



BOARD OF COUNTY COMMISSIONERS

THE KEYSTONE COUNTY-ESTABLISHED 1827

435 W. Walnut St., Monticello, Florida 32344

Benjamin "Benny" Bishop
District 1

John Nelson, Sr.
District 2

Hines F. Boyd
District 3

Betsy Barfield
District 4

Stephen Walker
District 5

**Regular Session Agenda
November 19, 2013 at the Courthouse Annex
435 W. Walnut St. Monticello, FL 32344**

1. **6:00 P.M. – Call to Order, Invocation, Pledge of Allegiance**
2. **Public Announcements, Presentations, & Awards**
3. **Election of Chair**
4. **Election of Vice-Chair**
5. **Consent Agenda**
 - a) **Approval of Agenda**
 - b) **TDC Application Process & 2 Recommended Applications**
 - c) **Small Grant Program Review Committee Recommendations – Howard Academy/Heritage Rds**
6. **Citizens Request & Input on Non-Agenda Items (3 Minute Limit, No Commissioner Discussion)**
7. **General Business**
 - a) **Constitutional Officer 218.36 Obligations – Kirk Reams**
 - b) **Alternative Wacissa River Landing Issue – Comm. Walker**
8. **PUBLIC HEARINGS: (7 P.M.) – A. SECOND READING OF ORDINANCE NO. 2013-111913-01
FLOODPLAIN MANAGEMENT**
B. GRANNY-FLAT TAX ORDINANCE NO. 2013-111913-02
9. **County Coordinator's Report**
10. **Citizen's Forum (3 Minute Limit, Commissioner Discussion Allowed)**
11. **Commissioner Discussion Items**
12. **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 5: CONSENT AGENDA MATERIALS

Kirk Reams

From: Nancy Wideman <nancyw1100@yahoo.com>
Sent: Tuesday, November 12, 2013 11:16 AM
To: Kirk Reams
Subject: TDC consent agenda item
Attachments: Jefferson Grant policy and appl.docx; Nov grants TDC 2013.pdf

Kirk,

When The TDC presented it's budget and 2013-2014 Marketing Plan for approval by the BOCC in August

we also discussed our desire to follow the statue and ordinance that designates the BOCC as the body that approves our expenditures with our recommendations. Consequently, we have developed a new grant application and process. I'm asking for approval of that application and approval of two applications that we recommend for funding. Below is the wording from our memorandum from August.

To simplify the process for Board approval of TDC expenditures and to confirm actions with Florida Statute and actual wording nuances of the County Code of Ordinances, requests for approval of expenditures of tourist development tax revenue will be submitted directly to the Board of County Commissioners, using the adopted budget and the marketing plan as a guide.

Since the award of local marketing grants is an integral part of the proposed budget, assuming the Commission approves the recommended budget as suggested, the Tourist Development Council will be happy to assist in immediately preparing a grant process and timetable for Commission approval. In fact, the Council has been working on a streamlined program which would simplify the award of grants by creating a bi-annual or quarterly submission cycle and hope to have a plan to present at the next board meeting.

Attached are the application and the two recommended applications that we would like on the consent agenda. I plan to attend the meeting in case there are questions from the Commissioners.

Thanks, Nancy

Nancy Wideman
Jefferson County Tourist Development Council
1100 Pearl Street
Monticello, FL 32344
850-997-0517
nancyw1100@yahoo.com

Jefferson County
Tourist Development Council

**General Special Event
Grant Program**
(Policies & Application)

Approved
by the

Jefferson County Board of County Commissioners and
The Jefferson County Tourist Development Council

November 19, 2013

Table of Contents

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- II. Statement of Policies
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- IV. Rating Criteria and Process
- V. Approval Process
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- VII. Visitor Tracking
- VIII. Conclusion
- IX. Application
- X. Post Event Report

Jefferson County Tourist Development Council Special Event Grant Program

I. INTRODUCTION AND DEFINITION

The Jefferson County Tourist Development Council (TDC) was created pursuant to the State of Florida Local Option Tourist Development Act and Jefferson County Code Article 3, Sections 32-54. The TDC administers funds collected from a local option tourist development tax on occupied transient lodging sales, i.e. hotels/motels and campgrounds. The funds are designated to promote Jefferson County as a preferred visitor destination with emphasis in the following markets: special events, cultural activities, nature based activities, weddings, and amateur sporting events.

The TDC allocates funds from its annual budget to a grant program for local groups and organizations that coordinate events with a demonstrated history of visitor impact or significant potential to draw visitors to the area. The Special Event Grant Fund is administered and scored by the TDC. The grants are awarded by the Jefferson County Board of County Commissioners (BOCC).

A “Special Event” shall be defined as a new or existing organized concert, exhibition, festival, or fair, which is conducted according to a prearranged schedule and in which general public interest is manifested. For the purpose of this grant program, the public interest should extend to Jefferson County residents and to those living outside Jefferson County who would consider visiting the destination and staying overnight to observe or participate.

Each application will be evaluated against established criteria. The number and extent of these grants will be dependent upon the availability of designated funds. Ideally, the funds allocated by the Jefferson County BOCC will eventually be returned through an increase in transient lodging sales and the tourist development tax generated from those sales.

II. STATEMENT OF POLICIES

- A. Grant funds are intended to supplement the sponsoring organization's event budget.
- B. Funding is not intended to support administrative costs or non-public events. Funding is intended to support marketing and promotional efforts.
- C. Grant applications will only be received during the advertised cycle. One application will be accepted per event. In the event that a Special Event Grant application is received outside of the Tourist Development Council's designated submission dates and grant funds are still available in the budget, the Council may elect to consider the request.
- D. Lodging secured for the event must be located within Jefferson County.
- E. Funding shall be provided as reimbursement for approved actual expenditures upon completion of the event
- F. To be eligible for payment, a completed Post-Event Report must be submitted. The report must include tracking statistics regarding out-of-town visitors and their

overall impact on the local economy, particularly on transient lodging facilities and occupancy. Failure to submit a complete Post-Event Report will result in disqualification for support. If the event occurs near the end of the fiscal year, request for reimbursement must be received by September 30.

- G. Any funds granted will be subject to audit by the Jefferson County BOCC.
- H. Recognition of the Jefferson County Tourist Development Council must be included where appropriate on all printed material and the organization’s Web site referred to in public relations activities. A camera-ready logo will be provided. Failure to include the logo can be cause for disallowing reimbursement of that portion of the grant.
- I. Allowable expenses shall include the following:
Promotion, marketing, paid advertising that reaches beyond Jefferson County with potential to drive overnight visitation. Item #19 of the Application requires all applicants to describe how the grant funds will be used. Any changes to the items submitted in #19 MUST be submitted in writing to the TDC and will not be allowed without written approval from TDC staff.
- J. The maximum amount of funds given is **\$1,500**.

III. FUNDING ELIGIBILITY

The intent of the Special Event Grant Program is to provide funding assistance for events that attract overnight visitors to Jefferson County impacting the commercial lodging industry, hotels/motels, bed and breakfasts, campgrounds, as well as restaurants, retail establishments and other businesses. To be considered for funding, the following criteria have been established:

- 1. Each application must include a signed Certification and Compliance page
- 2. Event must take place between October 1, and September 30, of the upcoming fiscal year.
- 3. The event must have the potential to bring or have had past history of bringing out-of-town visitors..
- 4. The event must use commercial lodging establishments within Jefferson County.

IV. RATING CRITERIA AND PROCESS

Each grant application will be reviewed by staff to ensure that all required materials have been supplied. Failure to supply all the required materials will result in disqualification. Following staff review, the applications will be turned over to the TDC for scoring. The TDC will score each application on a 50 point scale based on the following:

			Score	Notes
Tourism Development	<ul style="list-style-type: none"> • Proposal has potential or previously proven ability to generate visitation to Jefferson County that includes overnight stays in Jefferson County commercial lodging • Proposal contributes to overall appeal of Jefferson County as preferred visitor destination through its event offerings. 	25 points		
Event Evaluation	<ul style="list-style-type: none"> • Event supports organization’s mission • Funds requested meet grant criteria of allowable expenses • Proposal includes event goals & objectives 	25 points		

	<ul style="list-style-type: none"> • Proposal includes method for documenting and evaluating outcome of event • Proposal includes documentation plan for overnight hotel stays 			
		Total Possible Points: 50		

V. APPROVAL PROCESS

1. Application is completed and turned into TDC staff
2. TDC scores application
3. TDC makes recommendation to Jefferson County BOCC
4. Jefferson County BOCC makes final approval

VI. SPECIAL EVENT GRANT TIMELINE

<u>PROCESS</u>	Cycle 1 Oct-Dec	Cycle 2 Jan-March	Cycle 3 April-June	Cycle 4 July-Sept
Grant Cycle opens	August 1	November 1	February 1	May 1
Applications Available	August 1	November 1	February 1	May 1
Deadline for applications	October 1	January 1	April 1	July 1
Review by TDC	October TDC meeting	January TDC meeting	April TDC meeting	July TDC meeting
Review and approval by BOCC	October BOCC meeting	January BOCC meeting	April BOCC meeting	July 1 BOCC meeting
Funds available	Submittal of post event report	Submittal of post event report	Submittal of post event report	Submittal of post event report

In the event that a Special Event Grant application is received outside of the Tourist Development Council’s designated submission dates, the Council may elect to consider the request if special event grant funds are still available in the budget.

VII. VISITOR TRACKING

In order to assess the impact of each event on the Jefferson County transient lodging industry, the TDC wants to emphasize the importance of tracking the number of overnight visitors attending the event.

We encourage you to utilize the attached ***Visitor Tracking Form*** to gather the requested information. On the form are listed the lodging establishments in the county. Have someone call each establishment on the day of the event and ask if they know of anyone staying with them for your event. The names and phone numbers of each establishment is on the Tracking Form.

VIII. CONCLUSION

Please submit the original of the attached application form **by the deadline date listed above to:**

Nancy Wideman, Coordinator
Jefferson County Tourist Development Council
P.O. Box 275
Monticello, Florida 32345
Nancyw1100@yahoo.com
850-997-0517

Failure to meet the deadline will result in disqualification.

**IX. Jefferson County Tourist Development Council
SPECIAL EVENT GRANT PROGRAM APPLICATION**

Please Print or Type:

1. Name of Event:

2. Date of Event:

Start time: End Time: Fee: \$

3. Description of Event:

4. Amount of Grant Request: \$

5. Host Organization:

6. Description of Organization (include date organization was created):

7. Contact Person: (Name) (Title)

Address:

City: State: Zip:

Daytime Contact #: Email Address:

Public Information #: Website: www.

INFORMATION FOR TOURISM DEVELOPMENT PORTION OF COMMITTEE SCORING – 25 POINTS MAX.

12. Anticipated # of out-of-town overnight visitors

Anticipated # of attendees:

13. How does this event contribute to the overall appeal of Jefferson County as a preferred visitor destination?

INFORMATION FOR EVENT EVALUATION PORTION OF COMMITTEE SCORING – 25 POINTS MAX.

- 14. How does the event support your organization’s mission?
- 15. Describe how grant funds would be used.
- 16. Describe how you evaluate the outcome of the event.
- 17. Describe how you plan to document overnight hotel stays.

GENERAL INFORMATION

- 18. Have you received a JCTDC grant in the past? Yes No

If yes, include amount, name of event and year received:

Amount	Name of Event	Year

CERTIFICATION AND COMPLIANCE STATEMENT

APPLICANT:

I hereby certify that the information contained in this application is true and correct to the best of my knowledge and that I have read the Policies and Procedures of the Jefferson County Special Event Grants Program and will abide by all legal, financial, and reporting requirements as a condition of receiving grant funds from the Jefferson County Tourist Development Council. Signatures must be **original** in **ink**.

Name: _____
Please Print or Type

Organization: _____
Please Print or Type

(Signature)

(Date)

Please return the original of the Application and
the Certification & Compliance Page to:

Nancy Wideman, Coordinator
Jefferson County TDC
P.O. Box 275
Monticello, FL 32345
Nancyw1100@yahoo.com
850-997-0517

Jefferson County TDC Post-event Report

Name of Event _____

Dates of Event _____

Contact person _____ **Phone #** _____

Summary of Expenses that used Grant Funds

Total # of attendees _____ **# of out-of-town visitors** _____

Total # of rooms rented for your event _____

Provide a summary of media exposure received including local, regional and national – print, television and radio.

I certify that the above information is true and accurate to the best of my knowledge.

name _____ **date** _____

Jefferson County TDC Special Events Tracking Form

Name of Lodging Establishment _____

Use the following list to contact lodging establishments:

- | | |
|--------------------------------------|--|
| Brahman Inn 997-3525 | Capri Lazy Days Inn 997-5712 |
| Days Inn 997-5988 | Econo Lodge Monticello 997-0020 |
| Super 8 997-8888 | Avera-Clarke House 997-5007 |
| Jasmine Cozy Cottage 997-7102 | The Cottage 342-3541 |
| John Denham House 997-4568 | Daffodale House 997-1111 |
| Willow Pond 222-4400 | KOA 997-2890 |

Event and Date _____

Name of establishment	# of rooms	# of nights	# of guests

IX. Jefferson County Tourist Development Council
SPECIAL EVENT GRANT PROGRAM APPLICATION

Approved
11-3-13

Please Print or Type:

1. Name of Event:

2. Date of Event:

Start time: End Time: Fee: \$

3. Description of Event:

"Cabaret" is a musical comedy that teaches inclusion and accepting the differences of others. It teaches history of pre-WWII Berlin and the society that thrived before the rise of Nazi Regime. This show will bring in visitors from outside of Jefferson County.

4. Amount of Grant Request: \$

5. Host Organization:

6. Description of Organization (include date organization was created):

MADCo is a 501 (c) 3 non-profit organization. We provide theater education and produce shows that include children, teens, adults & seniors. We teach quality performance skills and encourage a more educated audience to attend and enjoy. We perform @ the Opera House and help to fund general operation of the theater.

7. Contact Person:
(Name) (Title)

Address:

City: State: Zip:

Daytime Contact #: Email Address:

Public Information #: Website:
Molt 997-4242 for tickets & info

INFORMATION FOR TOURISM DEVELOPMENT PORTION OF COMMITTEE SCORING – 25 POINTS MAX.

12. Anticipated # of out-of-town overnight visitors

Anticipated # of attendees:

13. How does this event contribute to the overall appeal of Jefferson County as a preferred visitor destination?

Quality theater helps to bring overnight tourists to Monticello/Jefferson County.
It gives visitors something to do.

INFORMATION FOR EVENT EVALUATION PORTION OF COMMITTEE SCORING – 25 POINTS MAX.

- 14. How does the event support your organization's mission?
Our mission is to produce and do quality theater. It fulfills our goals
- 15. Describe how grant funds would be used.
TV commercial to advertise the show, Commercial will run two weeks prior to show opening.
- 16. Describe how you evaluate the outcome of the event.
We poll every audience member as to how they heard about the event. We call the B.S.O and motels.
- 17. Describe how you plan to document overnight hotel stays.
Through show survey and phone calls

GENERAL INFORMATION

18. Have you received a JCTDC grant in the past? Yes No

If yes, include amount, name of event and year received:

Amount	Name of Event	Year
<i>91500</i>	<i>Little Shop of Horrors</i>	<i>2013</i>
<i>91000</i>	<i>Sound of Music</i>	<i>2011</i>

CERTIFICATION AND COMPLIANCE STATEMENT

APPLICANT:

I hereby certify that the information contained in this application is true and correct to the best of my knowledge and that I have read the Policies and Procedures of the Jefferson County Special Event Grants Program and will abide by all legal, financial, and reporting requirements as a condition of receiving grant funds from the Jefferson County Tourist Development Council. Signatures must be **original** in **ink**.

Name: MELANIE MAY'S
Please Print or Type

Organization: MONTICELLO ACTING & DANCE CO.
Please Print or Type

Melanie Mays
(Signature)

November 4, 2013
(Date)

Please return the original of the Application and the Certification & Compliance Page to:

Nancy Wideman, Coordinator
Jefferson County TDC
P.O. Box 275
Monticello, FL 32345
Nancyw1100@yahoo.com
850-997-0517

*Anne -
Holt -*

Jefferson County Tourist Development Grant Application

1. Organization Information

- a. Organization Name Main Street Monticello Florida, Inc.
- b. Name of Contact Person Anne Haw Holt, Ph.D.
- c. Address P. O. Box 923, Monticello, FL 32345
- d. Phone Number 850-576-0721
- e. E-mail Address ahholt@ahholt.com

2. Event Information

- a. Amount of funds requested \$1,500
- b. Name of Event Smithsonian "Museum on Main Street" Journey Stories Exhibit
- c. Dates January 11, 2014 through February 22, 2014
Number of Days 42
- d. Location Jefferson Arts Gallery, West Washington Street, Monticello, FL

3. Describe the Event

This Exhibit will consist of 14 kiosks furnished by the Smithsonian Institution describing in several media our propensity for moving. It will cover immigration and settlement

travel within North America and travel by modern means such as cars, planes, trucks, etc. A wall display of historic Jefferson County Pictures will accompany the free-standing Kiosks. Companion events will be presented throughout 2013 called “Florida Pioneer Journey Stories” and “Veteran’s Journey Stories” and special events will be presented during the weeks of the exhibit. Journey Stories will be open to the public at no charge at least 25 hours per week for the six weeks. Marketing will be done through all media, Radio, TV, and mail using email and USPS lists garnered from earlier events sponsored by Main Street and the Florida Humanities list. Special provisions will be made for tours of the exhibit by elementary and secondary school children. An opening gala is planned to be held in the art Gallery.

4. Describe how the grant funds will be used (be very specific)

These grant funds will be used to pay for advertising Journey Stories out of our area to attract visitors to town.

5. Describe the Funds that will be used for matching the Grant

We have applied for several grants, garnering \$10,000 from the Florida Humanities (awarded as part of the agreement to bring the MOMS exhibit to our town). We will continue to apply for others throughout the next few months. We will not charge attendees, and will ask the Historical Association, the Chamber, the Women’s Club, Altrusa and other groups to help us with this Exhibit and the events leading up to it’s opening.

6. Tracking

a. Anticipated number of persons who will attend the event

___ 1500 _____

b. Anticipated number of out of town visitors

_____ 400 _____

c. Anticipated number of overnight visitors

_____ 50 _____

d. What will be done with revenue that exceeds expenses?

It will be used to plan and present other events that will bring people to Jefferson County and create traffic for area businesses

e. Describe how your event will promote tourism for Jefferson County.

_____ We will promote this event heavily throughout Florida and the southeast. We plan to send out email and direct mail invitations. We will contact organizations throughout the southeast interested in these disciplines through email. Several national and international lists will include our announcement.

f. How are you tracking attendance numbers for the event and overnight stay numbers associated with the event?

_____ We will arrange with local bed and breakfast Inns and hotels to offer a "special" rate and ask them to keep track of their numbers.

Suggestion for tracking:

On registration forms for vendors, participants, etc., ask the following.

- How many nights will you be staying for this event?

- How many people in your group? _____
- Will you be staying in a Jefferson County B&B?

- Will you be staying in a Jefferson County motel?

- Will you be staying in a Jefferson County campground?

- If none of the above, where will you be staying? _____

Also distribute the attached Tracking Form to area motels, B&Bs and campgrounds and ask them to track the # of visitors for your event.

7. Certification Page

The undersigned is authorized to submit this application and certifies that the information contained in this application is true and correct to the undersigned's knowledge and belief.

The undersigned certifies the proposed event meets all the applicable statues, codes, rules and regulations and that all applicable permits have been applied for and acquired.

Anne H. Holt, Ph.D.
Chief Executive Officer

For Main Street Monticello Florida, Inc.
Name of Organization

Printed Name

December 20, 2012
Date

Any Questions??

Do not hesitate to contact:

**Nancy Wideman
1100 Pearl Street
Monticello, FL 32344
850-997-0517
nancyw1100@yahoo.com**

For Office use only – Do not write below this line

____ Approved by Coordinator for approval by TDC - Date 9-13

Approval or Denial by TDC – Date 10-7-13

____ Award Letter mailed to applicant _____

Kirk Reams

From: Julie Conley <jcedc@embarqmail.com>
Sent: Tuesday, November 12, 2013 4:33 PM
To: 'Kirk Reams'
Cc: pbarwick@jeffersoncountyfl.gov; 'Chamber of Commerce'; 'Nancy Wideman'
Subject: November 19 agenda

The Review Committee recommends funding the applications submitted by Concerned United People, Inc. (Howard Academy School) and the Jefferson County Historical Association (Heritage Roads website, etc.) According to the Small Grant policy, the recommendation is to be part of the consent agenda with no discussion. I guess the item should be "Small Grant Review Committee recommendation for funding Howard Academy School and Heritage Road projects". If you want to re-word it, that's fine. Just be sure it's in the consent portion of the agenda.

Julie

**ITEM 7(a): CONSTITUTIONAL OFFICER
218.36 OBLIGATIONS**

Select Year:

The 2013 Florida Statutes

Title XIV
TAXATION AND
FINANCE

Chapter 218
FINANCIAL MATTERS PERTAINING TO POLITICAL
SUBDIVISIONS

View Entire
Chapter

218.36 County officers; record and report of fees and disposition of same. —

(1) Each county officer who receives any expenses or compensation in fees, commissions, or other remuneration shall keep a complete record of all fees, commissions, or other remuneration collected by that county officer and shall make an annual report to the board of county commissioners within 31 days of the close of his or her fiscal year. Such report shall specify in detail the purposes, character, and amount of all official expenses and the amount of net income or unexpended budget balance as of the close of the fiscal year. All officers shall prepare such reports and subscribe under oath as to their accuracy and propriety.

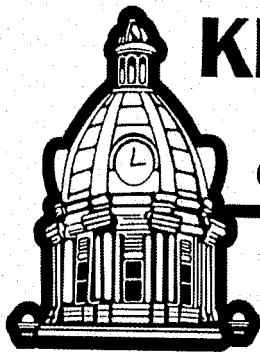
(2) On or before the date for filing the annual report, each county officer shall pay into the county general fund all money in excess of the sum to which he or she is entitled under the provisions of chapter 145. Whenever a tax collector has money in excess, he or she shall distribute the excess to each governmental unit in the same proportion as the fees paid by the governmental unit bear to the total fee income of his or her office. Any excess held by a property appraiser shall be divided into parts for each governmental unit which was billed and which paid for the operation of the property appraiser's office in the same proportion as the governmental units were originally billed. Such part shall be an advance on the current year's bill, if any.

(3) The board of county commissioners may notify the Governor of the failure of any county officer to comply with the provisions of this section. Such notification shall specify the name of the officer and the office held by him or her at the time of such failure and shall subject said officer to suspension from office at the Governor's discretion.

