, the secretary to the code enforcement board may issue subpoenas as requested by the code enforcement officer/inspector, ~~planning department~~ and the alleged violator. Subpoenas may be served by the Sheriff of Jefferson County. Subject to potential cost recovery in this chapter, subsection (d) below, the county shall initially pay all costs of issuing and serving up to and including four subpoenas requested by any party. Should a party request more than four subpoenas, that party shall pay all costs incurred in issuing and serving those in excess of four.

~~(b)(c)~~ Hearings before the code enforcement board shall be conducted as follows:

- (1) The code enforcement officer shall read the statement of violations and request for hearing.
- (2) The alleged violator shall be asked if he wishes to contest the charges.
- (3) The county shall present its case and alleged violator shall present his case. The county's case shall be presented by an attorney representing the county or by a member of the administrative

staff of the county. The alleged violator's case may be presented by an attorney, or other representative chosen by the alleged violator.

(4) Both parties may call witnesses and all witnesses shall be sworn. All testimony shall be under oath and shall be recorded.

(5) Formal rules of evidence shall not apply, but fundamental due process shall be observed.

(6) Both parties may cross-examine witnesses and present rebuttal evidence.

(7) The code enforcement board and its attorney may call or question any witness.

(8) After all evidence has been submitted, the chair shall close presentation of evidence.

(9) The code enforcement board shall immediately deliberate and make a decision in open session. If a decision cannot be reached in the initial meeting, the board shall adjourn and reconsider the matter as soon as possible at a time and date certain.

(10) A decision of the code enforcement board must be approved by simple majority, except that at least four (4) members of the board must vote. The decision shall contain findings of fact and conclusions of law and shall state the affirmative relief granted by the board.

(11) The decision shall be announced as an oral order of the code enforcement board and shall be reduced in writing within ten days and mailed to the parties.

(12) The code enforcement board may, at any hearing, order the reappearance of a party at a future hearing.

(13) Any case may be continued by the code enforcement board for good cause shown. If the code enforcement board's consideration of a case has already been publically noticed, the board's counsel may grant a continuance prior to the meeting at which a case is to be heard, provided that the request is unopposed by all parties. The continuances shall be announced during the publicly noticed hearing. There shall be no more than two continuances granted in any case.

(c) ~~(d)~~ The code enforcement board may issue whatever orders are necessary to bring the violation into compliance, including an order which directs the code enforcement officer/inspector to cause the violation to be terminated and abated, and which further orders that a lien be placed on the property in an amount equal to the actual cost of terminating and abating the violation. No order of the code enforcement board shall cause a violation to be terminated and abated before the time has run out for appealing such order.

(d) ~~(e)~~ The code enforcement board, upon finding a violation, shall issue an order to comply, setting a date certain for compliance and a fine to be levied if the deadline for compliance is not met. The fine shall not exceed \$250.00 per day for a first violation and shall not exceed \$500.00 per day for each repeat violation, such fines to accrue daily for each day the violation continues past the specified compliance date. In addition, in each instance in which the code enforcement board determines that a violation has occurred, the board shall include in its order or decision a requirement that the violator

reimburse the county an amount equivalent to the reasonable costs of prosecuting the case before the board, said amount to be specifically stated in the order or decision. If the violator fails to remit such reimbursement to the county within 60 days following the violator's receipt of the order or decision of the code enforcement board, such funds shall be recoverable as provided in F.S. § 162.09(3).

(e) ~~(f)~~ In determining the amount of the fine, if any, the code enforcement board shall consider the following factors:

- (1) The gravity of the violation.
- (2) The actions taken by the violator to correct the violation.
- (3) Any previous violations committed by the violator.
- (4) Whether imposition of the fine will constitute an undue hardship on the violator considering the financial resources of the violator.

(f) ~~(g)~~ The code enforcement board may reduce a fine imposed pursuant to this section if mitigating circumstances shall be established and recorded in the minutes of the code enforcement board.

(g) ~~(h)~~ After an order has been issued by the code enforcement board and a date for compliance has been set, the code enforcement officer or other designated county official shall make a reinspection to determine compliance or noncompliance with the order.

(h) ~~(i)~~ The code enforcement officer or other designated county official shall file an affidavit of compliance or noncompliance with the secretary of the code enforcement board, and a copy shall be sent to the violator by certified mail, return receipt requested.