(4) Compliance by a county officer with the provisions of this section shall exempt said officer from making any report required pursuant to s. 116.03.

History.—s. 2, ch. 73-349; s. 17, ch. 74-234; s. 1, ch. 77-102; s. 5, ch. 88-175; s. 1177, ch. 95-147; s. 29, ch. 2004-305.

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KIRK REAMS

Jefferson County
Clerk of Court & CFO

1 Courthouse Circle
Monticello, FL 32344
(850) 342-0218
Fax (850) 342-0222

October 30, 2013

Board of County Commissioners
Jefferson County Courthouse
Monticello, FL 32344

RE: Annual Report for the Fiscal Year 2012-2013

Commissioners:

Per Florida State Statute 218.36, each county officer is required to send to you: an annual financial report by October 31, as well as pay into the county general fund all money in excess of the sum to which the county officer is entitled under the provisions of Chapter 145.

Please see the attachment for the Statement of Expenditures, Encumbrances, and Appropriations for the Fiscal Year ending September 30, 2013 for the Clerk of Court. As of October 31, excess funds of **\$26,062.11** have been reimbursed to the general fund from the Clerk.

Should you have any questions, please contact me.

Sincerely,

Kirk Reams
Clerk of Court



CLERK TO BOARD
 STATEMENT OF EXPENDITURES, ENCUMBRANCES & APPROPRIATIONS
 AS OF 09/2013

	APPROPRIATIONS (REVISED)	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	EXPENDED and ENCUMBERED %
17-2340-513.120 SALARY-CLERK TO BOARD	46854.00	3904.50	46854.00			100.00
17-2340-513.210 FICA	3584.00	297.44	3569.28		14.72	99.58
17-2340-513.220 RETIREMENT	7463.94	1289.66	7463.94			100.00
17-2340-513.240 WORKERS COMPENSATION INS	277.00	23.04	276.48		.52	99.81
17-2340-513.340 CONTRACTUAL SERVICES	45828.58	43298.87	48186.77		-2358.19	105.14
17-2340-513.400 TRAVEL	542.28		539.07		3.21	99.40
17-2340-513.410 COMMUNICATION	4020.82	227.35	4020.82			100.00
17-2340-513.420 POSTAGE	1769.51	951.66	1769.51			100.00
17-2340-513.460 MAINTENANCE	13500.00	901.98	12799.51		700.49	94.81
17-2340-513.470 PRINTING & BINDING						
17-2340-513.480 ADVERTISING	7096.40	300.00	7096.40			100.00
17-2340-513.510 OFFICE SUPPLIES	3723.76	332.20	3221.90		501.86	86.52
17-2340-513.540 DUES	2729.04	95.00	2729.04			100.00
17-2340-513.550 EDUCATION & TRAINING	9855.29	123.00	9855.29			100.00
17-2340-513.590 CLERK'S FINANCE DEPR						
17-2340-513.640 CAPITAL OUTLAY	1552.73				1552.73	
17-2340-513.648 RECORDS MODERNIZATION						
17-2340-604.100 UNEMPLOYMENT COMPENSATION	3718.23		3718.23			100.00
17-2340-604.120 SALARIES-BOARD FINANCE	96323.99	9941.00	96323.99			100.00
17-2340-604.210 FICA	7307.41	753.03	7307.41			100.00
17-2340-604.220 RETIREMENT	5911.69	866.66	5911.69			100.00
17-2340-604.240 WORKERS COMPENSATION INS	568.33	58.64	568.33			100.00
TOTALS FOR CLERK-OFFICE ACCOUNT	262627.00	63364.03	262211.66		415.34	99.84

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
STATEMENT OF EXPENDITURES, ENCUMBRANCES & APPROPRIATIONS
CLERK TO BOARD
AS OF 09/2013

APPROPRIATIONS (REVISED)	MONTH-TO-DATE EXPENDITURES	YEAR-TO-DATE EXPENDITURES	OUTSTANDING ENCUMBRANCES	UNENCUMBERED BALANCE	EXPENDED and ENCUMBERED %
TOTALS FOR CLERK TO BOARD	262627.00	63364.03	262211.66	415.34	99.84

CONSTITUTIONAL OFFICERS FINANCIAL REPORT FOR

Name of governmental unit
Jefferson County Property Appraiser

Address
P. O. Box 63 480 W. Walnut St.

Monticello, FL 32345

City and zip code

Name of chief financial officer
Angela Gray

Title of chief financial officer
Jefferson County Property Appraiser

Telephone number (850) 997-3356

Person who may be contacted regarding this report.

Name Jeanette Woodson

Telephone number (850) 997-3356

CERTIFICATION

I do solemnly swear that the information reported herein is a true, correct and complete report of all revenues and expenditures of my office for the year ending September 30, 2013.

Angela Gray
(Signature)

Office of Property Appraiser

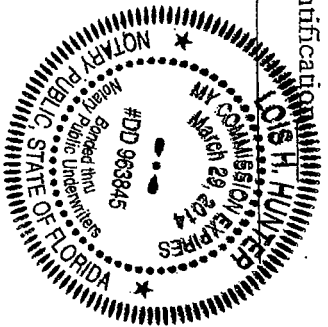
Jefferson County

STATE OF FLORIDA
COUNTY OF Jefferson
Sworn to and subscribed before me this 31st day

of October 19 2013 by Angela Gray

Signature of Notary Public - State of Florida
KOSCHUNTER

(Print, Type, or Stamp Commissioned Name of Notary Public)
Personally Known or Produced Identification
Type of Identification Produced



2012-2013

COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

ASSETS AND OTHER DEBITS	Code	Governmental fund types	Proprietary fund types	Fiduciary fund types	General fixed assets	General long-term debt	Total (memorandum only)
Cash	10X				XXXXXXXX	XXXXXXXX	
Taxes and assessments receivable (net)	11X				XXXXXXXX	XXXXXXXX	
Accounts receivable (net)	115				XXXXXXXX	XXXXXXXX	
Interfund receivables and advances	13X				XXXXXXXX	XXXXXXXX	
Receivables from other governments	133				XXXXXXXX	XXXXXXXX	
Other receivables (net)	12X				XXXXXXXX	XXXXXXXX	
Inventories	14X				XXXXXXXX	XXXXXXXX	
Investments (net)	151				XXXXXXXX	XXXXXXXX	
Prepaid items	155				XXXXXXXX	XXXXXXXX	
Other assets	156				XXXXXXXX	XXXXXXXX	
Fixed assets	16X	XXXXXXXX			XXXXXXXX	XXXXXXXX	
Amount available in debt service	180	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX		
Amount to be provided	181	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX		
TOTAL ASSETS AND OTHER DEBITS							

(CONTINUED)

REPORTING ENTITY

Jefferson Co. Property Appr.

ID NUMBER 001 General Fund

2012-2013

COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

LIABILITIES	Code	Governmental fund types	Proprietary fund types	Fiduciary fund types	General fixed assets	General long-term debt	Total (memorandum only)
Accounts payable	2XX				XXXXXXXX	XXXXXXXX	
Interfund payables	20X				XXXXXXXX	XXXXXXXX	
Payables to other governments	208				XXXXXXXX		
Other liabilities	23X				XXXXXXXX		
Deposits	220				XXXXXXXX	XXXXXXXX	
Obbligations under reverse repurchase agreements	222				XXXXXXXX	XXXXXXXX	
Deferred revenue	223				XXXXXXXX	XXXXXXXX	
Bonded debt payable	25X				XXXXXXXX		
Other debt payable	22X				XXXXXXXX		
Compensated absences	21X				XXXXXXXX		
TOTAL LIABILITIES							

NOTE: Bonded debt payable should reflect the amount reported on the Schedule of Bonded Indebtedness.
 (CONTINUED)

8012-8013

COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

	Governmental fund types	Proprietary fund types	Fiduciary fund types	General fixed assets	General long-term debt	Total (memorandum only)
Fund balance - reserved	24X	XXXXXXXX		XXXXXXXX	XXXXXXXX	
Fund balance - unreserved	271	XXXXXXXX		XXXXXXXX	XXXXXXXX	
Contributed capital	250	XXXXXXXX		XXXXXXXX	XXXXXXXX	
Retained earnings - reserved	248	XXXXXXXX		XXXXXXXX	XXXXXXXX	
Retained earnings - unreserved	272	XXXXXXXX		XXXXXXXX	XXXXXXXX	
Investment in general fixed assets	280	XXXXXXXX		XXXXXXXX	XXXXXXXX	
TOTAL EQUITY					XXXXXXXX	
TOTAL LIABILITIES, EQUITY AND OTHER CREDITS						

FUND GROUP REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson Co. Property Appraiser ID NUMBER: 001
2012-2013
REPORTING FUND GROUP: General Fund

REVENUES AND OTHER CREDITS
(311.000 THROUGH 390.000)

Whole Dollars Only

Account No.	Description	Amount
-----	Budgeted Amount	429,385
-----	Board of County Commissioners amount in requisition checks	-----
-----	Difference	-----
-----	Budgeted Amount for Jefferson County Property for Non-Advalorem Assessment	1,911.16
-----	Non-Advalorem assessment (Salaries)	15,343.84
-----	Other additional Monies	6,000
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TOTAL REVENUES AND OTHER CREDITS 452,640
Duplicate this page if additional lines are needed.
(continued)

FUND GROUP REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson County ID NUMBER: 001
Property Appraiser
 REPORTING FUND GROUP: General Fund 2012-2013

**EXPENDITURES AND OTHER DEBITS
 (511 THROUGH 592)**

Whole Dollars Only

Account No.	Object	Description	Amount
513	10	Personal Services	338,540
---	---		
---	30	Operating Expenses	
---	---	(EDP +)	101,549
---	---		
---	60	Capital Outlay	12,550
---	---		
---	90	Capital Outlay (non-operating)	1
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TOTAL EXPENDITURES AND OTHER DEBITS			452,640

Duplicate this page if additional lines are needed.

FUND GROUP REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson County ID NUMBER: 001
 Property Appraiser
REPORTING FUND GROUP: General Fund 2012-2013

**EXPENDITURES AND OTHER DEBITS
(511 THROUGH 592)**

Whole Dollars Only

Account No.	Object	Description	Amount
513	10	Personal Services	338,540
---	---	-----	-----
---	11	Executive salary	93,708.00
---	12	Regular salaries	187,503.27
---	13	Temporary employees	2,095.51
---	14	Overtime	-----
---	21	FICA	20,904.40
---	22	Retirement	-----
---	---	(Official	14,927.67
---	---	(Employees (7616.24 + 3,504.93)	11,121.17
---	---	(Other - late penalty)	-----
---	23	Life & Health insurance	181.68
---	---	-----	-----
---	15	Special Pay	-----
---	---	(2,890.16 + 249.00 + 1800.00	4,939.16
---	---	-----	-----
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TOTAL EXPENDITURES AND OTHER DEBITS 335,380.86

Duplicate this page if additional lines are needed.

FUND GROUP
REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson County ID NUMBER: 001
Property Appraiser
 REPORTING FUND GROUP: General Fund 2012-2013

EXPENDITURES AND OTHER DEBITS
(511 THROUGH 592)

Whole Dollars Only

Account No.	Object	Description	Amount
513	30	Operating Expenses	101,540.00
---	---	---	---
---	3151	E.D.P.	30,955.32
---	3153	Mapping	2,700.00
---	3154	Legal Services	9,126.86
---	3159	Other professional services (contract reserve)	---
---	34	Other Contractual services	24,707.01
---	40	Travel & per diem	7,122.04
---	41	Communications	4,357.11
---	4251	Postage	2,284.51
---	4252	Freight	---
---	4451	Rentals & leases	---
---	4452	Vehicles	---
---	45	Insurance	---
---	4651	Office equipment	161.98
---	4654	E. D. P.	---
---	47	Printing & binding	116.00
---	4951	Legal advertising	1,364.25
---	51	Office supplies	8,839.87
---	52	Operating supplies (gas, etc)	964.20
---	5451	Books	---
---	5453	Education	2,831.45
---	5454	Membership/dues	3,136.24
---	4652	Vehicles	4,769.23
---	---	---	---
---	---	---	---
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TOTAL EXPENDITURES AND OTHER DEBITS 103,436.07

Duplicate this page if additional lines are needed.

FUND GROUP REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson Co. Property ID NUMBER: 001
Appraiser
REPORTING FUND GROUP: General Fund 2012-2013

EXPENDITURES AND OTHER DEBITS (511 THROUGH 592)

Whole Dollars Only

Account No.	Object	Description	Amount
513	60	Capital Outlay	12,550.00
	6451	E.D.P.	12,099.00
		(bank loan)	
	6453	Office equipment	
TOTAL EXPENDITURES AND OTHER DEBITS			<u>12,099.00</u>

Duplicate this page if additional lines are needed.

FUND GROUP REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson Co. Property Appraiser ID NUMBER: 001
 REPORTING FUND GROUP: General Fund

**EXPENDITURES AND OTHER DEBITS
(511 THROUGH 592)**

Account No.	Object	Description	Whole Dollars Only Amount
<u>586</u>	<u>00</u>	Budget Refund Transfer to Board of County Commissioners	<u>1,793.93</u>
---	---	Interest on account	<u>39.05</u>
---	---	Refund checks (+)	<u>227.72</u>
---	---	Other (VOIDED check-(1618-1738)	
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TOTAL EXPENDITURES AND OTHER DEBITS
 Duplicate this page if additional lines are needed.

CONSTITUTIONAL OFFICERS FINANCIAL REPORT FOR

Name of governmental unit

Jefferson County Property Appraiser

Address

P. O. Box 63 480 W. Walnut St.

Monticello, FL 32345

City and zip code

Name of chief financial officer

Angela C. Gray

Title of chief financial officer

Jefferson County Property Appraiser

Telephone number (850) 997-3356

Person who may be contacted regarding this report.

Name Jeanette Woodson

Telephone number (850) 997-3356

CERTIFICATION

I do solemnly swear that the information reported herein is a true, correct and complete report of all revenues and expenditures of my office for the year ending September 30, 2013.

Angela Gray (Signature)

Office of Property Appraiser

Jefferson County

STATE OF FLORIDA COUNTY OF Jefferson Sworn to and subscribed before me this 31st day

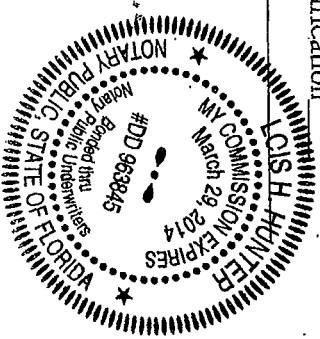
of October 2013 by Angela Gray

Signature of Notary Public - State of Florida

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known or Produced Identification

Type of Identification Produced



2012-2013

COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

ASSETS AND OTHER DEBITS	Code	Governmental fund types	Proprietary fund types	Fiduciary fund types	General fixed assets	General long-term debt	Total (memorandum only)
Cash	10X				XXXXXXXX	XXXXXXXX	
Taxes and assessments receivable (net)	11X				XXXXXXXX	XXXXXXXX	
Accounts receivable (net)	115				XXXXXXXX	XXXXXXXX	
Interfund receivables and advances	13X				XXXXXXXX	XXXXXXXX	
Receivables from other governments	133				XXXXXXXX	XXXXXXXX	
Other receivables (net)	12X				XXXXXXXX	XXXXXXXX	
Inventories	14X				XXXXXXXX	XXXXXXXX	
Investments (net)	151				XXXXXXXX	XXXXXXXX	
Prepaid items	155				XXXXXXXX	XXXXXXXX	
Other assets	156				XXXXXXXX	XXXXXXXX	
Fixed assets	16X	XXXXXXXX				XXXXXXXX	
Amount available in debt service	180	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX		
Amount to be provided	181	XXXXXXXX	XXXXXXXX	XXXXXXXX	XXXXXXXX		
TOTAL ASSETS AND OTHER DEBITS							

(CONTINUED)

2013-2013

COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

LIABILITIES	Code	Governmental fund types	Proprietary fund types	Fiduciary fund types	General fixed assets	General long-term debt	Total (memorandum only)
Accounts payable	2XX				XXXXXXXX	XXXXXXXX	
Interfund payables	20X				XXXXXXXX	XXXXXXXX	
Payables to other governments	208				XXXXXXXX		
Other liabilities	23X				XXXXXXXX		
Deposits	220				XXXXXXXX	XXXXXXXX	
Obligations under reverse repurchase agreements	222				XXXXXXXX	XXXXXXXX	
Deferred revenue	223				XXXXXXXX	XXXXXXXX	
Bonded debt payable	25X				XXXXXXXX	XXXXXXXX	
Other debt payable	22X				XXXXXXXX		
Compensated absences	21X				XXXXXXXX		
TOTAL LIABILITIES							

NOTE: Bonded debt payable should reflect the amount reported on the Schedule of Bonded Indebtedness.
 (CONTINUED)

2012-2013

COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

EQUITY AND OTHER CREDITS	Fund Code	Governmental fund types	Proprietary fund types	Fiduciary fund types	General fixed assets	General long-term debt	Total (memorandum only)
Fund balance - reserved	24X		XXXXXXXX		XXXXXXXX	XXXXXXXX	
Fund balance - unreserved	271		XXXXXXXX		XXXXXXXX	XXXXXXXX	
Contributed capital	250	XXXXXXXX			XXXXXXXX	XXXXXXXX	
Retained earnings - reserved	248	XXXXXXXX		XXXXXXXX	XXXXXXXX	XXXXXXXX	
Retained earnings - unreserved	272	XXXXXXXX		XXXXXXXX	XXXXXXXX	XXXXXXXX	
Investment in general fixed assets	280	XXXXXXXX	XXXXXXXX	XXXXXXXX		XXXXXXXX	
TOTAL EQUITY						XXXXXXXX	
TOTAL LIABILITIES, EQUITY AND OTHER CREDITS							

FUND GROUP REVENUES AND EXPENDITURES/EXPENSES

REPORTING ENTITY: Jefferson Co. Property Appraiser ID NUMBER: 801.899

REPORTING FUND GROUP: clearing Fund

REVENUES AND OTHER CREDITS
(311.000 THROUGH 390.000)

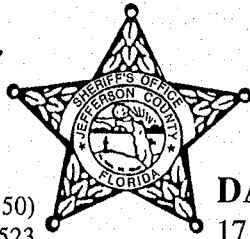
Whole Dollars Only

Account No.	Description	Amount
341. 300	Sales of Maps & Publications	5,528.59
341. 300	County Officer Commissions & fees (SRWMD 2,792.76 --- NWF WMD 681.44)	3,474.20
341. 301	Real Property fees	3.50

TOTAL REVENUES AND OTHER CREDITS
Duplicate this page if additional lines are needed.
(continued)

9,006.29
 - 9,006.26
 .03 diff

Sheriff



Area Code: (850)
Office Phone: 997-2523
Office Fax: 997-0756
Jail Phone: 997-2023

DAVID C. HOBBS – JEFFERSON COUNTY
171 INDUSTRIAL PARK
MONTICELLO, FLORIDA 32344

October 3, 2013

Board of County Commissioners
Jefferson County Courthouse
Monticello, FL 32344

RE: Annual Report for the Fiscal Year 2012-13

Please find enclosed our annual budget report for the above mentioned year, as well as the following checks:

The Emergency Management Office showed a negative balance of \$ 6,222.07 which was absorbed by the Sheriff's budget. The 9-1-1 Operator's Fund had a negative balance of \$41,401.84 which was also absorbed by the Sheriff's budget.

Check # 16448 in the amount of \$25.20 is attached for the interest earned during September.

The Drug Grant had a "0" balance as of 9/30/13.

If you have any questions, please call.

Sincerely,

David C. Hobbs
Sheriff, Jefferson County

DCH/jw

Attachments (2): Annual Report
1 check

STATE OF FLORIDA
CONSTITUTIONAL OFFICERS
FINANCIAL REPORT

Name of governmental unit:

Jefferson County Sheriff's Office

Address:

171 Industrial Park
Monticello, FL 32344

Name & Title of chief financial officer:

Jean Willis, Administrative Assistant

Telephone Number: (850) 997-8272


Person who may be contacted regarding this report:

Name: Jean Willis

Phone Number: (850) 997-8272

CERTIFICATION

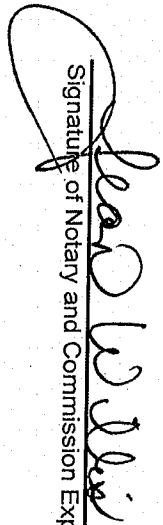
I do solemnly swear that the information reported herein is a true, correct and complete report of all revenues and expenditures of my office for the year ending September 30, 2013.


(Signature)

Office of Sheriff
Jefferson County, Florida

STATE OF FLORIDA
COUNTY OF JEFFERSON

Sworn to and subscribed before me this 3rd day of October
2013, by David C. Hobbs, who is personally known to me.


Signature of Notary and Commission Expiration

REVENUES AND EXPENDITURES/EXPENSES

Page 47 of 207
Page 24 of 34

REPORTING ENTITY: JEFFERSON COUNTY SHERIFF'S OFFICE ID NUMBER: 43/006

REPORTING FUND GROUP: GENERAL FUND

REVENUES AND OTHER CREDITS

(311.000 THROUGH 390.000)

Whole Dollars Only

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
338.00	Revenue from Board of County Commissioners	<u>\$3,493,296.00</u>
	Total Revenue and other Credits	<u>\$3,493,296.00</u>

EXPENDITURES AND OTHER DEBITS

(511 THROUGH 592)

<u>Account No.</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
521.	10	Personal Services/Law Enforcement	\$ 1,468,338.38
521.	30	Operating Expense/Law Enforcement	546,377.85
521.	60	Capital Outlay/Law Enforcement	186,925.00
523.	10	Personal Services/Corrections	888,851.60
523.	30	Operating Expense/Corrections	333,440.26
523.	60	Capital Outlay/Corrections	N/A
525.	10	Emergency Mgt Services	21,739.00
586.	91	Transfer out to Board of County Commissioners	<u>.00</u>
		Total Expenditures and other Debits	\$ 3,445,672.09

Form DBF-AA-403

Revenues and Expenditures/Expenses (2)
Supervisor of Elections

Reporting Entity: Jefferson County ID Number: 33-005

Reporting Fund Group: General Revenue Fund

Date: September 30, _____

Revenues and other credits

(311.000 though 390.000)

Whole Dollars Only

<u>ACCT. NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>33.8</u>	<u>BUDGET ALLOCATION FROM BD.OF CO. COM.</u>	<u>\$ 215,800.00</u>
_____	<u>INTEREST INCOME</u>	<u>\$ 15.91</u>
_____	_____	<u>\$ _____</u>
_____	_____	<u>\$ _____</u>
_____	_____	<u>\$ _____</u>

Total Revenues and other credits \$ 215,815.91

Duplicate this page if additional lines are needed.

Form DBF-AA-403

(Rev. 6/7/94)

Revenues and Expenditures/Expenses (1)

Supervisor of Elections

Reporting Entity: Jefferson County ID Number: 33-005

Reporting Fund Group: General Revenue Fund

Date: September 30,

Expenditures and other debits

(511 through 592)

Whole Dollars Only

<u>ACCOUNT NO.</u>	<u>OBJECT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>519</u>	<u>10</u>	<u>PERSONNEL</u>	<u>\$ 108,200.00</u>
<u>519</u>	<u>30</u>	<u>OPERATING EXPENSES</u>	<u>\$ 103,823.69</u>
<u>519</u>	<u>60</u>	<u>CAPITAL OUTLAY</u>	<u>\$ -0-</u>
<u>519</u>	<u>91</u>	<u>TRANSFER BD. OF CO. COMM.</u>	<u>\$ 3,776.31</u>
<u>519</u>	<u>91</u>	<u>TRANSFER OF INTEREST</u>	<u>\$ 15.91</u>
<u> </u>	<u> </u>	<u> </u>	<u>\$</u>
<u> </u>	<u> </u>	<u> </u>	<u>\$</u>

Total expenditures and other debits

\$ 215,815.91

Duplicate this page if additional lines are needed.

Form DBF-AA-403

(Rev. 6/7/94)

NAME OF GOVERNMENTAL UNIT

MARTY BISHOP, SUPERVISOR OF ELECTIONS

380 WEST DOGWOOD STREET
ADDRESS

MONTICELLO, FL 32344
CITY, STATE, ZIP

MARTY BISHOP
NAME OF CHIEF FINANCIAL OFFICER

SUPERVISOR OF ELECTIONS
TITLE OF CHIEF FINANCIAL OFFICER

(850) 997-3348
TELEPHONE

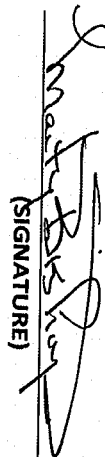
PERSON WHO MAY BE CONTACTED REGARDING THIS REPORT

NAME JOSEPH T. SCHENCK, C.P.A.

TELEPHONE NUMBER (850) 878-8777

CERTIFICATION

I DO SOLEMNLY SWEAR THAT THE INFORMATION
REPORTED HEREIN IS A TRUE, CORRECT AND
COMPLETE REPORT OF ALL REVENUES AND
EXPENDITURES OF MY OFFICE FOR THE YEAR
ENDING SEPTEMBER 30, 2013


(SIGNATURE)

OFFICE OF SUPERVISOR OF ELECTIONS
JEFFERSON, COUNTY

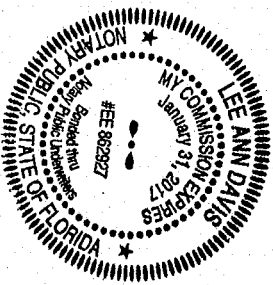
STATE OF FLORIDA
COUNTY OF JEFFERSON

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 31ST DAY
OF October, 2013

BY Marty Bishop

SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA

PERSONALLY KNOWN ✓ OR
PRODUCED IDENTIFICATION _____
TYPE OF IDENTIFICATION PRODUCED _____



REPORTING ENTITY SUPERVISOR OF ELECTIONS ID NUMBER 33-005
COMBINED STATEMENT OF POSITION
 ALL FUND TYPES AND ACCOUNT GROUPS
 REPORT AMOUNTS IN WHOLE DOLLARS ONLY

	CODE	GOVERNMENTAL FUND TYPES	PROPRIETARY FUND TYPES	FIDUCIARY FUND TYPES	GENERAL FIXED ASSETS	GENERAL LONG-TERM DEBT	TOTAL (MEMORANDUM ONLY)
LIABILITIES							
ACCOUNTS PAYABLE	20X				XXXXXXXX	XXXXXXXX	
INTERFUND PAYABLES	20X				XXXXXXXX	XXXXXXXX	
PAYABLES TO OTHER GOVERNMENTS	208				XXXXXXXX	XXXXXXXX	
OTHER LIABILITIES	23X				XXXXXXXX		
DEPOSITS	220				XXXXXXXX	XXXXXXXX	
OBLIGATIONS UNDER REVERSE REPURCHASE AGREEMENTS	222				XXXXXXXX	XXXXXXXX	
DEFERRED REVENUE	223				XXXXXXXX	XXXXXXXX	
BONDED DEBT PAYABLE	25X				XXXXXXXX	XXXXXXXX	
OTHER DEBT PAYABLE	22X				XXXXXXXX		
COMPENSATED ABSENCES	21X				XXXXXXXX		
TOTAL LIABILITIES							-0-

NOTE: BOND DEBT PAYABLE SHOULD REFLECT THE AMOUNT REPORTED ON THE SCHEDULE OF BONDED INDEBTEDNESS.
(CONTINUED)

FORM DBF-AA-402

REPORTING ENTITY SUPERVISOR OF ELECTIONS ID NUMBER 33-005
COMBINED STATEMENT OF POSITION
ALL FUND TYPES AND ACCOUNT GROUPS
REPORT AMOUNTS IN WHOLE DOLLARS ONLY

ASSETS AND OTHER DEBITS	CODE	GOVERNMENTAL FUND TYPES			PROPRIETARY FUND TYPES			FIDUCIARY FUND TYPES			GENERAL ASSETS	GENERAL LONG-TERM DEBT	TOTAL (MEMORANDUM ONLY)
		GOVERNMENTAL FUND TYPES	PROPRIETARY FUND TYPES	FIDUCIARY FUND TYPES	GOVERNMENTAL FUND TYPES	PROPRIETARY FUND TYPES	FIDUCIARY FUND TYPES	GENERAL ASSETS	GENERAL LONG-TERM DEBT				
CASH	10K												-0-
TAXES AND ASSESSMENTS RECEIVABLE (NET)	11X								XXXXXXX		XXXXXXX		-0-
ACCOUNTS RECEIVABLE (NET)	115								XXXXXXX		XXXXXXX		
INTERFUND RECEIVABLES AND ADVANCES	13X								XXXXXXX		XXXXXXX		
RECEIVABLES FROM OTHER GOVERNMENTS	133								XXXXXXX		XXXXXXX		
OTHER RECEIVABLES (NET)	12X								XXXXXXX		XXXXXXX		
INVENTORIES	14X								XXXXXXX		XXXXXXX		
INVESTMENTS (NET)	151								XXXXXXX		XXXXXXX		
PREPAID ITEMS	155								XXXXXXX		XXXXXXX		
OTHER ASSETS	156								XXXXXXX		XXXXXXX		
FIXED ASSETS	16X								XXXXXXX		XXXXXXX		
AMOUNT AVAILABLE IN DEBT SERVICE	180								XXXXXXXXXX		XXXXXXXXXX		
AMOUNT TO BE PROVIDED	181								XXXXXXXXXX		XXXXXXXXXX		
TOTAL ASSETS AND OTHER DEBITS													-0-

(CONTINUED)

FORM DBF-AA-402
(REV. 6/7/94)

REPORTING ENTITY SUPERVISOR OF ELECTIONS ID NUMBER 33-005
COMBINED STATEMENT OF POSITION
ALL FUND TYPES AND ACCOUNT GROUPS
REPORT AMOUNTS IN WHOLE DOLLARS ONLY

	CODE	GOVERNMENTAL FUND TYPES			PROPRIETARY FUND TYPES		FIDUCIARY FUND TYPES		GENERAL ASSETS		GENERAL LONG-TERM DEBT		TOTAL (MEMORANDUM ONLY)
		GOVERNMENTAL FUND TYPES	PROPRIETARY FUND TYPES	FIDUCIARY FUND TYPES	GENERAL ASSETS	GENERAL LONG-TERM DEBT	GENERAL ASSETS	GENERAL LONG-TERM DEBT	GENERAL ASSETS	GENERAL LONG-TERM DEBT			
EQUITY AND OTHER CREDITS													
FUND BALANCE - RESERVED	24X		XXXXXXX						XXXXXXX				XXXXXXX
FUND BALANCE - UNRESERVED	271				XXXXXXX				XXXXXXX				XXXXXXX
CONTRIBUTED CAPITAL	250		XXXXXXX						XXXXXXX				XXXXXXX
RETAINED EARNINGS - RESERVED	248		XXXXXXX						XXXXXXX				XXXXXXX
RETAINED EARNINGS - UNRESERVED	272		XXXXXXX						XXXXXXX				XXXXXXX
INVESTMENT IN GENERAL FIXED ASSETS	280		XXXXXXX						XXXXXXX				XXXXXXX
TOTAL EQUITY													-0-
TOTAL LIABILITIES, EQUITY AND OTHER CREDITS													-0-

FORM DBF-AA-402

Jefferson County Tax Collector
Balance Sheet
September 30, 2013

ASSETS

Current Assets		
Cash - Capital City Bank	\$ <u>77,569.01</u>	77,569.01
Total Current Assets		<u>77,569.01</u>
Property and Equipment	<u> </u>	0.00
Total Property and Equipment		<u>0.00</u>
Other Assets	<u> </u>	0.00
Total Other Assets		<u>0.00</u>
Total Assets	\$ <u>77,569.01</u>	<u>77,569.01</u>

LIABILITIES AND CAPITAL

Current Liabilities		
Federal Payroll Taxes Payable	\$ <u>4,890.06</u>	4,890.06
Total Current Liabilities		<u>4,890.06</u>
Long-Term Liabilities	<u> </u>	0.00
Total Long-Term Liabilities		<u>0.00</u>
Total Liabilities		<u>4,890.06</u>
Capital		
Net Income	<u>72,678.95</u>	72,678.95
Total Capital		<u>72,678.95</u>
Total Liabilities & Capital	\$ <u>77,569.01</u>	<u>77,569.01</u>

Unaudited - For Management Purposes Only

**Jefferson County Tax Collector
Income Statement
For the Twelve Months Ending September 30, 2013**

	Year to Date	
Revenues		
Transfers from BCC-Current Yr	\$ 451,808.00	90.94
Fees Transferred from Agy Accts	43,372.00	8.73
Other Misc Income	1,660.22	0.33
	<u>496,840.22</u>	<u>100.00</u>
 Cost of Sales		
	<u>0.00</u>	<u>0.00</u>
Gross Profit	<u>496,840.22</u>	<u>100.00</u>
 Expenses		
Salaries & Wages Expense	216,672.79	43.61
OPS Wages	38,806.50	7.81
Employee Benefit Programs Exp	21,648.99	4.36
Payroll Tax Expense	19,080.37	3.84
Accounting	300.00	0.06
Bank Charges	260.10	0.05
Office Supplies Expense	19,321.04	3.89
Education & Travel	4,502.93	0.91
Telephone Expense	1,222.30	0.25
Computer Services	33,424.08	6.73
Advertising Expense	882.96	0.18
Commissions and Fees Expense	5.00	0.00
Postage Expense	15,953.58	3.21
Legal Fees	50,000.00	10.06
Misc - Ins. Overage	1,011.18	0.20
Misc Other	1,069.45	0.22
	<u>424,161.27</u>	<u>85.37</u>
Net Income	<u>\$ 72,678.95</u>	<u>14.63</u>

For Management Purposes Only

SUPERVISOR OF ELECTIONS

MARTY BISHOP
380 WEST DOGWOOD STREET
MONTICELLO, FL 32344
PH. (850) 997-3348

ESB® Check Fraud
Protection for Business
63-111-631

DATE 10/31/13

PAY TO THE ORDER OF JEFFERSON COUNTY COMMISSIONERS \$ 3,776.³¹/₁₀₀
Three thousand seven hundred seventy-six and 31/100 DOLLARS

FMB Farmers & Merchants Bank
P.O. BOX 340
200 EAST WASHINGTON STREET
MONTICELLO, FLORIDA 32345-0340

FOR Budget Surplus - 2012-2013

Marty Bishop

SUPERVISOR OF ELECTIONS

MARTY BISHOP
380 WEST DOGWOOD STREET
MONTICELLO, FL 32344
PH. (850) 997-3348

ESB® Check Fraud
Protection for Business
63-111-631

DATE 10/31/13

PAY TO THE ORDER OF JEFFERSON COUNTY COMMISSIONERS \$ 15.⁹¹/₁₀₀
fifteen and 91/100 DOLLARS

FMB Farmers & Merchants Bank
P.O. BOX 340
200 EAST WASHINGTON STREET
MONTICELLO, FLORIDA 32345-0340

FOR JUT RETURN - 2012-2013

Marty Bishop

ANGELA GRAY
PROPERTY APPRAISER, JEFFERSON COUNTY
P.O. BOX 63
MONTICELLO FL 32345-0083

63-88/631
008

DATE 9-30-13

PAY TO THE ORDER OF Jefferson BOCC \$ 474.⁷⁷/₁₀₀
four hundred seventy-four & 77/100 DOLLARS

Capital City Bank
MONTICELLO OFFICE
MONTICELLO, FLORIDA

FOR Transfer from mass, etc.

Angela Gray

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

ANGELA C. GRAY
JEFFERSON COUNTY PROPERTY APPRAISER
GENERAL OPERATING ACCOUNT
P.O. Box 63
Monticello, Florida 32345

FARMERS AND MERCHANTS BANK
MONTICELLO, FL 32344
63-111/631

187

9/30/2013

PAY TO THE ORDER OF Jefferson County Board of Commissioners

\$**1,793.93

One Thousand Seven Hundred Ninety-Three and 93/100*****

DOLLARS

Jefferson County Board of Commissioners

A TAMPER RESISTANT TONER AREA A

Angela C. Gray - Property Appraiser

MEMO

Budget Refund Transfer

JEFFERSON COUNTY TAX COLLECTOR
LOIS H. HUNTER - TAX COLLECTOR
600 WEST WALNUT STREET
MONTICELLO, FL 32344

5838

63-68/631
008

DATE Oct. 31, 2013

PAY TO THE ORDER OF Board of County Commissioners

\$ 2,678.95

Two Thousand Six Hundred Seventy Eight 95/100*****

DOLLARS

Security Features Detail on Back

Capital City Bank
MONTICELLO OFFICE
MONTICELLO, FLORIDA

FOR

INVOICE NO.	REFERENCE	AMOUNT	DISCOUNT	NET AMT.
INTEREST	Sept Inter	25.20	0.00	25.20

Date
09/30/13

Check Number
00016448

Check Amount
\$ 25.20

General

JEFFERSON COUNTY SHERIFF'S DEPT.
OPERATING ACCOUNT
171 INDUSTRIAL PARK
MONTICELLO, FL 32344
PH. 850-997-2523

FARMERS & MERCHANTS BANK
MONTICELLO, FL 32344
63-111/631

16448

CHECK NO.
00016448

** TWENTY FIVE DOLLARS AND 20 CENTS **

DATE 09/30/13 AMOUNT *****25.20

PAY TO THE ORDER OF Board of County Commissioners
1 Courthouse Circle
Monticello FL 32344

MEMO: September 2013 Interest



Sean Willis
AUTHORIZED SIGNATURE

JEFFERSON COUNTY SHERIFF'S DEPT./ OPERATING ACCOUNT	INVOICE NO.	REFERENCE	AMOUNT	DISCOUNT	NET AMT.
INTEREST		Sept Inter	25.20	0.00	25.20

Date
09/30/13

Check Number
00016448

Check Amount
\$ 25.20

Payee
Board of County Commissioners

7833

KIRK B REAMS
CLERK OF THE CIRCUIT COURT
1 COURTHOUSE CIRCLE
JEFFERSON COUNTY, FL 32344

63-68/631
008

DATE 11/4/2013

PAY TO THE ORDER OF

JBOCC

\$ 26,062.11

Twenty six Thousand Sixty-two Dollars + 11/100 DOLLARS

Security Features Details on Back



OFFICE ACCOUNT

Kirk Reams

FOR Excess Budget / Fee Revenue



**ITEM 7(b): ALTERNATIVE WACISSA RIVER
LANDING ISSUE**

Ard, Shirley & Rudolph, P.A.

ATTORNEYS AT LAW

207 WEST PARK AVENUE, SUITE B
TALLAHASSEE, FLORIDA 32301

TELEPHONE: (850) 577-6500
FACSIMILE: (850) 577-6512
WWW.ASRLEGAL.COM

SAMUAL J. ARD
SCOTT SHIRLEY
JOHN A. RUDOLPH, JR.
THOMAS G. TOMASELLO, P.A.
Of Counsel
SCOTT A. STONE

—
MAILING ADDRESS:
POST OFFICE BOX 1874
TALLAHASSEE, FLORIDA 32302-1874

May 22, 2013

Mr. Jeffrey Boland
Boland Land, LLC
11097 Gamble Road
Wacissa, FL 32361

***Re: Boland Land, LLC, Petition to Vacate Portion of Malloy Landing Road
Provision of Alternative Water Access Required by LDC Section 9.06.03***

Dear Mr. Boland:

This firm represents Jefferson County, Florida. The Jefferson County Board of County Commissioners has requested that we follow up on certain matters relating to the Petition to Vacate Road of Boland Land, LLC, requesting that the County vacate Malloy Landing Road. (See Attachment "A"). Malloy Landing Road previously provided public access to waters of the Wacissa River at Malloy Landing. The Petition was granted by the Jefferson County Board of County Commissioners at a public hearing held on June 17, 2010. This decision was made over strenuous objection by a substantial number of members of the public in attendance. What followed shortly was a series of public debates among the Board members and members of the public regarding the propriety and legality of this decision. Even as this debate was ongoing, the Board's Resolution Vacating a Portion of a Road relating to this decision was apparently recorded by Boland Land, LLC, on September 10, 2010. (See Attachment "B").

In response to continuing concerns over the Board's decision, at its regular meeting on September 16, 2010, the Board held a hearing on the question of whether to rescind the Board's previous decision to vacate this section of road right-of-way. Boland Land, LLC, was represented by counsel at the meeting and made a lengthy presentation to the Board. At that meeting, in an apparent attempt to placate the concerns of the Board and vocal members of the public in attendance, Boland Land, LLC, offered to provide an alternative public access to the Wacissa River at a boat landing located at the end of Brumbley Road. Concerns were raised regarding the adequacy and availability of this alternative public water access. Notwithstanding these concerns, at the conclusion of the meeting, and after lengthy debate, the Board agreed to negotiate the details of the Boland Land, LLC, offer in lieu of rescinding its previous decision to

vacate Malloy Landing Road. (See Attachment "C"). For reasons unknown to us, the negotiations referred to have apparently not yet taken place.

Concerning the vacation of County road rights-of-way providing public access to water, Jefferson County Land Development Code (LDC) Section 9.06.03 specifically provides as follows:

No right-of-way, road, street or public access way giving access to any publicly accessible waters in the County, shall be closed, vacated or abandoned except in those instances wherein the petitioner(s) offers to trade or give to the County comparable land or lands for a right-of-way, road, street or public access way to give access to the same body of water, such access to be of such condition as not to work a hardship to the users thereof, the reasonableness of the distance and comparable land being left to the discretion of the Board of County Commissioners. (See Exhibit "D").

This provision was in effect at the time of the Board's action on the Boland Land, LLC, Petition to Vacate Road and, as yet, has not been complied with.

As has been made clear in numerous public statements, there is still significant lingering resentment on the part of the Board and the public surrounding the vacation of Malloy Landing Road. It would be in the best interest of all entities involved to engage in the negotiation referred to at the September 16, 2010, meeting with the intent to bring closure to this issue and avoid any potential ongoing disputes. As such, we would like to meet with you in the near future to discuss options for the alternative public water access that Boland Land, LLC, offered the County pursuant to Section 9.06.03, LDC, or to discuss other potential options for satisfying this requirement.

Please contact me at your earliest convenience to arrange a meeting to discuss these matters in greater detail.

Sincerely,


Scott Shirley

Enclosures:

cc.: Jefferson County Board of County Commissioners
Parrish Barwick, County Coordinator
T. Buckingham Bird, County Attorney
Bill Tellefsen, Planning Director

PETITION TO VACATE ROAD

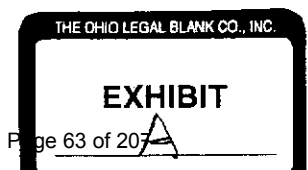
TO: THE BOARD OF COUNTY COMMISSIONER
JEFFERSON COUNTY, FLORIDA

Your Petitioner, **BOLAND LAND, LLC**, a Limited Liability Company, Monticello, Florida, respectfully requests of the Board of County Commissioners of Jefferson County, Florida, that the following described road, situate in Jefferson County, be vacated as a public road, to wit:

That unimproved road known as "Malloy Landing Road" located in the South half of the Northwest Quarter of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida, which connects to Pinhook Road to the North.

and in support of this application to vacate, would show as follows:

1. Ownership and Evidence of Title: That your applicant is the owner of said real property as described hereinabove. Attached as Exhibit "A". A copy of a portion of the plat showing land ownership and location of the road to vacated. Attached as Exhibit "B".
2. Highway Statement: This petition does not include a portion of any State and/or Federal Highway System and was not acquired or dedicated for State or Federal highway purposes.
3. Evidence of Taxes: The Petitioner states that all taxes on the Petitioner's lands are paid and current and attached as Exhibit C is evidence of current tax status.
4. Municipal Properties: No portion of the road to be vacated is located within municipal corporate limits.
5. Fees: The application fee has been paid pursuant Section 9.12 of the Development Code.
6. Access to affected Property: That the vacating of the road for public access as herein requested to be vacated, will not adversely affect any other property owner and is not needed by the public as a road or thoroughfare; that there is no present need, nor any future need for said road to be opened and used for public purposes. There are two property owners at the South terminal end of Malloy Landing Road, who will retain their access rights to their property along said road. Petitioners do not seek to affect or interfere with their access rights to their land. These property owners consent to this closing. The Petitioner agrees to grant them a written easement along the "Malloy Landing Road" to their property.
7. Justification: The Petitioner needs for this road to be vacated in order to protect

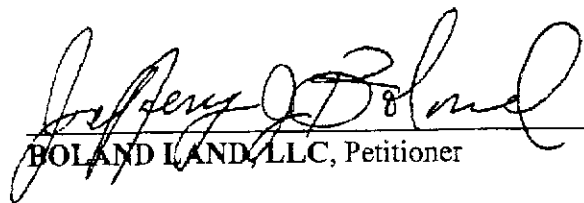


and secure its property .