(i) ~~(j)~~ If the code enforcement officer files an affidavit of compliance, the secretary of the code enforcement board shall close the file and so report to the board.

(j) ~~(k)~~ If the code enforcement officer files an affidavit of noncompliance with the secretary of the code enforcement board, the board may order the violator to pay the fine as specified in the board's order.

(k) ~~(l)~~ A copy of the order imposing the fine shall be mailed to the violator by certified mail, return receipt requested, or personally served upon the violator.

(l) ~~(m)~~ If a fine remains unpaid for a period of 14 days, a certified copy of the order imposing the fine shall be recorded in the Official Records of Jefferson County, which shall thereafter constitute a lien against the land on which the violations exists, or if the violator does not own the land, upon any other real or personal property owned by the violator, and may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against personal property. If the fine or costs incurred by the county remains unpaid for a period of one year following the date the lien was filed, the board may authorize the county attorney to foreclose on the lien, which shall be collected as provided in F.S. § 162.09(3).

(m) ~~(n)~~ In addition to the penalties prescribed above, the code enforcement board shall:

- (1) Direct the building, planning, or fire safety administrator not to issue any subsequent authorizations ~~development orders for the development~~ until the violation has been corrected.
- (2) Inform the violator that no further work under an existing approval may proceed until the violation has been corrected.

(n) ~~(o)~~ In any instance where the violation constitutes a serious threat to the public health, safety or welfare and has not been corrected within a reasonable period of time, the code enforcement board may notify the board of county commissioners, which authorize entry onto the property in order to make such repairs as are necessary, or take such other actions as law may allow to cure the violation and eliminate such threat, and the cost of such repairs or other actions shall constitute a lien as provided in F.S. § 162.09(1).

**Sec. 21-79. - Appeal.**

(a) An aggrieved party, including the board of county commissioners, may appeal a final administrative order of the code enforcement board to the circuit court. Any such appeal shall be filed within 30 days of the execution of the order to be appealed.

(b) The scope of review shall be limited to the record made before the code enforcement board and shall not be a trial de novo.

(c) The code enforcement board shall, by rule, establish reasonable charges for the preparation of the record to be paid by the appealing party if such is required by the Florida Rules of Appellate Procedure.

**Sec. 21-810. - Notices.**

(a) All notices required by this article shall be provided to the alleged violator by certified mail, return receipt requested, by hand delivery by the sheriff or other law enforcement officer, code enforcement officer/inspector, or other person designated by the board of county commissioners; or by leaving the notice at the violator's usual place of residence with any person residing there who is above 15 years of age and informing such person of the contents of the notice.

(b) In addition to providing notice as set forth in subsection (a) of this section, at the option of the code enforcement board, notice may also be served by publication, as follows:

(1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50, for legal and official advertisements.

(2) Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.

(3) Notice by publication may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a).

(c) In lieu of publication as described hereinabove, such notice may be posted at least ten days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be, in the case of the county, at the front door of the county courthouse, or, in the case of the City of Monticello, at city hall. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(d) Notice by publication or posting may run concurrently with, or may follow, an attempt to provide notice by hand delivery or by mail as required under subsection (a).

(e) Evidence that an attempt has been made to hand deliver or mail notice as provided in this section, together with proof of publication or posting, shall be sufficient to show that the notice requirements of this section have been met, without regard to whether or not the alleged violator actually received such notice.

**Section 21.11 Abatement bid procedure.**

The county shall obtain competitive bids pursuant to the county's normal bidding, purchasing and contracting requirements for services entailed in carrying out the abatement of nuisances under this article. The successful bidder shall be required to provide insurance and bonding as the county deems advisable.

**Section 21.12 Immunity.**

Any code enforcement officer/inspector shall be immune from prosecution, civil or criminal, for reasonable, good faith trespass upon real property while in the discharge of duties imposed by this section.

**Section 21.13 Costs.**

Cost of enforcement shall include but not be limited to: investigative fees, court costs, attorney's fees, administrative fines, travel expenses, clean-up expenses, restoration of property damaged or payment for damages, storage expenses, tipping fees that would have normally been paid if the violator had property disposed of or caused to be disposed any junk, debris, unserviceable vehicles, litter or abandoned property.

DRAFT