8. Notice: That as required by law, your applicant will cause to be published in the MONTICELLO NEWS, a newspaper published in said County, and of general circulation, a NOTICE OF INTENT TO VACATE TO THE BOARD OF COUNTY COMMISSIONERS, JEFFERSON COUNTY, FLORIDA, for the vacation of the portion of said road sought to be vacated which NOTICE shall be published once at least two (2) weeks prior to the hearing to be scheduled by the Jefferson County Board of County Commissioners pursuant to Section 336.10, Florida Statutes. A proof of publication shall be filed with the County Clerk's office prior to the scheduled hearing on said vacation of the above-referenced property.

Your applicant thereof respectfully requests of the Board of County Commissioners to pass an official resolution vacating that portion of the road hereinabove described.

DATED this 27 day of May, 2010.


BOLAND LAND, LLC, Petitioner

CERTIFIED TRUE AND CORRECT COPY
KIRK B. REAMS
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY FLORIDA
BY [Signature], D.C.



EXHIBIT "A"

Inst:200933001578 Date:6/8/2009 Time:2:43 PM
Doc Stamp-Deed:7324.80
MP DC, Kirk Reams, Jefferson County Page 1 of 4
ORB 636 Pg 722

THIS INSTRUMENT PREPARED BY:
Bruce I. Wiener
Gardner, Bist, Wiener, Wadsworth & Bowden, P.A.
1300 Thomaswood Drive
Tallahassee, Florida 32308
Matter No.: 09.2107

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 29th day of May, 2009, between ST. JOE TIMBERLAND COMPANY OF DELAWARE, L.L.C., a Delaware limited liability company, successor by merger to St. Joe Timberland Company of Delaware, a former Delaware corporation, successor by merger to St. Joe Timberland Company, a former Florida corporation, formerly known as St. Joseph Land and Development Company ("Grantor"), whose mailing address is 245 Riverside Avenue, Suite 500, Jacksonville, Florida 32202, and BOLAND LAND, LLC, a Florida limited liability company ("Grantee"), whose mailing address is P.O. Box 337, Wacissa, Florida 32361.

WITNESSETH:

The Grantor, for and in consideration of the sum of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto Grantee, Grantee's successors and assigns forever, the following described land, situate, lying and being in the County of Jefferson, State of Florida (the "Property"), more particularly described in Exhibit A attached hereto and made a part hereof.

SUBJECT TO: Ad valorem taxes for 2009 and subsequent years;

SUBJECT TO: All rights, dedications, agreements, reservations, easements and restrictions of record;

SUBJECT TO: All zoning and land development regulations, riparian rights, sovereignty submerged land rights and oil, gas and mineral rights;

SUBJECT TO: Any and all rights, dedications, easements, interests or claims which may exist or arise by reason of rights-of-way, including Mallory Landing Road, dirt roads, trail roads, paths, power or other utility lines, fences or improvements of any kind located on the Property, encroaching from the Property

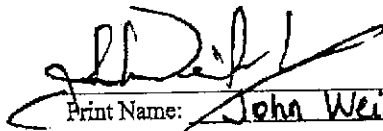
onto adjacent lands, or encroaching from adjacent lands onto the Property; and

SUBJECT TO: All matters shown on that certain survey of the Property prepared by Edwin G. Brown and Associates, Inc., dated March 25, 2009, last revised May 21, 2009, and identified as Job #09-058.

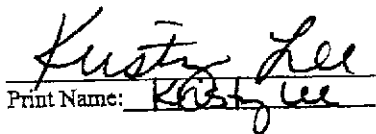
AND Grantor does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, its successors and assigns, and not otherwise. Notwithstanding anything to the contrary herein, Grantor neither grants to Grantee access to a public right-of-way as to that portion of the Property lying westerly of Little Creek nor represents or warrants to Grantee that said property has access to a public right-of-way.

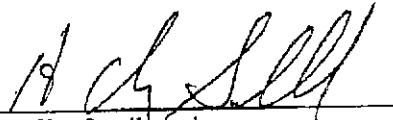
IN WITNESS WHEREOF, Grantor has caused these presents to be duly executed in its corporate name and its corporate seal to be hereto affixed by its undersigned manager and officer thereunto lawfully authorized the day and year first above written.

WITNESSES:


Print Name: John Weidenhaft

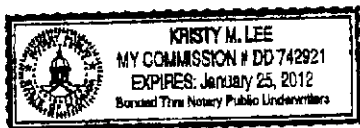
ST. JOE TIMBERLAND COMPANY OF DELAWARE, L.L.C., a Delaware limited liability company


Print Name: Kristy Lee

By: 
H. Clay Smallwood
Its Manager and President-Timberland & Land Sales

STATE OF FLORIDA }
COUNTY OF GULF }

The foregoing instrument was acknowledged before me this 28th day of May, 2009, by H. Clay Smallwood as Manager and President-Timberland & Land Sales of ST. JOE TIMBERLAND COMPANY OF DELAWARE, L.L.C., a Delaware limited liability company, on behalf of the company. He is personally known to me.




Notary Public, State of Florida
Print Name: Kristy M. Lee
My Commission Expires:

Exhibit "A"

PARCEL "A"

Begin at a concrete monument marking the Southeast corner of the Section 1, Township 2 South, Range 3 East, Jefferson County, Florida, said point being the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING run along the Easterly boundary line of said Section 1 as follows: North 00 degrees 19 minutes 21 seconds West 2724.50 feet to the Northeast corner of the Southeast quarter of said Section 1; thence North 00 degrees 17 minutes 19 seconds West 2635.20 feet to a found lite wood post (found 6x6 St. Joe Paper Company concrete monument adjacent to North) marking the Northeast corner of said Section 1; thence run along the Northerly boundary line of said Section 1 as follows: South 89 degrees 34 minutes 49 seconds West 307.45 feet to a rod and cap; thence South 89 degrees 37 minutes 52 seconds West 40.31 feet to a rod and cap; thence South 89 degrees 35 minutes 14 seconds West 972.77 feet to a rod and cap; thence South 89 degrees 35 minutes 39 seconds West 690.77 feet to a re-bar; thence leaving said Northerly boundary line of said Section 1 run South 00 degrees 08 minutes 09 seconds West 210.41 feet to a rod and cap; thence South 89 degrees 35 minutes 39 seconds West 210.00 feet to a rod and cap; thence South 89 degrees 35 minutes 39 seconds West 210.00 feet to a concrete monument lying on the Westerly boundary line of the Northeast quarter of said Section 1; thence run along the Westerly boundary line of the Northeast quarter of said Section 1 South 00 degrees 36 minutes 14 seconds East 2423.38 feet to a concrete monument marking the Northeast corner of the Southwest quarter of said Section 1; thence run along the Northerly boundary line of the Southwest quarter of said Section 1 as follows: North 89 degrees 46 minutes 54 seconds West 654.79 feet to a concrete monument; thence South 89 degrees 25 minutes 55 seconds West 664.22 feet to a concrete monument; thence South 89 degrees 21 minutes 12 seconds West 664.54 feet to a concrete monument; thence South 89 degrees 57 minutes 59 seconds West 125.02 feet to a concrete monument; thence South 89 degrees 32 minutes 35 seconds West 128.83 feet to a concrete monument; thence South 89 degrees 28 minutes 04 seconds West 220.65 feet to the Ordinary High Water Mark of the Wacissa River as located in the field on March 25, 2009; thence run along said Ordinary High Water Mark of the Wacissa River as follows: South 16 degrees 41 minutes 07 seconds West 109.51 feet; thence South 47 degrees 26 minutes 18 seconds East 22.68 feet; thence South 37 degrees 56 minutes 52 seconds East 36.48 feet; thence South 53 degrees 36 minutes 01 seconds East 58.82 feet; thence North 16 degrees 16 minutes 16 seconds East 56.35 feet; thence North 06 degrees 36 minutes 56 seconds West 45.92 feet; thence North 22 degrees 27 minutes 08 seconds East 32.90 feet; thence South 56 degrees 19 minutes 24 seconds East 95.38 feet; thence South 03 degrees 19 minutes 08 seconds West 45.69 feet; thence South 23 degrees 06 minutes 28 seconds East 48.87 feet; thence South 47 degrees 07 minutes 18 seconds West 60.93 feet; thence South 11 degrees 49 minutes 01 seconds East 34.00 feet; thence South 14 degrees 17 minutes 57 seconds East 56.02 feet; thence South 27 degrees 50 minutes 03 seconds East 49.54 feet; thence South 27 degrees 58 minutes 54 seconds East 115.92 feet; thence South 36 degrees 59 minutes 45 seconds East 78.33 feet; thence South 34 degrees 28 minutes 02 seconds East 100.02 feet; thence South 31 degrees 06 minutes 28 seconds East 118.62 feet; thence South 20 degrees 27 minutes 02 seconds East 157.33 feet; thence South 18 degrees 26 minutes 38 seconds East 161.11 feet; thence South 12 degrees 17 minutes 43 seconds East 161.80 feet; thence South 34 degrees 36 minutes 01 seconds East 154.90 feet; thence South 09 degrees 59 minutes 02 seconds East 99.53 feet; thence South 07 degrees 48 minutes 25 seconds West 51.95 feet to the intersection of the Ordinary High Water Mark of the Wacissa River with the Ordinary High Water Mark of Little Creek; thence continue along said Ordinary High Water Mark of the Wacissa River South 13 degrees 38 minutes 32 seconds East 438.96 feet to the intersection of the Ordinary High Water Mark of the Wacissa River with the Ordinary High Water Mark of Little Creek; thence continue along said Ordinary High Water Mark of the Wacissa River as follows: South 00 degrees 31 minutes 19 seconds East 31.27 feet; thence South 19 degrees 57 minutes 58 seconds East 111.90 feet; thence South 14 degrees 54 minutes 23 seconds East 126.51 feet; thence South 08 degrees 20 minutes 05 seconds East 73.18 feet; thence South 20 degrees 31 minutes 13

seconds East 74.38 feet; thence South 20 degrees 37 minutes 53 seconds East 49.10 feet; thence South 34 degrees 36 minutes 22 seconds East 140.52 feet; thence South 20 degrees 40 minutes 01 seconds East 109.21 feet; thence South 22 degrees 29 minutes 11 seconds East 162.80 feet; thence South 26 degrees 25 minutes 41 seconds East 126.28 feet to a concrete monument marking the intersection of the Ordinary High Water Mark of said Wacissa River with the Southerly boundary line of said Section 1; thence leaving said Ordinary High Water Mark of the Wacissa River run along the Southerly boundary line of said Section 1 as follows: North 88 degrees 20 minutes 49 seconds East 205.55 feet to a rod and cap; thence North 88 degrees 19 minutes 51 seconds East 3802.28 feet to the POINT OF BEGINNING, containing 444.01 acres, more or less.

LESS & EXCEPT

Commence at the Northeast corner of the Southwest quarter of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida; thence South 02 degrees 07 minutes 54 seconds West 621.38 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING run North 70 degrees 08 minutes 23 seconds West 117.75 feet; thence North 70 degrees 07 minutes 07 seconds West 410.84 feet to a concrete monument; thence North 70 degrees 08 minutes 32 seconds West 101.41 feet; thence South 48 degrees 05 minutes 18 seconds West 630.00 feet; thence South 69 degrees 55 minutes 17 seconds East 630.00 feet to a rod and cap; thence North 47 degrees 59 minutes 31 seconds East 631.99 feet to the POINT OF BEGINNING, containing 8.05 acres, more or less.

LESS & EXCEPT

Begin at a lite wood post marking the Northeast corner of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida, said point being the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING run along the Northerly boundary line of said Section 1 as follows: South 89 degrees 34 minutes 49 seconds West 307.45 feet to a rod and cap; thence South 89 degrees 37 minutes 52 seconds West 40.31 feet to a rod and cap; thence South 89 degrees 35 minutes 14 seconds West 72.24 feet; thence leaving said Northerly boundary line run South 00 degrees 17 minutes 19 seconds East 269.08 feet; thence North 89 degrees 42 minutes 41 seconds East 60.00 feet; thence North 00 degrees 17 minutes 19 seconds West 210.00 feet; thence North 89 degrees 42 minutes 41 seconds East 360.00 feet to a point lying on the Easterly boundary line of said Section 1; thence run along said Easterly boundary line North 00 degrees 17 minutes 19 seconds West 60.00 feet to the POINT OF BEGINNING, containing 0.86 of an acre, more or less.

LESS & EXCEPT

Commence at a lite wood post marking the Northeast corner of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida; thence run along the Easterly boundary line of said Section 1 South 00 degrees 17 minutes 19 seconds East 480.00 feet to the POINT OF BEGINNING; thence leaving said POINT OF BEGINNING and said Easterly boundary line run South 89 degrees 42 minutes 41 seconds West 420.00 feet; thence South 00 degrees 17 minutes 19 seconds East 45.92 feet; thence North 89 degrees 35 minutes 11 seconds East 420.00 feet to a point lying on the Easterly boundary line of said Section 1; thence run along said Easterly boundary line North 00 degrees 17 minutes 19 seconds West 45.00 feet to the POINT OF BEGINNING, containing 0.44 of an acre, more or less.

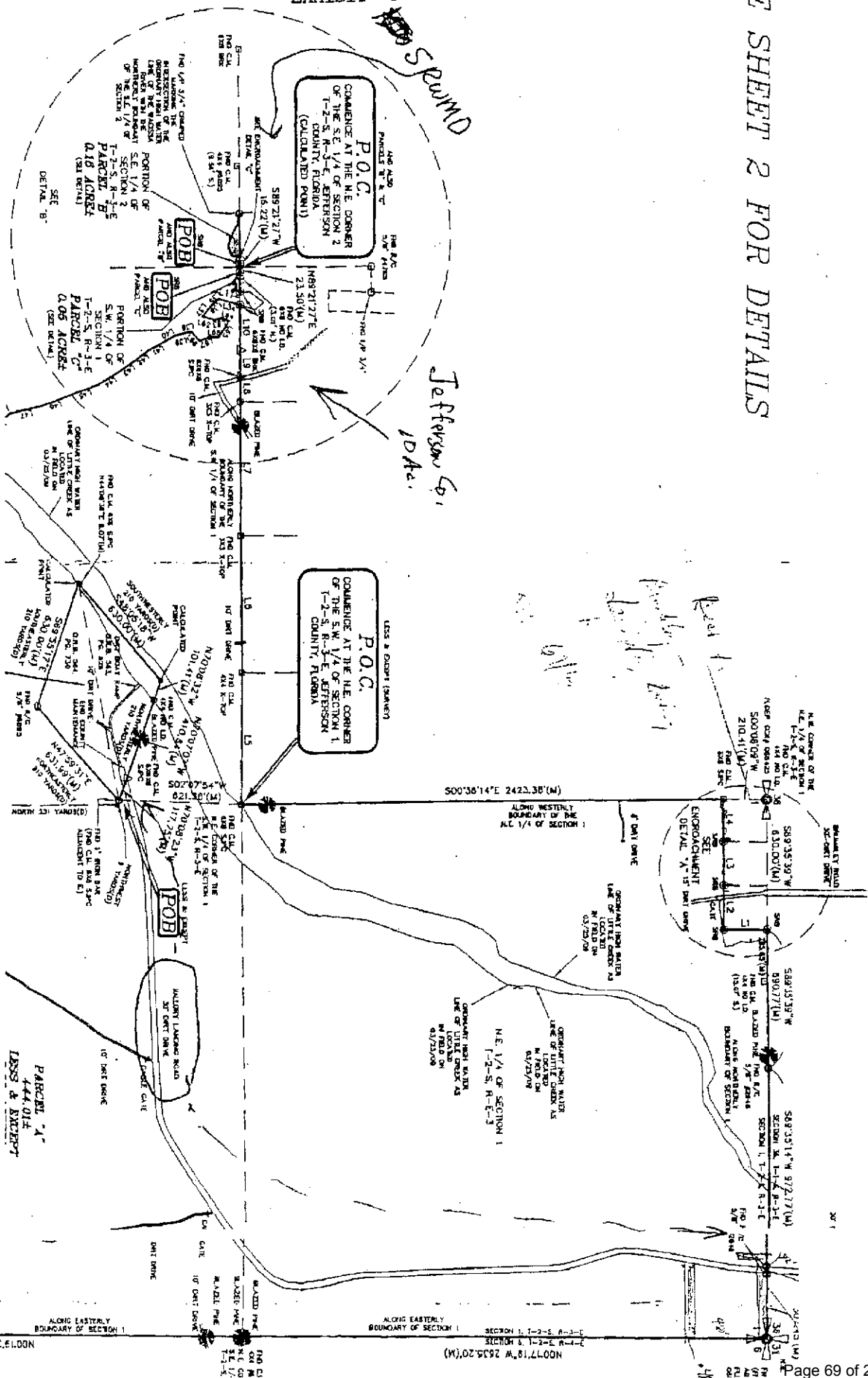
Subject to Little Creek and rights of sovereignty with respect thereto.

SEE SHEET 2 FOR DETAILS

EXHIBIT "B"

SPUR RD

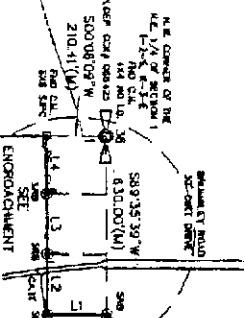
Jefferson Sp. IDA.



PARCEL "A"
444.01±
ACRES
L2853 & B302977

P.O.C.
COMMENCE AT THE N.E. CORNER
OF THE S.W. 1/4 OF SECTION 1
T-2-S-R-3-E
JEFFERSON
COUNTY, FLORIDA
(CALCULATED POINT)

P.O.C.
COMMENCE AT THE N.E. CORNER
OF THE S.E. 1/4 OF SECTION 2
T-2-S-R-3-E
JEFFERSON
COUNTY, FLORIDA
(CALCULATED POINT)



NOTICE OF APPLICATION AND HEARING TO VACATE ROAD

Notice is hereby given that a Petition to vacate a portion of "Malloy Landing Road" will be heard by the Board of County Commissioners, Jefferson County, Florida at a meeting of such Board to be had and held in the Courtroom at the Courthouse located at 1 Courthouse Circle, Monticello, Florida at 7:00 P.M. on the 17th day of June, 2010, or otherwise the regularly scheduled meeting for the month of June, for vacation of the unimproved road known as "Malloy Landing Road" located in the South Half of the Northwest Quarter of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida, which connects to Pinhook Road on the North. A copy of the Petition with Exhibits to Vacate can be inspected at the Clerk's office, Jefferson County Courthouse, Monticello, Florida.

KIRK REAMS
Clerk of Court, Jefferson County, Florida

RESOLUTION
VACATION OF A PORTION OF A ROAD

WHEREAS, BOLAND LAND, LLC has filed application before the Board of County Commissioners of Jefferson County, Florida, for the vacation of a portion of a road in Jefferson County, Florida, described as follows:

That unimproved road known as "Malloy Landing Road" located in the South half of the Northwest Quarter of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida, which connects to Pinhook Road on the North.

SEE ATTACHED EXHIBIT "A" FOR LAND OWNERSHIP PLAT SHOWING THE MALLOY LANDING ROAD

WHEREAS, it has been made to appear that the road sought to be vacated is not needed as an access road to the Wacissa River, since there is a nearby more improved associate road and landing at the head of the Wacissa Spring, nor a foreseeable future need of said road to be used for public purpose, and that the vacation of said road sought to be vacated will not adversely affect any other property owners in or near the said road; that Notice of Intent to Apply to the Board of County Commissioners, Jefferson County, Florida for vacation of the road sought to be vacated, has been duly published in the Monticello News, a newspaper of general circulation in Jefferson County, Florida on the 2nd + 9th day of June, 2010 of said newspaper as required by law, as evidenced by the proof of publication of said Notice which is attached to the application filed herein; and

WHEREAS, no valid or reasonable objection has been filed or made with the Board of County Commissioners objecting to the Application for the vacation of said road as requested, and no reason appears why said requests should not be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, that the request of BOLAND LANE, LLC be granted and the following described land in Jefferson County, Florida, to wit:

That unimproved road known as "Malloy Landing Road" located in the South half of the Northwest Quarter of Section 1, Township 2 South, Range 3 East, Jefferson County, Florida, which connects to Pinhook Road on the North.


and the same is hereby vacated for public road purpose.

DONE AND RESOLVED IN OPEN SESSION in Regular Meeting Assembled in Monticello, Jefferson County, Florida, this 17th day of June, 2010.

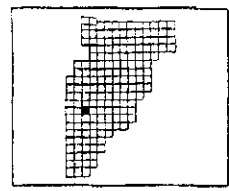
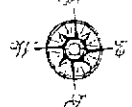
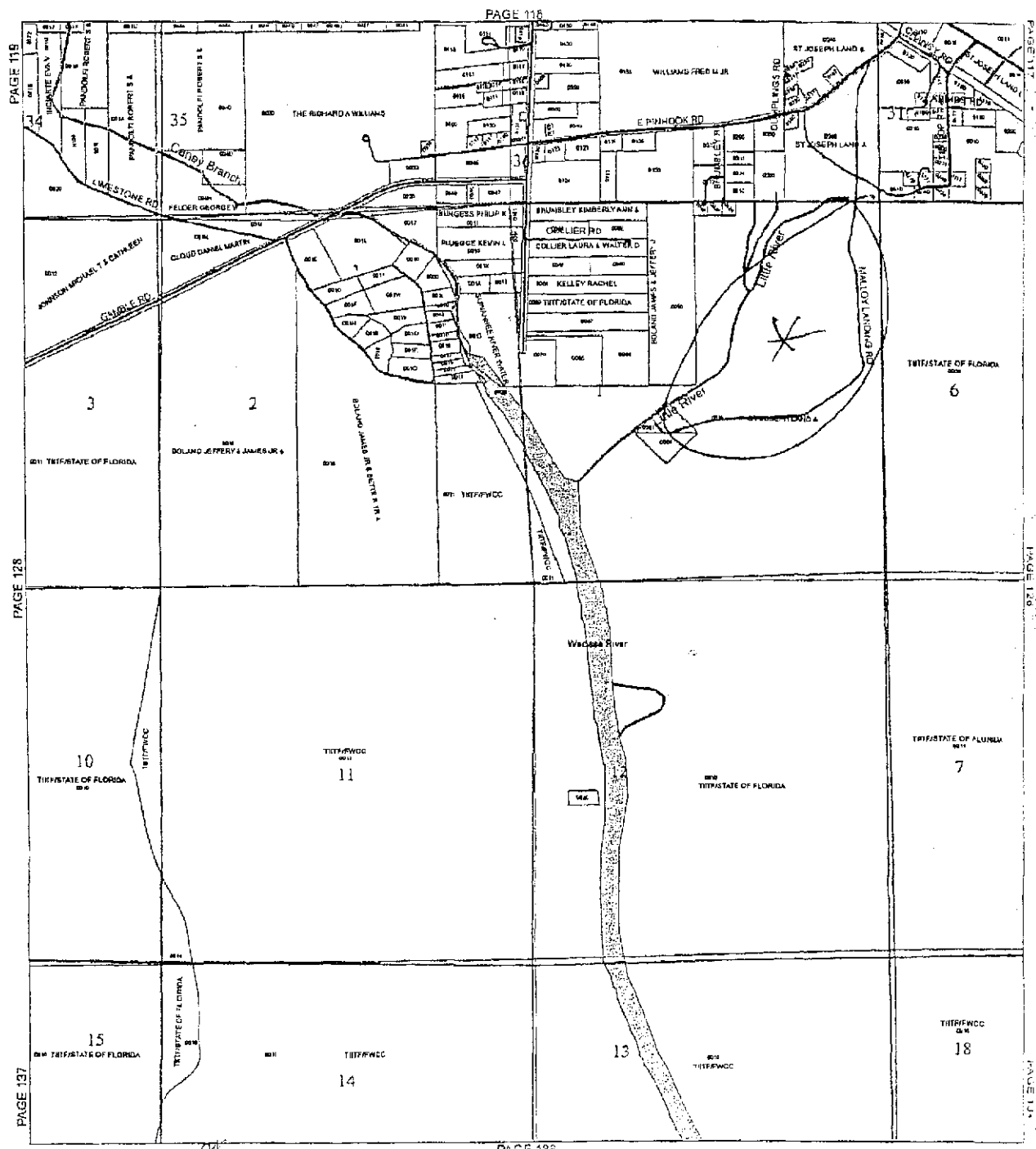
BOARD OF COUNTY COMMISSIONERS
JEFFERSON COUNTY, FLORIDA

by: 
Chairman

ATTEST:


Kirk Reams, Clerk of the Court

VIEWING PAGE 127



Dec 18, 2007

AFFIDAVIT OF PUBLICATION

The *Monticello News & Jefferson County Journal* published every Wednesday and Friday in the City of Monticello, County of Jefferson and State of Florida. Before me, the undersigned authority personally appeared, LOIS REVELS who on oath says that she is a Bookkeeper for the Monticello News & Jefferson County Journal, both weekly newspapers, published in Monticello, Jefferson County, Florida; that the attached copy of the advertisement being a Legal notice to appear in ref:

Legal Notice of Public Hearing to Vacate Road (Malloy Landing)

Legal Notice of Public Hearing to Adopt Ordinance

June 2, June 9, 2010

Affiant further says that the said Monticello News, a newspaper published at Monticello, in Jefferson County, Florida, and that the said newspaper has heretofore been continuously published in said Jefferson County, Florida, each week and has been entered as second class mail matter at the post office in Monticello, in said Jefferson County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed by: Lois Revels

Sworn to and subscribed before me this day of September 10, A.D. 2010

[Signature]
Notary Public
DEBORAH SNAPP
Comm# DD0684057
Expires 6/11/2011
Florida Notary Assn., Inc

NOTICE OF APPLICATION AND HEARING TO VACATE ROAD
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KIRK REAMS
Clerk of Court,
Jefferson County, Florida

6/2/10,c

NOTICE OF PUBLIC HEARING TO ADOPT ORDINANCE
Notice is hereby given that an Ordinance of Jefferson County Creating a New Ordinance Prohibiting the Commercial Non-Sale distribution of Tobacco Products; Providing Enforcement by the County Commissioners; The Sheriff's Department; Providing for Severability; Providing Effective Date; will be heard by the Board of County Commissioners, Jefferson County, Florida at a meeting of such Board to be had and held in the Courtroom at the Courthouse located at 1 Courthouse Circle, Monticello, Florida at 7:30 P.M. on the 17th day of June, 2010, or otherwise the regularly scheduled meeting for the month of June, for adoption of said Ordinance. A copy of the proposed Ordinance can be inspected at the Clerk's office, Jefferson County Courthouse, Monticello, Florida.

KIRK REAMS
Clerk of Court,
Jefferson County, Florida

6/2/10,c

LETTER OF INTENT

COMES NOW, JEFFERSON COUNTY BOARD OF COUNTY

COMMISSIONERS, (hereinafter referred to as "County") and NEW RIVER

HOLDINGS, LLC, (hereinafter referred to as "Owner") and enters into the following

Agreement:

1. That the "County" is the owner of a ten (10) acre tract of land at the head of the Wacissa River and Springs that includes the following:
 - A. An area used by the public as a boat landing and swimming area.
 - B. An access trail traversing its lands connecting SR 59 and the "Owners" property North of "Little River".
2. That the "Owner" purchase two small tracts of land lying between the County's land and the water's edge of the Wacissa Springs.
3. The "County" believes the following terms and agreement would be beneficial to the "County" and intends to present this Agreement to the Board of County Commissioners at a public meeting.
4. The "Owner" desires to convey the aforementioned two small tracts of land to the "County" in exchange for the "County" to do the following:
 - A. Granting a thirty (30) foot trail easement along the North and East boundary of the "County's" ten (10) acre tract of land in Wacissa, which would connect the "Owner's" land to SR 59. The "County" reserves the right to re-locate the existing trail road to a location with available access to the "Owner".
 - B. The "Owner" will convey by a Quit Claim Deed to the "County" any portion of lands lying West of the SRWM Districts 20 acre tract and "Horse Head Springs" and its tributary into the Wacissa River.
 - C. The "County" will negotiate the sale or exchange to the "Owner" of the four (4) acre tract referred to as the Mattie Hall lands, see attached Survey Plat and description. The "County" reserves the right to keep open and maintain a drainage ditch running North and South through said tract.

- 5. It is understood by the parties that the "County" is required to follow certain rules of notice and advertising, when dealing with road abandonment, the granting of easements and the sale or exchange of real property.
- 6. It is the "Parties" intention to negotiate in good faith to accomplish the above exchanges.
- 7. It is understood and agreed by all parties that this Agreement and it's terms and conditions are wholly contingent upon the acceptance and adoption by the Board of County Commissioners. This Agreement shall not be binding upon the Board of County Commissioners or it's representatives unless or until it's adoption by a majority vote of the Board.

DATED this 10th day of March, ~~2009~~ ²⁰¹⁰

Jefferson County Board of County Commissioners

Henry Monroto
Chairman

NEW RIVER HOLDINGS, LLC:

Jeffery J. Boland
Managing Member

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR SESSION
September 16, 2010

The Board met this date in Regular Session. Present were Chairman Danny Monroe, Commissioners Hines Boyd, Stephen Fulford, Eugene Hall and Felix "Skeet" Joyner, County Coordinator Roy Schleicher, Clerk of Court Kirk Reams, and County Attorney Buck Bird.

1. On motion by Commissioner Boyd, seconded by Commissioner Hall and unanimously carried, the Board approved the minutes from the September 2, 2010 regular session.
2. On motion by Commissioner Fulford, seconded by Commissioner Boyd and unanimously carried, Katrina Walton was approved as the citizen-appointee to the Economic Development Council. On motion by Commissioner Boyd, seconded by Commissioner Hall and unanimously carried, Commissioner Stephen Fulford was approved as the Commission's appointee to the Economic Development Council.
3. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the Board approved the fiscal year 2010-2011 contract with the Health Department. On motion by Commissioner Fulford, seconded by Commissioner Boyd and unanimously carried, Resolution 2010-091610-01, memorializing the approval of the fiscal year 2010-2011 contract with the Health Department was approved.
4. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the CDBG Housing Assistance Plan was approved.
5. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, Fire Chief Mark Matthews request to expend up to \$6000 of the \$12.50 Communications Fund was approved.
6. Citizen Traci Wood with the Valley View Homeowners Association requested that the Board adopt a private road program similar to Leon County. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the Board approved for the county coordinator to investigate a policy similar to Leon County to bring before the Board for review.
7. **PUBLIC HEARING: SITE PLAN-AMERICAN HUNTER INC.**
8. Planning Official Bill Tellefsen presented a site plan at the Industrial Park for American Hunter Inc. Attorney Bill Waters, representing a group of homeowners west of the Industrial Park, requested tabling this to allow the county engineering firm more time to review the site plan. Attorney Scott Shirley replied that a building permit would not be approved until storm water issues were resolved on the site. Commissioner Fulford responded that Preble-Rish has made proposals to address the storm water issues prior to American Hunter's interest in the property. On motion by Commissioner Fulford, seconded by Commissioner Boyd and unanimously carried, the site plan was approved. On motion by Commissioner Fulford, seconded by Commissioner Hall and unanimously carried, the extension of the contract for sale of the parcel was extended to September 29th.
9. **PUBLIC HEARING: MALLOY LANDING ROAD**
10. **THE FOLLOWING SPOKE AGAINST THE CLOSURE OF MALLOY LANDING ROAD:** Charjie Walker, Roland Brumbley, Stan Monroe, Jeff Granger, Stephen Walker, Sheri Green, Buddy Johnson, Jodi Conrad, Roger Walker, Barbara Brumbley, Betsy Maloy, Teresa Tinker, Linda Jordan, Pam Granger, Brenda Walker, Jamie Malloy.

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

11. **THE FOLLOWING SPOKE IN FAVOR OF THE CLOSURE OF MALLOY LANDING ROAD:** Frances Floyd, Lynn Rhymes, Tom Lamotte, Kent Safriet.
12. Kent Safriet, Attorney for the Boland Family, stated that the Boland's had asked for a public hearing for abandonment of the road, which was approved 4 to 1. He stated that 2 months later, the Board voted improperly to re-hear the issue of the road closure. He opined that the title to the land occupying the road was property of the Boland Family, by virtue of a recorded resolution. He reiterated the county attorney's position that reversing the decision could place the Board in legal jeopardy and stated it was bad public practice. He informed the Board that the Boland Family was considering providing access to a boat landing at the end of Brumbley Road in good faith and wanted closure on the Malloy Landing Road issue tonight.
13. County Attorney Buck Bird disagreed with Attorney Safriet's legal opinion and stated that the Board could have a motion to rescind, appeal or amend its previous decision. He informed the Board of the possibility of legal consequences if there was any reliance on the Board's previous decision. He said the Board had a legal right to rescind, appeal or amend any previous decision but to do so could have potential legal consequences.
14. Commissioner Boyd stated his concern about keeping commitments and stated there was a property rights issue. He appreciated the offer of access through Brumbley Road which provided an alternative access to the river. He made a motion to accept the lease offer with the details to be worked out the attorneys with no second. Commissioner Joyner said there was the question of Malloy Landing Road before anything else could be put on the table. Commissioner Hall said the reason he brought the Malloy Landing issue back up is because he had a question if the Malloy Landing Road was part of the land swap. He stated that when he voted in favor of the road closure, he did not know that the two issues were separate. Citizen Kate Calvin asked if the land exchange included the closure, to which Attorney Buck Bird said it did not. Commissioner Hall made a motion to rescind the closing of Malloy Landing Road, which died for lack of a second. Commissioner Fulford said the Board could set a dangerous precedent and stated his belief that the court system was a better venue via eminent domain to re-open the road. Attorney Bird stated that the county had an easement by maintenance and that through abandonment procedures the property reverts back to full ownership to the middle of the road by the surrounding, adjacent property owners. Commissioner Monroe stated that this was in his district and that the Board had ignored the wishes of most people in that area. He said he did not think the road needed to be closed and that if the Board ran from lawsuits in its every action, it would never get anything done.
15. On motion by Commissioner Boyd, seconded by Commissioner Joyner, and carried 3-2 (Monroe, Hall opposed), the Board decided that in lieu of rescission the Board would accept the offer of Brumbley Road Landing subject to details to be worked out by the attorneys in good faith.
16. On motion by Commissioner Boyd, seconded by Commissioner Hall and unanimously carried, the meeting was extended to 9:30 pm.
17. Clerk of Court Kirk Reams presented the purchasing policy for Board approval and asked for its adoption without the local preference language included at this time. Mr. Reams stated he would meet with Chamber of Commerce President Gordon Dean to develop some local preference language in the near future. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the purchasing policy was approved.
18. On motion by Commissioner Hall, seconded by Commissioner Boyd and unanimously carried, the meeting was extended to 10 pm.

BOARD OF COUNTY COMMISSIONERS
MINUTE BOOK 23, PAGE _____

19. Clerk of Court Kirk Reams gave a presentation showing the various roads that have benefited from state funding programs throughout the years. On motion by Commissioner Hall, seconded by Commissioner Boyd and unanimously carried, Whitehouse Road was approved as the SCRAP application for 2011. On motion by Commissioner Fulford, seconded by Commissioner Boyd and unanimously carried, North Salt/Bassett Dairy Road was approved as the SCRAP application for 2013.
20. Alan Wise, engineer with Preble-Rish, explained that the county had an open contract with CW Roberts on Dills Road and that work needed to be done at the Industrial Park and Horse Arena could be change-ordered into the original contract with CW Roberts. This would allow the Board to negotiate unit prices, saving time and money. On motion by Commissioner Boyd, seconded by Commissioner Fulford and unanimously carried, the contract was extended by six months.
21. County Coordinator Roy Schleicher presented his report to the Board consisting of Department Head Reports, proposed holiday calendar for fiscal year 2010-2011 and announcement of activities at the Rec Park. On motion by Commissioner Fulford, seconded by Commissioner Boyd and unanimously carried, the Board voted to approve December 23rd as well as the 24th as the holiday for Christmas.
22. On motion by Commissioner Fulford, seconded by Commissioner Hall and unanimously carried, the meeting was extended 10 minutes.
23. Commissioner Monroe informed the Board there was going to be additional NRCS funds of approximately \$140,000.
24. The warrant register was reviewed and bills ordered paid.
25. On motion by Commissioner Fulford, seconded by Commissioner Boyd, and unanimously carried, the meeting was adjourned.

Chairman

Attest: _____
Clerk

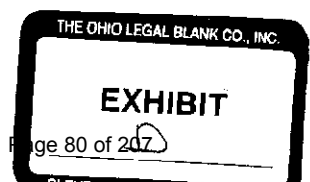
parcel to a size smaller than normally allowed no other divisions may be done on the new parcels.

- B. If the division is for parcels smaller than allowed by the designated land use area, the parcel must have been the homestead of the applicant on or before December 13, 1990. Parcels created after 1990 may not be divided smaller than allowed by the existing land use designation area size.
- C. When the division is processed a copy of the deeds must be filed with the Jefferson County Planning Department in order to allow development permits to be issued to the new owners.
- D. The division shall not include lots or parcels to be sold. If lots are to be sold the owner must apply for a subdivision permit and meet the designated density for the area on all lots.
- E. No parcel may be subdivided for transfer to a family member unless the subdivision has first received the approval of the Planning Official and it has been established that the proposed subdivision is consistent with all other applicable provisions of the Comprehensive Plan and Land Development Code.
- F. No parcel in existing platted subdivision may be further subdivided for a family member.

9.06.00 *RIGHT OF WAY ABANDONMENT AND PLAT VACATION*

9.06.01 *Authority and Applicability*

- A. Any dedication or conveyance of real property for the purpose of streets, rights-of-way, access, ingress and egress, utilities and drainage which has been made on or by a plat, easement, deed, or other instrument of any kind which instruments have been approved by the Board of County Commissioners for filing of record in the Official Records of Jefferson County or which instruments conveys any interest in real property to the Board of County Commissioners for the purposes of the vacation, annulment, and/or abandonment of plats, or portions thereof, rights-of-way, and easements for utility and drainage purposes.
- B. The provisions of this Section shall apply to all plats, rights-of-way and easements under the jurisdiction and control of the Board of County Commissioners.
- C. The procedures set forth in this Section shall apply to applications pursuant to Section 177.101(1) and (2), F.S., and to all applications for vacating plats, or any portions thereof, including public easements, pursuant to Section 177.101(3), F.S. Any petition to vacate a plat, or portion thereof, which plat, or portion thereof, contains private rights-of-way shall not require a public hearing; provided, however, that a public hearing shall be required if the petition site includes a County right-of-way or public easement for drainage purposes which services a County right-of-way.



9.06.02 Petitioners

- A. Petitioners for Abandonment of Plats.** Any person, governmental entity or business entity desiring to abandon a plat, or any portion thereof, including public easements, shall be required to make application to the County pursuant to Section 177.101, F.S., and the provisions of this Section. The application shall be on a petition form prescribed by the Planning Department and the information contained therein shall be verified by the petitioner under oath. Unless initiated by the County, the petition shall be signed by all owners of any portion of the petition site.
- B. Petitions for Abandonment of Rights-of-Way.** Any person, governmental entity or business entity desiring to abandon the public's interest in and to any right-of-way shall be required to make application to the County pursuant to this Section. Unless initiated by the County, any petition for abandonment of rights-of-way shall be signed by all owners of abutting property.
- C. Application Fee.** The application fee shall be determined in accordance with Section 9.12.00.

9.06.03 Access to Water

No right-of-way, road, street, or public access way giving access to any publicly accessible waters in the County, shall be closed, vacated or abandoned except in those instances wherein the petitioner(s) offers to trade or give to the County comparable land or lands for a right-of-way, road, street or public access way to give access to the same body of water, such access to be of such condition as not to work a hardship to the users thereof, the reasonableness of the distance and comparable land being left to the discretion of the Board of County Commissioners.

9.06.04 Notice of Intent to File Petition to Vacate a Plat

Immediately prior to filing the petition to vacate a plat with the Planning Department, the petitioner shall cause to be published a notice of intent in a newspaper of general circulation in the County once weekly for two (2) consecutive weeks. Such notice of intent shall state the intent of the petitioner to file a petition pursuant to this Section and in Chapter 177, F.S.

9.06.05 Petition Application Procedures

In addition to any other information, the petition shall contain the following:

- A. Legal Description of Petition Site.** A complete and accurate legal description of the petition site.
- B. Type of Petition.** A statement identifying the type of petition, the source of the County's or public's interest, together with a reference to the recording information for the petition site. The type of petition may be for abandonment of:

1. A plat;
 2. A portion of a plat;
 3. A County right-of-way;
 4. The public's interest in a private right-of-way; or
 5. A public easement.
- C. Location Map.** A drawing measuring not less than eight (8) inches by fourteen (14) inches and not larger than eleven (11) inches by seventeen (17) inches which clearly and legibly identifies the location of the petition site in relation to the nearest public right-of-way, including the petition site, and all affected properties. The location map may be located on the survey in a separate block.
- D. Access to Affected Property.** The petition shall contain a statement that to the best of the petitioner's knowledge, the granting of the petition would not affect the ownership or right of convenient access of persons owning other parts of the subdivision.
- E. Federal or State Highway Statement.** The petitioner shall certify that the petition site, or any portion thereof, is not a part of any state or federal highway and was not acquired or dedicated for state or federal highway purposes.
- F. Evidence of Title.** The petition shall state the source of petitioner's ownership or interest in and to the petition site, and a reference to the recording information for same. A copy of the source instrument shall be certified by the Clerk of the Circuit Court and attached to the petition.
- G. Evidence of Taxes Paid.** The petition shall state that all state, municipal and County taxes on the petition site have been paid. The certificate(s) of the Tax Collector's Office showing payment of same (as payment is defined in Section 177.101.4, F.S.) shall be attached to the petition. If the petition site or any portion thereof is tax-exempt, the petition shall so state and a copy of the tax roll from the Tax Collector's Office which shows such exemption shall be attached to the petition.
- H. Municipal Resolution.** The petition shall state whether the petition site lies within the corporate limits of a municipality, within the unincorporated area, or both. If any portion of the petition site lies within the corporate limits of a municipality, the municipality shall first abandon its interest in the petition site by appropriate resolution, and a certified copy of the municipal resolution shall be attached to the petition.
- I. Fees.** The petition shall state whether the petition site is subject to the application fee, the amount of the fee, and that the fee is submitted herewith.

- J. **Justification.** The petition shall detail the relevant reasons in support of the request and granting of the petition.

9.06.06 Review of Petition

- A. **Review and Notification.** Each petition shall be reviewed by the Planning Official, and any governmental agency or affected County Office. Upon receipt, the Planning Official shall distribute the petition to the reviewing departments and agencies. Within twenty (20) days of receipt of the petition, the reviewing departments and agencies shall submit a written report containing its findings and recommendations to the Planning Administrator. Upon receipt of all written reports, the Planning Official shall review the petition and reports and shall notify the petitioner in writing of any reasonable conditions to be performed prior to forwarding the petition and reports pursuant to paragraph (B) below. Within sixty (60) days of receipt of the Planning Official's notification, the petitioner shall either comply with, agree and commit in writing to the conditions, or disagree in writing to the conditions. Failure to respond to the Planning Administrator's notification may result in a recommendation to deny the petition by the Planning Administrator.
- B. **Review by Board of County Commissioners.** After expiration of the sixty-day period above or sooner, if conditions are not imposed, or, if imposed, are responded to by the petitioner in the manner set forth above, the Planning Administrator shall forward the petition together with his/her findings and recommendations of same to the Board of County Commissioners for their review in accordance with this Section. The Planning Administrator shall set the petition for public hearing in accordance with Section 9.02.09(A) unless the petition is not subject to a public hearing. If a public hearing is not required, upon its review, the Board shall adopt a resolution either approving or denying the petition. The Board may reject a petition if a petition covering the same lands had been considered at any time within six (6) months of the date the later petition is submitted.

9.06.07 Public Hearing of Petitions for Abandonment of County Rights-of-Way and Public Easements for Drainage of County Rights-of-Way

- A. **Generally.** Pursuant to Section 336.10, F.S., a public hearing shall be held for any petition for abandonment which affects County right-of-way and public easements for drainage, which service a County right-of-way.
- B. **Time and Place of Hearing.** The Board of County Commissioners hereby exercises their authority, as set forth in Florida Statutes Section 336.09, by authorizing and directing the Planning Administrator to establish a definite time and place to hold the public hearing required by Section 336.10, F.S. and this Section and to publish the notice of the hearing.
- C. **Publication of Notice of Public Hearing.** Advertisement of such public hearing shall be as set forth in Section 9.02.08.

- D. **Posting of Notice of Public Hearing.** The Planning Administrator shall notify the petitioner of the date and time of the public hearing and shall direct the petitioner to post the property with a notice of petition to vacate. The petitioner shall place the notice in a conspicuous and easily visible location, abutting a public thoroughfare when possible, on the subject property at least ten (10) days prior to the public hearing.
- E. **Mailing of Notice of Public Hearing.** The petitioner shall mail a copy of the notice of public hearing to all affected property owners as described in Section 9.02.08(D).
- F. **Notice of Adoption of Resolution.** If the County Commission shall, by resolution, grant the petition, notice thereof shall be published one (1) time within thirty (30) days following the date of adoption of such resolution in a newspaper of general circulation published in the County. The proof of publication of the notice of public hearing, and the proof of publication of the notice of the adoption of the resolution, and a copy of the resolution shall be recorded in the Public/Official Records.

9.06.08 Recordation of Resolution

Upon adoption of a resolution approving a petition, a certified copy of same shall be filed in the Public Records in accordance with Section 177.101 or Section 336.10, F.S., whichever is applicable.

9.06.09 Effect of Recording Resolution of Abandonment

- A. For County rights-of-way, upon the recordation of the proof of publication of notice of public hearing, proof of publication of the notice of adoption of the resolution, and a copy of the resolution in the Public Records, the interest of the right-of-way so closed shall be vested in accordance with provisions of Section 336.12, F.S.
- B. For plats, or portions thereof, recordation in the Public Records of resolutions approving abandonment of a plat or a portion thereof shall have the effect of vacating all streets and alleys in accordance with Section 177.101(5), F.S., and shall either return the vacated property to the status of unplatted acreage or shall vacate the first plat in accordance with Section 177.101(1) or (2), F.S., as applicable.

9.07.00 VARIANCES

For a discussion of variance procedures, see Section 7.02.00 of this Code.

9.08.00 SPECIAL EXCEPTIONS

9.08.01 Pre-Application Conference

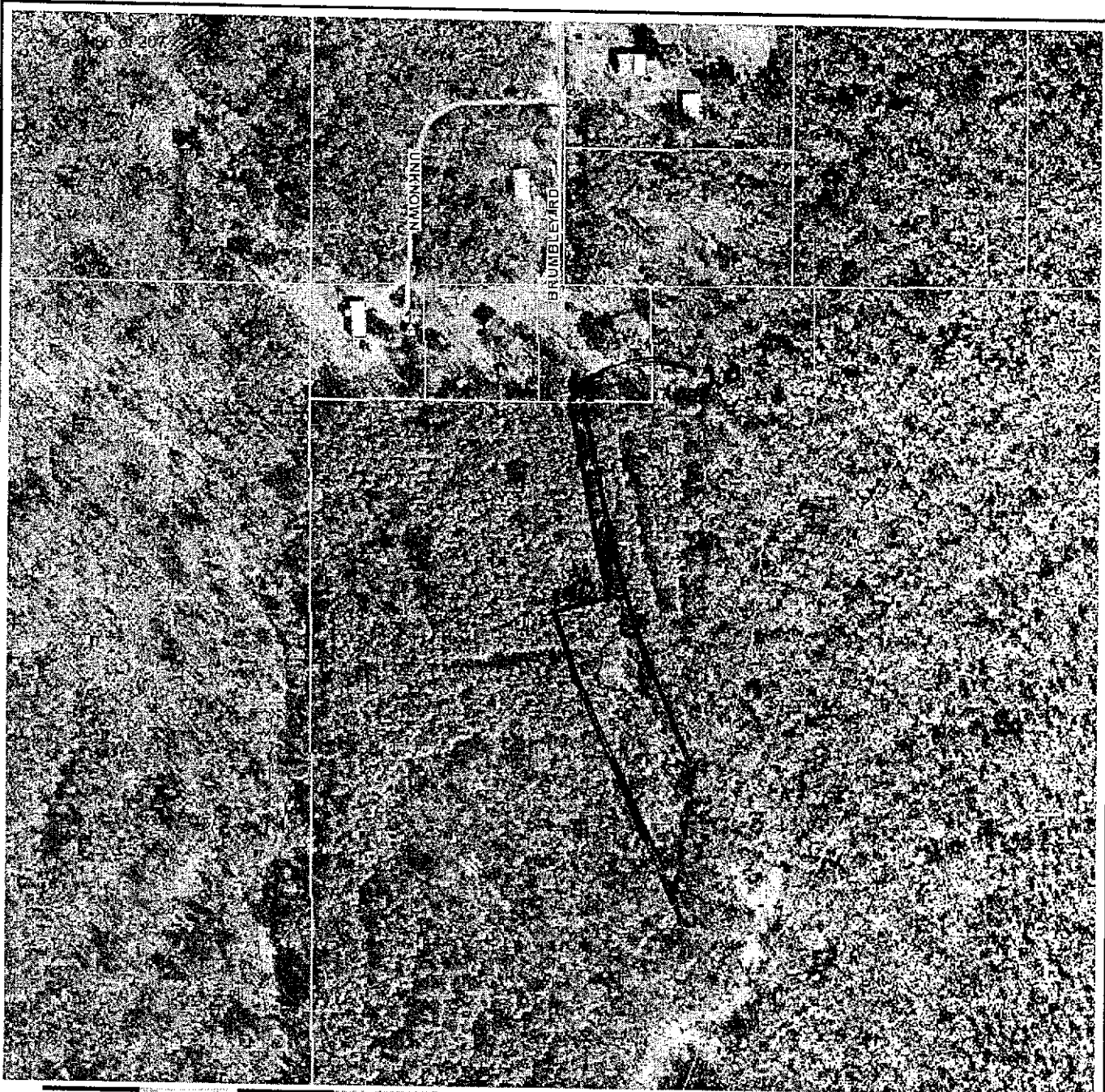
Prior to filing for a special exception, the developer shall meet with the Planning Official to discuss the special exception review process. No person may rely upon any comment concerning a proposed special exception, or any expression of any nature about the proposal

PROPOSED TERMS OF LEASE FOR WACISSA/LITTLE RIVER
LANDING ACCESS AND USE

Lessor: Boland Land, LLC

Lessee: Board of County Commissioners, Jefferson County, FL

1. **LEASEHOLD PROPERTY:** The leasehold. Shown approximately in the attached map, shall be an easement which includes the existing forest road beginning at the northern boundary of the property of the Lessor at the end of Brumbley Road and ending at the high water mark of a stream at the point commonly known as "Brumbley Landing." The northern-most one-half of the easement shall extend 10 feet on either side of the centerline of said forest road. The southern-most one-half of the easement shall extend 10 feet to the east of the centerline of the forest road and 150 feet to the west of the centerline of the forest road.
2. **TERMS:** The lease payment shall be \$1/year. The lease term shall be for 10 years with the right to renew for 3 more successive 10 year periods at the option of the Lessee. The lease shall survive any change in land ownership.
3. **OPTION TO PURCHASE:** The Lessee shall have the right to purchase the leasehold property (a) if the property is sold to another owner, or (b) at the termination of the last lease period. The purchase price shall be determined by an appraisal performed by a qualified appraiser mutually agreed by the parties.
4. **MAINTENANCE:** The Lessee shall be responsible for all maintenance to the leasehold property, including maintenance of the road and any dock facilities.
5. **IMPROVEMENTS:** The Lessee is not required to make any additional improvement to the leasehold property, though improvements may be made by mutual written agreement of the parties. Lessee is authorized to improve the boat landing and parking area with rock materials to accommodate the public use.
6. **ACCESS AND RESTRICTIONS:** The Lessee agrees to close the leasehold property to public access during nighttime hours and during hunting season. The Lessee shall allow no camping or fires on the property.
7. **LIABILITY AND INSURANCE:** The Lessee shall provide liability insurance protecting the Lessee and shall indemnify the Lessor against any losses related to the public use of the leasehold.
8. **ADVERTISING AND PROMOTION:** The Lessee shall promote the leasehold and its facilities only by word-of-mouth. The Lessee shall not advertise or promote the property in written or electronic form or by signs posted off of the property or by any other means of advertising or promotion. This provision shall not exclude information signs posted on the property.



0 180 360 540 720 900 1080 1260 1440 1620 1800 ft

Jefferson County Property Appraiser

Angela Gray - Monticello, Florida 32344 | 850-997-3356

PARCEL: -

Name:	2009 Certified Values
Site:	Land
Mail:	Bldg
Sales	Assd
Info	Exmpt
	Taxbl

NONE

NOTES:



This information, Updated: 10/1/2010, was derived from data which was compiled by the Jefferson County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.

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November 5, 2013 Draft negotiated by Scott Shirley, Esq., representing Jefferson County, and Kent Safriet, Esq., representing Boland Land, LLC

PROPOSED CONCEPTUAL TERMS OF LEASE FOR WACISSA/LITTLE RIVER
LANDING ACCESS AND USE

Lessor: Boland Land, LLC

Lessee: Board of County Commissioners, Jefferson County, Florida

Note: The terms as stated herein are conceptual only. The final lease will set forth specific provisions that embody the terms stated in concept herein and will include a legal description of the lease area.

1. **LEASEHOLD PROPERTY:** The leasehold. Shown approximately in the attached maps, shall be a lease area which includes the existing forest road beginning at the northern boundary of the property of the Lessor at the end of Brumbley Road and ending at the High water mark of a stream at the point commonly known as "Brumbley Landing." The boundary of the road into the landing shall extend 15 feet on either side of the centerline of said forest road. The parking area can extend 75 feet from the centerline of the forest road to the west in an area designated by Lessor. This parking area and the access to the stream are referred to as the "Landing Area" and identified as such on the attached maps. Also included in the lease is a 30 wide access road right-of-way beginning, on the north side, at Pinhook Road and proceeding south and then turning east along the boundary of the residential lots to a junction with the existing forest road that aligns with Brumbley Road.
2. **TERMS:** The lease payment shall be \$1/year. The lease term shall be for 10 years with the right to renew for 3 more successive 10 year periods at the option of the Lessee. The lease shall survive any change in land ownership. The lease may be recorded at the option of Lessee.
3. **RIGHT OF FIRST REFUSAL:** The Lessee shall have the "right of refusal" to purchase the leasehold property if the property is under contract to be sold to another owner. The lease shall terminate if another piece of property within one (1) square mile of the leasehold property is acquired by Lessee from the Lessor to be used for a public landing by the Lessee, unless the parties otherwise agree in writing.
4. **MAINTENANCE:** The Lessee shall be responsible for all maintenance to the leasehold property, including maintenance of the road and any dock facilities.
5. **IMPROVEMENTS:** The Lessor is not required to make any additional improvement to the leasehold property, though improvements jointly made by Lessor and Lessee may be made by mutual written agreement of the parties. Lessee is authorized to make only those improvements as are, in the judgment of Lessee, necessary to accommodate a public boat landing, including access thereto. No other public use of the Leasehold Property is authorized. Such improvements may include, but are not limited to, tree removal, grading, installation of gravel, construction of docking facilities and installation of a trash receptacle and signage. Lessee is authorized to build an access road using the access from Pinhook Road south and east along the property line. Minimum improvements to accommodate the public boat landing,

including construction of the access road, shall be completed within 2 years of the effective date of the lease, except that the access road improvements need not be made if Lessee has within such time obtained alternative access to the "Landing Area." If such improvements are not made within such time period, Lessor may notify Lessee that such improvements have not been made, at which time Lessee shall have an additional 60 days in which to fully complete such improvements, after which, if such improvements have still not been completed, Lessor, at Lessor's option, may terminate the lease. All debris caused by the construction of said road will be removed within the allowed time period. The value of any timber removed in construction of this road will be paid to Lessor from Lessee.

6. ACCESS AND RESTRICTIONS: The Lessee agrees to post signs setting out the rules applicable for use of the access including the hours of operation from dawn to dusk, no camping or fires and no hunting. Signs can be posted at entrance and in parking area. Should Lessor notice that illegal dumping of trash has occurred within the Leasehold Property, or adjacent private property which was accessed through the Leasehold Property, Lessor may notify Lessee in writing of such condition. Illegal dumping of trash shall not include waste deposited by persons utilizing the Landing Area for water access who may, from time to time, fail to properly deposit waste generated on site into the receptacle provided therefore, if any, or to properly remove such waste from the site if no receptacle is provided. Illegal dumping of trash shall include the intentional transporting and depositing of waste material generated offsite for the specific purpose of permanent disposal of such waste material. Lessee shall have 30 days from the receipt of such notice in which to remove such illegally dumped material, after which Lessor may terminate the Lease.
7. LIABILITY AND INSURANCE: The Lessee shall provide liability insurance protecting the Lessor by naming Lessor additionally insured on the County's policy for liability insurance.
8. ADVERTISING AND PROMOTION: The Lessee shall promote the leasehold and its facilities only by word-of-mouth. The Lessee shall not advertise or promote the property in written or electronic form or by signs posted off of the property or by any other means of advertising or promotion. This provision shall not exclude information signs posted on the property.

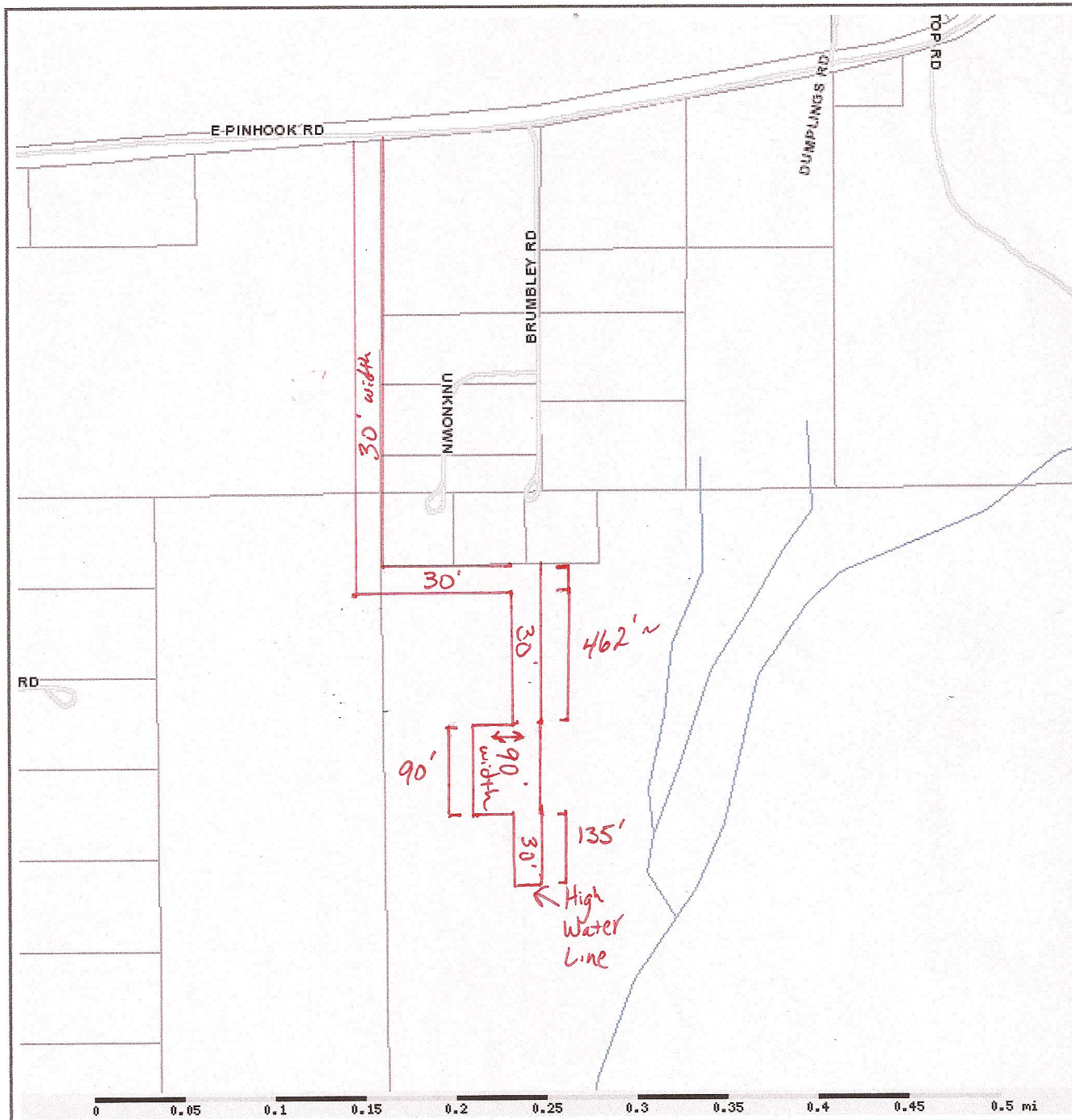
Acceptance:

Lessee

Board of County Commissioners
Jefferson County, Florida

Lessor

Boland Land, LLC



Jefferson County Property Appraiser

Angela Gray CFA - Monticello, Florida 32344 | 850-997-3356

PARCEL: -

Name:	2013 Certified Values
Site:	Land
Mail:	Bldg
Sales	Assd
Info	Exmpt
	Taxbl
NONE	

NOTES:



This information, updated: 10/14/2013, was derived from data which was compiled by the Jefferson County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.

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Wacissa River Landings Site Visit 7/23/2013

Photos and text by Scott Shirley, Esq.

Site 1 - Malloy's Landing



Malloy's Landing 7/23/2013

Road providing access was vacated to Boland in 2010. Boat Launch is narrow and shallow, about 18" deep. Landing located on Little River. This photo was taken after about a month of fairly heavy rainfall. Only small power boats and canoes/kayaks can be launched here.

Malloy's Landing 7/23/2013



Closer view of Little River taken while standing on landing area.

Malloy's Landing 7/23/2013



Standing on landing area looking east towards entry drive.

Malloy's Landing 7/23/2013



Entry drive looking towards private home of owner of property where landing is located.

Malloy's Landing 7/23/2013.



Private home and fence where Malloy's Landing is located. No electrical service to this location.

Malloy's Landing Road 7/23/2013



County maintained portion of Malloy's Landing Road after three weeks of heavy/moderate rainfall. Road is flooded in several places requiring use of four wheel drive vehicles.

Tin Top Road 7/23/2013



County maintained Tin Top Road is severely flooded in several places after three weeks of heavy/moderate rainfall. Road is impassable to all but reliable four wheel drive vehicles driven by those familiar with such conditions.

Site 2 – Brumbly Landing



Turning onto Brumbly Landing Road 7/23/2013.

Brumbly Landing 7/23/2013



Brumbly Landing as seen looking south from current access drive. Some crushed stone and old bricks and concrete have been used to harden entrance drive indicating use of this to access. Launching would have been possible here on the day site was visited. Landing is located on spring vent; unable to estimate depth. Connection to Little River is via spring run that is not visible and is apparently currently blocked by vegetation and debris

Brumbly Landing 7/23/2013



Closer view of waterbody associated with Brumbly landing. Spring vent is in center. Area is approximately 30' to 40' across. Spring run connecting to Little River is in center of view but cannot be clearly seen from here. Debris blocking connection would need to be cleared out during a period of low water. Impossible to evaluate navigability of the spring run on the day visited. Others present stated that during low water spring stops running and this forms small dark water sinkhole.

Brumbly Landing 7/23/2013



Brumbly Landing looking north from landing area. Access drive is in good condition for unmaintained facility. Current access is from County road between two residential parcels and onto Boland property. No trespassing signs are present between the residential parcels at point of access but there is no gate. Boland does not have a written easement between the two residential parcels, but neither those owners nor Boland has attempted to physically block access. Boland is offering an access easement along property boundaries for alternative access, but County would need to improve. That alternative access appears to traverse uplands.

Brumbly Landing 7/23/2013



Unnamed potential landing. 7/23/2013.



Another unnamed potential landing site on Boland property suggested by Buck Bird is a long distance down Boland's newly constructed private road. Little River is through trees straight ahead. Boland is not interested in providing this site to the County.

Site 3 – County Park at Wacissa River. 7/23/2013.



View of swimming area at the existing County Park at the Wacissa River. View is to west with Horsehead Creek in the distance. Horsehead Creek forms western boundary of County property and is navigable by any boat that could be launched at County ramp.

County Wacissa River Park 7/23/2013.



Current County park showing area used both for swimming, beaching of watercraft and lanching of hand launch canoes and kayaks.

County Wacissa River Park 7/23/2013.



Eastern side of improved area at existing County Park showing connection of boat launch canal with main spring area.

County Wacissa River Park 7/23/2013.



Boat ramp at County Park.

County Wacissa River Park 7/23/2013.



View from boat ramp looking south to main river.

County Wacissa River Park 7/23/2013.



View of spring just to north of boat ramp showing staff guage.

Site 4 – Teat’s Landing 7/23/2013.



Access to Teat’s Landing is via road recently constructed by Boland, looking north. This is owned in fee by Jefferson County and Boland has an easement. Fence on right is on County parcel eastern property boundary.

Teat's Landing 7/23/2013



Teat's Landing. Looking south just past new access gate onto Boland property.

Teat's Landing 7/23/2013.



Access to Teat's Landing walking east through woods adjacent to Wacissa River. Jeffery Boland states that actual historic landing is a little to the south of this location; this is another access more recently constructed by a neighbor. Boland states that there never was actual boat launching capability at Teat's, only a place to tie up.

Teat's Landing 7/23/2013.



Simple boardwalk access just to south of historic location of Teat's Landing.

Teat's Landing 7/23/2013.



Current access at Teat's Landing. No boat launching possible here. This is a small spring hole partially blocked by vegetation. This is just to the southeast of the County Wacissa River Park. Boland has not offered this site as a potential landing.

Brumbly Landing Site Visit 10/5/13

Photos and text by Scott Shirley, Esq.



10/5/13. Corner of Boland Parcel on Pinhook Road where entry road to landing would be located. Note recent fencing and clearing along property boundary for fencing.



10/5/13. Looking south across landing water area along spring run connecting to waters of Little River.



10/5/13. View of landing area from the south. Photo taken from west bank of spring run about 20 yards south of landing looking north.



10/5/13. View of spring run looking to the south showing opening to waters of Little River.



10/5/13. Another view of the connection of spring run with open waters of Little River.



10/5/13. Narrow point on spring run bounded by two large trees with water flowing here. Clearance is about 9 feet between trees. In most areas the spring run appears to be around 12 to 15 feet wide. Note debris that has collected in water and small tree across water blocking access from River. Photo taken while standing on edge of tree trunk in foreground.



10/5/13. Looking south from same location as in previous photo showing connection to waters of Little River.



10/5/13. Opening of spring run onto little river.



10/5/13. Open waters of Little River near connection with spring run.



10/5/13. Another view of spring run looking north.



10/5/13. Cleared area along entrance road. Road is single track but in very good condition providing access even in wet conditions.



10/5/13. Another view of cleared area.

ITEM 8: PUBLIC HEARINGS (7 P.M.)

Legal Ad for publication in the Monticello News on November 8, 2013 and posting on the Jefferson County Courthouse public bulletin board.

NOTICE OF LAND DEVELOPMENT CODE AND
COUNTY CODE PROPOSED CHANGES
SECOND AND FINAL HEARING

The Jefferson County Board of County Commission will have a public hearing on the following proposed land development code and county code changes on November 19, 2013 at 7:00 p.m., or as soon thereafter as such matter may be heard, in the Jefferson County courthouse annex located 435 West Walnut Street, Monticello, Jefferson County, Florida. The meeting may be continued as necessary.

ORDINANCE NO. 2013-111913-01
FLOODPLAIN MANAGEMENT

AN ORDINANCE OF JEFFERSON COUNTY, FLORIDA, RELATING TO FLOODPLAIN MANAGEMENT; AMENDING THE JEFFERSON COUNTY CODE OF ORDINANCES TO ADOPT A NEW FLOODPLAIN MANAGEMENT ORDINANCE; ADOPTING A NEW CHAPTER 11 OF THE JEFFERSON COUNTY CODE OF ORDINANCES ENTITLED FLOODPLAIN MANAGEMENT; ADOPTING ARTICLE 1, ADMINISTRATION; ADOPTING ARTICLE 2, DEFINITIONS; ADOPTING ARTICLE 3, FLOOD RESISTENT DEVELOPMENT; ADOPTING NEW FLOOD HAZARD MAPS; DESIGNATING A FLOODPLAIN ADMINISTRATOR; ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREA; ADOPTING LOCAL ADMINISTRATIVE AND TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; EFFECTING CONFORMING AMENDMENTS TO SECTIONS 4.01.00 THROUGH 4.01.06 (FLOOD PROTECTION) AND SECTION 5.09.00 (FLOODPLAINS), AND SECTION 7.02.03 (SPECIAL PROVISION WHERE VARIANCE IS SOUGHT TO REQUIREMENTS OF FLOOD DAMAGE PREVENTION) OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE; REPEALING INCONSISTENT PROVISIONS INCLUDING JEFFERSON COUNTY ORDINANCE NO. 91.4, ORDINANCE 91-8, AND ORDINANCE NO. 2003-03; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

From the Florida "Government in the Sunshine Manual", page 36, 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 or she will need a record of the proceedings, and that, for such purpose, he or she 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.

ORDINANCE NO. 2013-111913-01
FLOODPLAIN MANAGEMENT

AN ORDINANCE OF JEFFERSON COUNTY, FLORIDA, RELATING TO FLOODPLAIN MANAGEMENT; AMENDING THE JEFFERSON COUNTY CODE OF ORDINANCES TO ADOPT A NEW FLOODPLAIN MANAGEMENT ORDINANCE; ADOPTING A NEW CHAPTER 11 OF THE JEFFERSON COUNTY CODE OF ORDINANCES ENTITLED FLOODPLAIN MANAGEMENT; ADOPTING ARTICLE 1, ADMINISTRATION; ADOPTING ARTICLE 2, DEFINITIONS; ADOPTING ARTICLE 3, FLOOD RESISTENT DEVELOPMENT; ADOPTING NEW FLOOD HAZARD MAPS; DESIGNATING A FLOODPLAIN ADMINISTRATOR; ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREA; ADOPTING LOCAL ADMINISTRATIVE AND TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; EFFECTING CONFORMING AMENDMENTS TO SECTIONS 4.01.00 THROUGH 4.01.06 (FLOOD PROTECTION), SECTION 5.09.00 (FLOODPLAINS), AND SECTION 7.02.03 (SPECIAL PROVISIONS WHERE VARIANCE IS SOUGHT TO REQUIREMENTS OF FLOOD DAMAGE PREVENTION) OF THE JEFFERSON COUNTY LAND DEVELOPMENT CODE; REPEALING INCONSISTENT PROVISIONS INCLUDING JEFFERSON COUNTY ORDINANCE NO. 91.4, ORDINANCE 91-8, AND ORDINANCE NO. 2003-03; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125 , Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of Jefferson County, Florida and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, Jefferson County, Florida was accepted for participation in the National Flood Insurance Program on June 19, 1991 and the Jefferson County Board of County Commissioners desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, Section 553.73(5), Florida Statutes, allows adoption of local administrative amendments to the *Florida Building Code* to implement the National Flood Insurance Program; and

WHEREAS, the Jefferson County Board of County Commissioners has determined that it is in the public interest and is therefore adopting a requirement to increase the minimum

elevation for buildings and structures in flood hazard areas, and, pursuant to Section 553.73(5), F.S., is formatting that requirement to coordinate with the *Florida Building Code*;

WHEREAS, the Jefferson County Board of County Commissioners has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code*.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Jefferson County that the following floodplain management regulations, and the following local administrative amendments to the 2010 *Florida Building Code*, are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. There is hereby adopted a new Chapter 11, of the Jefferson County Code of Ordinances entitled Floodplain Management, as follows:

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is language proposed to be deleted.

CHAPTER 11 – RESERVED FLOODPLAIN MANAGEMENT

ARTICLE 1. ADMINISTRATION

Sec. 11-101 GENERAL

Sec. 11-101.1 Title.

These regulations shall be known as the *Floodplain Management Ordinance* of Jefferson County, Florida, hereinafter referred to as “this ordinance.”

Sec. 11-101.2 Scope.

The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

Sec. 11-101.3 Intent.

The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;

3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

Sec. 11-101.4 Coordination with the *Florida Building Code*.

This ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

Sec. 11-101.5 Warning.

The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

Sec. 11-101.6 Disclaimer of Liability.

This ordinance shall not create liability on the part of the Board of County Commissioners of Jefferson County or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

Sec. 11-102 APPLICABILITY

Sec. 11-102.1 General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Sec. 11-102.2 Areas to which this ordinance applies.

This ordinance shall apply to all flood hazard areas within Jefferson County, Florida, as established in Sec. 11-102.3 of this ordinance.

Sec. 11-102.3 Basis for establishing flood hazard areas.

The Flood Insurance Study for Jefferson County, Florida, and Incorporated Areas, effective date February 5, 2014, and all subsequent amendments and revisions to such study, and the accompanying Flood Insurance Rate Maps (FIRM), FIRM Map Series 12065C (which cover both unincorporated Jefferson County and the City of Monticello, effective date February 5, 2014), and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. The above referenced study and maps that establish flood hazard areas are on file at the Jefferson County Building and Planning Department, 445 W. Palmer Mill Road, Monticello, Florida.

Sec. 11-102.3.1 Submission of additional data to establish flood hazard areas.

To establish flood hazard areas and base flood elevations, pursuant to Sec. 11-105 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.
2. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

Sec. 11-102.4 Other laws.

The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

Sec. 11-102.5 Abrogation and greater restrictions.

This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

Sec. 11-102.6 Interpretation.

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 11-103 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

Sec. 11-103.1 Designation.

The Planning Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

Sec. 11-103.2 General.

The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Sec. 11-107 of this ordinance.

Sec. 11-103.3 Applications and permits.

The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

1. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
2. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
4. Provide available flood elevation and flood hazard information;
5. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
6. Review applications to determine whether proposed development will be reasonably safe from flooding;
7. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
8. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

Sec. 11-103.4 Substantial improvement and substantial damage determinations.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this ordinance is required.

Sec. 11-103.5 Modifications of the strict application of the requirements of the *Florida Building Code*.

The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Sec. 11-107 of this ordinance.

Sec. 11-103.6 Notices and orders.

The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

Sec. 11-103.7 Inspections.

The Floodplain Administrator shall make the required inspections as specified in Sec. 11-106 of this ordinance for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

Sec. 11-103.8 Other duties of the Floodplain Administrator.

The Floodplain Administrator shall have other duties, including but not limited to:

1. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Sec. 11-103.4 of this ordinance;
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
4. Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* and this ordinance to determine that such certifications and documentations are complete;
5. Notify the Federal Emergency Management Agency when the corporate boundaries of Jefferson County are modified; and

6. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

Sec. 11-103.9 Floodplain management records.

Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at the Jefferson County Building and Planning Department.

Sec. 11-104 PERMITS

Sec. 11-104.1 Permits required.

Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities not subject to, or otherwise exempt from, the *Florida Building Code*, which is wholly within or partially within any flood hazard area, shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

Sec. 11-104.2 Floodplain development permits or approvals required for development activities not subject to *Florida Building Code*.

Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval issued pursuant to this ordinance is required in addition to a building permit issued pursuant to the *Florida Building Code*.

Sec. 11-104.2.1 Buildings, structures and facilities exempt from the *Florida Building Code*.

Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for buildings, structures and facilities that are not subject to, or are otherwise exempt from, the *Florida Building Code*, and any further exemptions provided

by law, which are subject to the requirements of this ordinance. Building, structures and facilities currently expressly exempt from the *Florida Building Code* include the following:

1. Railroads and ancillary facilities associated with the railroad.
2. Nonresidential farm buildings on farms, as provided in Section 604.50, F.S.
3. Temporary buildings or sheds used exclusively for construction purposes.
4. Mobile or modular structures used as temporary offices.
5. Those structures or facilities of electric utilities, as defined in Section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.
7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
9. Structures identified in Section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

Sec. 11-104.3 Application for a permit or approval.

To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

1. Identify and describe the development to be covered by the permit or approval.
2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
3. Indicate the use and occupancy for which the proposed development is intended.
4. Be accompanied by a site plan or construction documents as specified in Sec. 11-105 of this ordinance.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the Floodplain Administrator.

Sec. 11-104.4 Validity of permit or approval.

The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the *Florida Building Codes*, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

Sec. 11-104.5 Expiration.

A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

Sec. 11-104.6 Suspension or revocation.

The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

Sec. 11-104.7 Other permits required.

Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

1. The Northwest Florida Water Management District or Suwanee River Water Management District; Section 373.036, F.S.
2. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; Section 161.141, F.S.
4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; Section 161.055, F.S.
5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
6. Federal permits and approvals.

Sec. 11-105 SITE PLANS AND CONSTRUCTION DOCUMENTS

Sec. 11-105.1 Information for development in flood hazard areas.

The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Sec. 11-105.2(2) or (3) of this ordinance.
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Sec. 11-105.2(1) of this ordinance.

4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
8. Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.
9. Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

Sec. 11-105.2 Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is four (4) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than four (4) feet.
4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Sec. 11-105.3 Additional analyses and certifications.

As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Sec. 11-105.4 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Sec. 11-105.4 of this ordinance.
4. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

Sec. 11-105.4 Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Sec. 11-106 INSPECTIONS

Sec. 11-106.1 General.

Development for which a floodplain development permit or approval is required shall be subject to inspection.

Sec. 11-106.1.1 Development other than buildings and structures.

The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development

permits or approvals.

Sec. 11-106.1.2 Buildings, structures and facilities exempt from the Florida Building Code.

The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

Sec. 11-106.1.2.1 Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.

Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator:

1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Sec. 11-105.2(3)(b) of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

Sec. 11-106.1.2.2 Buildings, structures and facilities exempt from the Florida Building Code, final inspection.

As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Sec. 11-106.1.2.1 of this ordinance.

Sec. 11-106.1.3 Manufactured homes.

The Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor prepared by a Florida licensed Professional Land Surveyor shall be submitted to the Building Official.

Sec. 11-107 VARIANCES AND APPEALS

Sec. 11-107.1 General.

The Jefferson County Board of County Commissioners shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to Section 553.73(5), F.S., the Jefferson County Board of County Commissioners shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to Section 3109 of the Florida Building Code, Building.

Sec. 11-107.2 Appeals.

The Jefferson County Board of County Commissioners shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any

person aggrieved by the decision of Jefferson County Board of County Commissioners may appeal such decision to the Circuit Court, as provided by Florida Statutes.

Sec. 11-107.3 Limitations on authority to grant variances.

The Jefferson County Board of County Commissioners shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Sec. 11-107.6 of this ordinance, the conditions of issuance set forth in Sec. 11-107.7 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Jefferson County Board of County Commissioners has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

Sec. 11-107.3.1 Restrictions in floodways.

A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Sec. 11-105.3 of this ordinance.

Sec. 11-107.4 Historic buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building, Chapter 11 Historic Buildings*, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

Sec. 11-107.5 Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Sec. 11-107.3.1, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

Sec. 11-107.6 Considerations for issuance of variances.

In reviewing requests for variances, the Jefferson County Board of County Commissioners shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;

6. The compatibility of the proposed development with existing and anticipated development;
7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

Sec. 11-107.7 Conditions for issuance of variances.

Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
2. Determination by the Jefferson County Board of County Commissioners that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

Sec. 11-108 VIOLATIONS

Sec. 11-108.1 Violations.

Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a

violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

Sec. 11-108.2 Authority.

For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

Sec. 11-108.3 Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

ARTICLE 2. DEFINITIONS

Sec. 11-201 GENERAL

Sec. 11-201.1 Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

Sec. 11-201.2 Terms defined in the *Florida Building Code*.

Where terms are not defined in this ordinance and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

Sec. 11-201.3 Terms not defined.

Where terms are not defined in this ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

Sec. 11-202 DEFINITIONS

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

ASCE 24. A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Coastal construction control line. The line established by the State of Florida pursuant to Section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V. [Note: The FBC, B defines and uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."]

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 1612.2.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure. Any buildings and structures for which the "start of construction" commenced before June 19, 1991. [Also defined in FBC, B, Section 1612.2.]

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets,

and either final site grading or the pouring of concrete pads) is completed before June 19, 1991.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodway. The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 1612.2.]

Floodway encroachment analysis. An engineering analysis of the impact that a proposed

encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.*

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building, Chapter 11 Historic Buildings.*

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12

persons; or

3. Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the *Florida Building Code* or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, structures for which the "start of construction" commenced on or after June 19, 1991 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after June 19, 1991.

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in Section 320.01, F.S.]

Recreational vehicle. A vehicle, including a park trailer, which is: [See Section 320.01, F.S.]

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 1612.2.]

Start of construction. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance. A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

ARTICLE 3. FLOOD RESISTANT DEVELOPMENT

Sec. 11-301 BUILDINGS AND STRUCTURES

Sec. 11-301.1 Design and construction of buildings, structures and facilities, not subject

to, or otherwise exempt, from the Florida Building Code.

Pursuant to Sec. 11-104.2.1 of this ordinance, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of Sec. 11-307.

Sec. 11-301.2 Buildings and structures seaward of the coastal construction control line.

If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

1. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building Section 3109 and Section 1612 or Florida Building Code, Residential Section R322.
2. Minor structures and non-habitable major structures as defined in Section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.

Sec. 11-302 SUBDIVISIONS

Sec. 11-302.1 Minimum requirements.

Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

Sec. 11-302.2 Subdivision plats.

Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
2. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Sec. 11-105.2(1) of this ordinance; and
3. Compliance with the site improvement and utilities requirements of Sec. 11-303 of this ordinance.

Sec. 11-303 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

Sec. 11-303.1 Minimum requirements.

All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

Sec. 11-303.2 Sanitary sewage facilities.

All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec. 11-303.3 Water supply facilities.

All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

Sec. 11-303.4 Limitations on sites in regulatory floodways.

No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Sec. 11-105.3(1) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

Sec. 11-303.5 Limitations on placement of fill.

Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

Sec. 11-303.6 Limitations on sites in coastal high hazard areas (Zone V).

In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Sec. 11-105.3(4) of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Sec. 11-307.8(3) of this ordinance.

Sec. 11-304 MANUFACTURED HOMES

Sec. 11-304.1 General.

All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to Section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more

restrictive of the applicable requirements.

Sec. 11-304.2 Foundations.

All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that:

1. In flood hazard areas (Zone A) other than coastal high hazard areas, are designed in accordance with the foundation requirements of the *Florida Building Code, Residential Section R322.2* and this ordinance.
2. In coastal high hazard areas (Zone V), are designed in accordance with the foundation requirements of the *Florida Building Code, Residential Section R322.3* and this ordinance.

Sec. 11-304.3 Anchoring.

All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

Sec. 11-304.4 Elevation.

Manufactured homes that are placed, replaced, or substantially improved shall comply with Sec. 11-304.4.1 or 11-304.4.2 of this ordinance, as applicable.

Sec. 11-304.4.1 General elevation requirement.

Unless subject to the requirements of Sec. 11-304.4.2 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential Section R322.2* (Zone A) or Section R322.3 (Zone V).

Sec. 11-304.4.2 Elevation requirement for certain existing manufactured home parks and subdivisions.

Manufactured homes that are not subject to Sec. 11-304.4.1 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

1. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential Section R322.2* (Zone A) or Section R322.3 (Zone V); or
2. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

Sec. 11-304.5 Enclosures.

Enclosed areas below elevated manufactured homes shall comply with the requirements

of the Florida Building Code, Residential Section R322 for such enclosed areas, as applicable to the flood hazard area.

Sec. 11-304.6 Utility equipment.

Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential Section R322, as applicable to the flood hazard area.

Sec. 11-305 RECREATIONAL VEHICLES AND PARK TRAILERS

Sec. 11-305.1 Temporary placement.

Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

1. Be on the site for fewer than 180 consecutive days; or
2. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

Sec. 11-305.2 Permanent placement.

Recreational vehicles and park trailers that do not meet the limitations in Sec. 11-305.1 of this ordinance for temporary placement shall meet the requirements of Sec. 11-304 of this ordinance for manufactured homes.

Sec. 11-306 TANKS

Sec. 11-306.1 Underground tanks.

Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

Sec. 11-306.2 Above-ground tanks, not elevated.

Above-ground tanks that do not meet the elevation requirements of Sec. 11-306.3 of this ordinance shall:

1. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
2. Not be permitted in coastal high hazard areas (Zone V).

Sec. 11-306.3 Above-ground tanks, elevated.

Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

Sec. 11-306.4 Tank inlets and vents.

Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Sec. 11-307 OTHER DEVELOPMENT

Sec. 11-307.1 General requirements for other development.

All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the limitations of Sec. 11-303.4 of this ordinance if located in a regulated floodway;
3. Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials; and
5. Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

Sec. 11-307.2 Fences in regulated floodways.

Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Sec. 11-303.4 of this ordinance.

Sec. 11-307.3 Retaining walls, sidewalks and driveways in regulated floodways.

Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Sec. 11-303.4 of this ordinance.

Sec. 11-307.4 Roads and watercourse crossings in regulated floodways.

Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Sec. 11-303.4 of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Sec. 11-105.3 (3) of this ordinance.

Sec. 11-307.5 Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V).

In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

1. Structurally independent of the foundation system of the building or structure;
2. Frangible and not reinforced, so as to minimize debris during flooding that is capable of

causing significant damage to any structure; and

3. Have a maximum slab thickness of not more than four (4) inches.

Sec. 11-307.6 Decks and patios in coastal high hazard areas (Zone V).

In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

1. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
2. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
3. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
4. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

Sec. 11-307.7 Other development in coastal high hazard areas (Zone V).

In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

1. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
2. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
3. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

Sec. 11-307.8 Nonstructural fill in coastal high hazard areas (Zone V).

In coastal high hazard areas:

1. Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
2. Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
3. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

SECTION 3. Section 10-20. of the Code of Ordinances of Jefferson County, Florida, is hereby amended by adding the following administrative amendments to the *Florida Building Code, Building*.

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is language proposed to be deleted.

Sec. 104.10.1, Florida Building Code, Building

Add a new Sec. 104.10.1 as follows:

104.10.1 Modifications of the strict application of the requirements of the Florida Building Code. The Building Official shall coordinate with the Floodplain Administrator to review requests submitted to the Building Official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.

Sec. 107.6.1, Florida Building Code, Building

Add a new Sec. 107.6.1 as follows:

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.

Sec. 117, Florida Building Code, Building

Add a new Sec. 117 as follows:

117 VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.

SECTION 4. Section 10-20. of the Code of Ordinances of Jefferson County, Florida, is hereby amended by adding the following technical amendments to The *Florida Building Code, Building*.

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is language proposed to be deleted.

Sec. 1612.4.1, Florida Building Code, Building

Add a new Sec. 1612.4.1 as follows:

1612.4.1 Elevation requirements. The minimum elevation requirements shall be as specified in ASCE 24 or the base flood elevation plus 2 feet (610 mm), whichever is higher.

SECTION 5. Section 10-20. Of the Code of Ordinances of Jefferson County, Florida, is hereby amended by adding the following technical amendments to The *Florida Building Code, Residential*.

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is language proposed to be deleted.

Sec. R322.2.1, Florida building Code, Residential

Modify Sec. R322.2.1 as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.
2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 feet 1 foot (305 mm), or to the design flood elevation, whichever is higher.
3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 2 feet, or at least 4 feet 2 feet (610 mm) if a depth number is not specified.
4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

Sec. R322.3.2, Florida Building Code, Residential

Modify Sec. R322.3.2 as follows:

R322.3.2 Elevation requirements.

1. All buildings and structures erected within coastal high-hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of mat or raft foundations, piling, pile caps, columns, grade beams and bracing, is:
 - 1.1 Located at or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented parallel to the direction of wave approach, where parallel shall mean less than or equal to 20 degrees (0.35 rad) from the direction of approach, or
 - 1.2 Located at the base flood elevation plus 3 feet 1 foot (305 mm), or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented perpendicular to the direction of wave approach, where perpendicular shall mean greater than 20 degrees (0.35 rad) from the direction of approach.
2. Basement floors that are below grade on all sides are prohibited.
3. The use of fill for structural support is prohibited.
4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

Exception: Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

SECTION 6. Sections 4.01.00 through 4.01.06 (Flood Protection) of the Jefferson County Land Development Code are amended as follows.

NOTE: Underlined language is proposed language and Struck Through language is language proposed to be deleted.

4.1.0.4.01.00 FLOODPLAIN PROTECTION

Article 2 of this Code establishes additional density limitations for development of properties containing Special Flood Hazard Areas (areas within the 100-year floodplain). Construction within Special Flood Hazard Areas shall be in accordance with the Jefferson County Floodplain Management Ordinance, Chapter 11 of the Jefferson County Code of Ordinances, and with the Florida Building Code, Building and Residential, including the floodplain management related administrative and technical amendments to the Florida Building Code, Chapter 10 of the Jefferson County Code of Ordinances.

~~4.01.01~~ ~~PURPOSE~~

~~A. It is the purpose of this Article to promote the public health, safety, and general welfare and to minimize the public and private losses due to flood conditions in specific areas by provisions designed to:~~

- ~~1. conserve and maintain the outstanding ecological, recreational, and aesthetic value of all river basins;~~
- ~~2. maintain, protect, and where possible enhance the drainage corridors of the areas that drain into sink holes;~~
- ~~3. require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;~~
- ~~4. control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;~~
- ~~5. control filling, grading, dredging, and other development which may increase erosion or flood damage;~~
- ~~6. prevent or regulate the construction of barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;~~
- ~~7. protect individuals from unlimited utilization of lands which are unsuited for intended purposes because of flood hazards;~~
- ~~8. to maintain water quality; and~~
- ~~9. to protect wetland values.~~

~~4.01.02 FINDINGS OF FACT~~

- ~~A. The rivers and their major tributaries are the focus of statewide and county wide attention; a major undeveloped and free flowing riverine estuary system in Florida and of outstanding ecological, recreational and aesthetic value.~~
- ~~B. The sinkhole system is another concern because of the potential contamination of wells in the area.~~
- ~~C. The 100-year flood areas of Jefferson County are subject to periodic inundation which can result in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.~~
- ~~D. These flood losses are caused in part by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupance in flood hazard areas by uses vulnerable to floods or hazardous to other properties which are inadequately elevated or otherwise not protected from flood damages.~~

~~4.01.03 GENERAL PROVISIONS~~

- ~~A. SCOPE. This Article requires a permit for all development of any land in Jefferson County within the 100-year flood area. No development of any land in Jefferson County lying within the 100-year flood area shall be commenced without first obtaining a permit as set forth herein. This permit shall be referred to herein as the Development Permit. This Article also provides additional requirements for the subdivision of land lying within the 100-year flood area.~~
- ~~B. ESTABLISHMENT OF OFFICIAL 100-YEAR FLOOD ELEVATIONS AND MAP SERIES. The most recent and reliable flood elevations established by the Federal Emergency Management Agency (FEMA) shall be used, consistent with the County Management Ordinance. The County Engineer can set elevations for "A" zone areas by comparing the FEMA map with Quad Maps, by reviewing records or reports of historical floods, and/or by consultation with surveyors on field records. These elevations shall be referred to as the "Official 100-Year Flood Elevations".~~
- ~~C. DEVELOPMENT REQUIREMENTS WITHIN THE FLOOD AREA. All habited structures in the 100-year flood area shall be required to build with two feet of freeboard (two feet above the base flood elevation). An Elevation Certificate prepared by a Florida registered professional engineer (P.E.) or a Florida registered surveyor (RLS) will be required before a Certificate of Occupancy can be issued.~~

- ~~1. Non inhabited structures can allow water to pass through.~~
 - ~~2. Inverts and/or accesses to septic tanks and pump stations shall maintain one foot of freeboard. If they have sealed openings that do not allow the passage of liquids they can be exempt from freeboard.~~
 - ~~3. The rock bed for the drain field shall maintain one foot of freeboard.~~
- ~~4.01.04 Administration and Development Review
The administrative procedures of these flood protection regulations are in Section 9.09.06.~~
- ~~4.01.05 Design Standards for Flood Prone Areas
Design standards to be met by appropriate development activities are found in Section 5.06.00.~~
- ~~4.01.06 Other Applicable Provisions
Provisions for the enforcement of these regulations are found in Section 9.13.00. Appeals from the specific application of these regulations may be filed pursuant to Section 9.11.00.~~

SECTION 7. Section 5.09.00 (Floodplains) of the Jefferson County Land Development Code is amended as follows.

NOTE: Underlined language is proposed language and Struck Through language is language proposed to be deleted.

5.09.00 FLOODPLAINS

Article 2 of this Code establishes additional density limitations for development of properties containing Special Flood Hazard Areas (areas within the 100-year floodplain). Construction within Special Flood Hazard Areas shall be in accordance with the Jefferson County Floodplain Management Ordinance, Chapter 11 of the Jefferson County Code of Ordinances, and with the Florida Building Code, Building and Residential, including the floodplain management related administrative and technical amendments to the Florida Building Code, Chapter 10 of the Jefferson County Code of Ordinances.

- ~~A. General Requirements and Minimum Standards of Design. In all areas where the Official 100-Year Flood Elevations have been provided as set forth in Section 2.2 the following provisions are required:~~
- ~~1. Construction. New Construction or substantial improvement of any structure, including mobile homes, shall have the lowest habitable floor structure elevated to two (2) feet above the Official 100-Year Flood Elevations.~~
 - ~~2. Roads. All roads shall be constructed to specifications set forth in the applicable County Ordinances, and, if possible, constructed at natural grade, but in any event the road shall be designed to accommodate the natural flow of water. In the case of subdivisions, the foregoing shall be certified by a registered Florida professional engineer.~~
 - ~~3. Increase in Flood Elevations. No permit shall be approved if proposed levees, fills, structures or other features will individually or collectively increase the flood elevations beyond the upstream property limits of the developer's property line.~~
 - ~~4. Permanent Elevation Monuments. The developer shall install permanent elevation monuments for each lot within a subdivision. (The monument may be shared by adjacent lots.)~~
 - ~~5. Drainage Facilities. Drainage facilities shall be designed to store and convey the flow of storm waters without damage to persons or property pursuant to the provisions of the Development Code and other applicable local or state rules governing stormwater discharge. The preceding provision shall not apply to single family residential structures.~~
 - ~~6. Wastewater Disposal.~~

- ~~a. If a mound absorption system is necessary to comply with the requirements of Chapter 10D-6, F.A.C. for proper functioning, then the minimum lot or parcel size shall be one (1) acre. The one-acre minimum shall not apply to lots or tracts smaller than one acre, which were recorded prior to the effective date of this Ordinance. For areas where septic tank systems do not meet the requirements of this Code or Chapter 10D-6, F.A.C., alternative systems approved by the Florida Department of Health must be utilized.~~
- ~~b. Sanitary sewer systems shall be designed to withstand flooding to the Official 100-Year Flood Elevation as follows:
 - ~~(1) Pipe system must be able to withstand pressure of water above ground.~~
 - ~~(2) Manholes, pumpstations and treatment plants must either be elevated to 2 feet above the Official 100-Year Flood Elevation or sealed to hydrostatic pressure of 100-year flood.~~~~
- ~~7. Erosion and Sedimentation Control. The engineer/developer shall be required to utilize USDA Soil Conservation Service Standards and Specifications in the design for grading, site development, landscaping involving earth moving, sediment control, vegetation establishment and other measures involved with a development plan to reduce on and off-site erosion and sediment damage caused by the development. The engineer/developer shall also be required to authorize periodic on-site inspection of sediment control measures by the building inspector and his/her authorized agents, as it is deemed necessary. Deviation from the approved plan will not be made without authorization from the building inspector.~~
- ~~8. Riverbank setback. All development activities must take place landward of the Riverbank Setback Line. Vegetation riverward of the Riverbank Setback Line shall be preserved provided a reasonableness of access shall not be unduly restricted. Elevated boardwalks and private, non-commercial docks may be constructed. The setback distance shall be 100 feet except for the harvesting of timber, which shall be 75 feet set back from the riverbank.~~

SECTION 8. Section 7.02.03 (Special Provisions Where Variance is Sought to Requirements to Flood Damage Prevention) of the Jefferson County Land Development Code is amended as follows.

NOTE: Underlined language is proposed language and ~~Struck Through language~~ is language proposed to be deleted.

7.02.03 Special Provisions Where Variance is Sought to Requirements of to Floodplain Management ~~Damage Prevention~~ Regulations

See, Jefferson County Floodplain Management Ordinance, Article 11, Jefferson County Code of Ordinances, Sec. 11-107, Variances and Appeals.

~~**A. Conditions for Modification.** The Planning Commission may permit modifications in the minimum standards of design under the following conditions:~~

- ~~1. Conditions are attached to development permit approval that assure compliance with the requirements of this Code insofar as practical and the modification granted is the minimum modification necessary to make possible a reasonable use of the land; and,~~
- ~~2. The purposes and intent of Section 4.01.01 are observed; and~~

- ~~3. There is no substantial increase in flood hazard or flood damage potential, as certified by a registered Florida professional engineer; and~~
- ~~4. The Planning Department shall maintain the records of all appeal actions, including the technical information.~~

~~**A. Additional Finding.** In addition to the findings required by Section 7.02.02(B), the Planning Commission shall find that the requested variance will not result in an increase in the elevation of the Base Flood, additional threats to public safety, additional public expense, the creation of nuisances, fraud or victimization of the public, or conflicts with other local ordinances except as allowed in 7.02.03 D.~~

~~**B. Considerations.** Before granting a variance, the Planning Commission shall consider the provisions of the County Floodplain Ordinance and:~~

- ~~1. The danger that materials may be swept from the site onto other lands.~~
- ~~2. The danger to life and property from flooding or erosion.~~
- ~~3. The potential of the proposed facility and its contents to cause flood damage and the effect of that damage on the owner and the public.~~
- ~~4. The importance of the services provided by the proposed facility to the community, and whether it is a functionally dependent facility.~~
- ~~5. The availability of alternative locations, not subject to flooding and erosion, for the proposed use.~~
- ~~6. The compatibility of the proposed use with existing and anticipated neighboring development.~~
- ~~7. The relationship of the proposed use to the Jefferson County Comprehensive Plan and the floodplain management program for the area.~~
- ~~8. Safe vehicular access to the property in times of flood.~~
- ~~9. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and effects of wave action, if applicable, at the site.~~
- ~~10. The costs of providing governmental services during and after floods including maintenance and repair of public utilities and facilities.~~

~~**C. Special Restriction for Regulated Floodways (Aucilla River).** Variances that would increase flood levels during the base flood shall not be issued within the Aucilla River.~~

~~**D. Flowage Easement.** No variance that would increase flood damage on other property shall be granted unless flowage easements have been obtained from the owners of all affected properties. In no event shall a variance be granted that would increase the~~

elevation of the base flood more than one (1) foot.

~~**E. Notification.** All variances to the flood protection regulations shall:~~

- ~~1. Specify the difference between the flood protection elevation and the elevation to which the structure is to be built.~~
- ~~2. State that the variance will result in increased premium rates for flood insurance on adjoining properties.~~
- ~~3. State that construction below the Official 100-year Flood Elevations increases risks to life and property.~~

~~**F. Record of Variances to be Maintained.** The Planning Official shall maintain a record of all variances including the justification for their issuance and a copy of the notice of the variance. The Director shall report all variances in the Annual Report to the Board of County Commissioners.~~

~~**G. Historic Sites.** Notwithstanding the foregoing requirements, special variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on, or classified as contributing to a district listed on, the National Register of Historic Places, the Florida Master Site File, or the local register of historic places. The special variance shall be the minimum necessary to protect the historic character and design of the structure. No special variance shall be granted if the proposed construction, rehabilitation, or restoration will cause the structure to lose its historical designation.~~

SECTION 9. FISCAL IMPACT STATEMENT.

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 10. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in all unincorporated areas of Jefferson County, and, if approved by Interlocal agreement, within the municipal limits of the City of Monticello. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 11. REPEALER.

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict. This ordinance specifically repeals and replaces the following ordinance(s) and regulation(s): Jefferson County Ordinance No. 91.4 (Attachment "A"), Ordinance 91-8 (Attachment "B") and Ordinance No. 2003-03 (Attachment "C").

SECTION 12. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the Jefferson County Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Jefferson County Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word

“ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 13. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 14. EFFECTIVE DATE.

This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgment from the Department of State that the same has been filed.

PASSED on first reading _____.

PASSED and ADOPTED in regular session, with a quorum present and voting, by the Jefferson County Board of County Commissioners, upon second and final reading on this _____ day of _____, 2013.

Jefferson County Board of County Commissioners

Chairman

ATTEST:

Kirk Reams
Clerk of Court & CFO

APPROVED AS TO FORM:

Scott Shirley
Planning and Land Use Attorney

Repealed In Its Entirety

ORDINANCE NO. 91-4

FLOOD DAMAGE PREVENTION ORDINANCE

AN ORDINANCE RELATING TO THE FLOOD HAZARD LANDS IN JEFFERSON COUNTY, FLORIDA; ESTABLISHING OFFICIAL FLOOD ELEVATIONS AND MAP SERIES; PROVIDING DEFINITIONS; REQUIRING INFORMATION; ESTABLISHING GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN FOR FLOODPLAIN DEVELOPMENT, INCLUDING ELEVATION OF RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION; PROVIDING FOR DEVELOPMENT PERMIT REVIEW BY AN APPOINTED ADMINISTRATOR; REQUIRING THE ADMINISTRATOR TO MAINTAIN RECORDS OF ALL DEVELOPMENT PERMITS; PROVIDING FOR DENIAL OF DEVELOPMENT PERMITS; ESTABLISHING AN APPEALS PROCEDURE AND MODIFICATION PROVISIONS BY THE GOVERNING BODY; PROVIDING FOR PENALTIES UPON VIOLATION; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION A. STATUTORY AUTHORIZATION.

The Legislature of the State of Florida has in the Florida Statutes delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, the Board of County Commissioners of Jefferson County, Florida does ordain as follows:

SECTION B. FINDINGS OF FACT.

- (1) The flood hazard areas of Jefferson County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and



by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

SECTION C. STATEMENT OF PURPOSE.

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (4) control filling, grading, dredging and other development which may increase erosion or flood damage, and;
- (5) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION D. OBJECTIVES.

The objectives of this ordinance are:

- (1) to protect human life and health;
- (2) to minimize expenditure of public money for costly flood control projects;
- (3) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) to minimize prolonged business interruptions;
- (5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in floodplains;
- (6) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and;
- (7) to insure that potential home buyers are notified that property is in a flood area.

ARTICLE 2. DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

"Appeal" means a request for a review of the Building Inspector's (local administrator) interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Coastal High Hazard Area" means the area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone VI - 30, VE or V.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

"Elevated building" means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

"Existing Construction" Any structure for which the "start of construction" commenced before (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard) or (specific date).

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community (before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which established the area of special flood hazard) or (specific date).

Kepealed

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters;
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Functionally dependent facility" means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

"Historic Structure" means any structure that is

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

Repealed

d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or
2. Directly by the Secretary of the Interior in states without approved programs.

"Mangrove stand" means an assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (Avicennia nitida); red mangrove (Rhizophora mangle); white mangrove (Longunculariaracemosa); and buttonwood (Conocarpus erecta).

"Manufactured home" means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New construction" Any structure for which the "start of construction" commenced after (the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard.) or (specific date). The term also includes any subsequent improvements to such structure.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

"Recreational vehicle" means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Sand dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348)), includes substantial improvement, and means the date the building permit was issued,

Repealed

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provided the actual start of construction, ~~repair, reconstruction,~~ or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during the life of a

building) ~~#####~~ in which the cumulative cost equals or exceeds fifty percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions.

"Substantially improved existing manufactured home parks or subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

ARTICLE 3. GENERAL PROVISIONS.

Repealed

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of Jefferson County
(local unit)

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study, dated 1991, with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this ordinance.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT.

A Development Permit shall be required in conformance with the provision of this ordinance prior to the commencement of any development activities.

SECTION D. COMPLIANCE.

No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION.

In the interpretation and application of this ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Jefferson County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

(local unit)

SECTION H. PENALTIES FOR VIOLATION.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$ 500 or imprisoned for not more than 60 days, or both, and in addition, shall pay

Repealed

all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Board of County Commissioners of / Jefferson County (local unit) from taking such other lawful actions as is necessary to prevent or remedy any violation.

ARTICLE 4. ADMINISTRATION.

SECTION A. DESIGNATION OF Building Inspector (local administrator)

The Jefferson County Building Inspectors hereby appointed to administer and implement the provisions of this ordinance.

SECTION B. PERMIT PROCEDURES.

Application for a Development Permit shall be made to the Building Inspector (local administrator) on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Application Stage.

- (a) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings;
- (b) Elevation in relation to mean sea level to which any non-residential building will be flood-proofed;

Repeated

- (c) Certificate from a registered professional engineer or architect that the non-residential flood-proofed building will meet the flood-proofing criteria in Article 5, Section B (2);
- (d) Description of the extent to which any watercourse will be altered or relocated as result of proposed development, and;

(2) Construction Stage.

Provide a floor elevation or flood-proofing certification after the lowest floor is completed, or instances where the building is subject to the regulations applicable to Coastal High Hazard Areas, after placement of the horizontal structural members of the lowest floor. Upon placement of the lowest floor, or flood-proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Inspector (local administrator) a certification of the elevation of the lowest floor, flood-proofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work

Repeated

undertaken prior to submission of the certification shall be at the permit holder's risk. The Building Inspector (local administrator) shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

SECTION C. DUTIES AND RESPONSIBILITIES OF THE BUILDING INSPECTOR (local administrator)

Duties of the Building Inspector (local administrator) shall include, but not be limited to:

- (1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied;
- (2) Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit.
- (3) Notify adjacent communities and the State of Florida (state coordinating agency) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

- (5) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved buildings, in accordance with Article 4, Section B (2).
- (6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved buildings have been flood-proofed, in accordance with Article 4, Section B (2).
- (7) In Coastal Hazard Areas, certification shall be obtained from a registered professional engineer or architect that the building is designed and securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.
- (8) In Coastal High Hazard Areas, the Building Inspector shall review plans for adequacy of breakaway walls in accordance with Article 5, Section B (6)(h).
(local administrator)
- (9) When flood-proofing is utilized for a particular building, the Building Inspector shall obtain certification from a registered professional engineer or architect, in accordance with Article 5, Section B (2).
(local administrator)
- (10) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Building Inspector shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
(local administrator)

Repealed

- (11) When base flood elevation data or floodway data have not been provided in accordance with Article 3, Section B, then the _____
Building Inspector
(local administrator) shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of Article 5.
- (12) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Building Inspector
(local administrator) and shall be open for public inspection;

SECTION D. VARIANCE PROCEDURES.

- (1) The Jefferson County Planning Commission as established by the Board of
(Appeal Board) (local
County Commissioners shall hear and decide appeals and requests
unit)
for variances from the requirements of this ordinance.
- (2) The Jefferson County Planning Commission shall hear and decide appeals when it is
(Appeal Board)
alleged there is an error in any requirement, decision, or
determination made by the Building Inspector
(local administrator)
in the enforcement or administration of this ordinance.
- (3) Any person aggrieved by the decision of the Jefferson County
(Appeal
Planning Commission or any taxpayer may appeal such decision
Board) Board of County Commissioners of Jefferson County, and/or the
to the Circuit Court of Jefferson County, as provided in
(name of the appropriate court)
the Florida Statutes
(statute)
- (4) Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed

repair or rehabilitation will not preclude the structure's continue designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.

- (5) In passing upon such applications, the Jefferson County Planning Commis
(Appeal Board)
- shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
- (a) the danger that materials may be swept onto other lands to the injury of others;
 - (b) the danger to life and property due to flooding or erosion damage;
 - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (d) the importance of the services provided by the proposed facility to the community;
 - (e) the necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) the compatibility of the proposed use with existing and anticipated development;
 - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;

Repealed

- (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
 - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (6) Upon consideration of the factors listed above, and the purposes of this ordinance, the Jefferson County Planning Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (7) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (8) Conditions for Variances:
- (a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building;
 - (b) Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and; (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety,

extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(d) The Building Inspector (local administrator) shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.

SECTION A. GENERAL STANDARDS.

In all areas of special flood hazard the following provisions are required:

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

Repealed

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- (4) ~~New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;~~
- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (7) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding, and;
- (9) Any alteration, repair, reconstruction or improvements to a building which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.
- (10) Any alteration, repair, reconstruction or improvements to a building which is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

SECTION B. SPECIFIC STANDARDS.

In all areas of special flood hazard where base flood elevation data have been provided, as set forth in Article 3, Section B, or Article 4, Section C (11), the following provisions are required:

- (1) Residential Construction. New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement elevated no lower than (1 ~~##~~ ^{foot}) above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 5, Section B (3).
- (2) Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than (1 ~~##~~ ^{foot}) above the level of the base flood elevation. Buildings located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Article 4, Section C (9).

Repealed

(3) Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

(a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

(ii) The bottom of all openings shall be no higher than one foot above grade; and,

(iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both direction.

(b) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and

(c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(4) Standards for Manufactured Homes and Recreational Vehicles.

- (a) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.
- (b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
- (i). The lowest floor of the manufactured home is elevated no lower than (1 ^{foot} ~~feet~~) above the level of the base flood elevation, or
 - (ii). The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.
 - (iii). The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.
 - (iv). In an existing manufactured home park or subdivision or which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of Article 5, Section B(4)(b)(i) and (iii) above.

Repealed

(c) All recreational vehicles placed on sites must either:

- (i) Be fully licensed and ready for highway use, or
- (ii) The recreational vehicle must meet all the requirements for new construction, including anchoring and elevation requirements of Article 5, Section B (4)(a) or (b)(i) and (iii), above.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached structures.

(5) Floodways. Located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

- (a) Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;
- (b) If Article 5, Section B(5)(a) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

- (c) Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Article 5, Section A(2), and the elevation standards of Article 5, Section B(1) and the encroachment standards of Article 5, Section B(5)(a), are met.
- (6) Coastal High Hazard Areas (V Zones). Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as Coastal High Hazard areas. These areas have special flood hazards associated with wave wash, therefore, the following provisions shall apply:
- (a) All building shall be located (25 feet) landward of the reach of the mean high tide;
- (b) All buildings shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located no lower than (12 feet) above the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of abnormal wave action and in accordance with Article 5, Section B (6)(h);
- (c) All buildings or structures shall be securely anchored on pilings or columns;

Repealed

~~(d) All pile and column foundations and structures attached thereto~~

shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. Water loading values shall equal or exceed the base flood. Wind loading values shall be in accordance with Southern Standard Building Code, Current Edition.

(e) A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in compliance with the provisions contained in Article 5, Section B(6)(b), (c) and (d) of this ordinance.

(f) There shall be no fill used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge, (thereby rendering the building free of obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. The Building Inspector (local administrator) shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect, and/or soil scientist, which demonstrates that the following factors have been fully considered:

(i) Particle composition of fill material does not have a tendency for excessive natural compaction;

- (ii) Volume and distribution of fill will not cause wave deflection to adjacent properties; and
- (iii) Slope of fill will not cause wave run-up or ramping.
- (g) There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage;
- (h) Lattice work or decorative screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:
- (i) No solid walls shall be allowed, and;
- (ii) Material shall consist of lattice or mesh screening only.
- (i) If aesthetic lattice work or screening is utilized, such enclosed space shall not be designed to be used for human habitation, but shall be designed to be used only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.
- (j) Prior to construction, plans for any buildings that will have lattice work or decorative screening must be submitted to the Building Inspector for approval;
(local administrator)
- (k) Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except with lattice work or decorative screening, as provided for in Article 5, Section B(6)(h) and (i).

Repealed

30

- ~~(1) Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of Article 5, Section B(6)(e), and the elevation standards of Article 5, Section B(6)(b) are met.~~

SECTION C. STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATION AND/OR FLOODWAYS.

Located within the areas of special flood hazard established in Article 3, Section B, where streams exist but where no base flood data has been provided or where base flood data has been provided without floodways, the following provisions apply:

- (1) No encroachments, including fill material or structures shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
- ~~(2) New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Article 4, Section C (11).~~

RepealedSECTION D. STANDARDS FOR SUBDIVISION PROPOSALS.

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have access to public utilities and facilities;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater than the lesser of fifty lots or five acres.

SECTION E. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES).

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet (1'-3') where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- (1) All new construction and substantial improvements of residential buildings shall have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement, shall be elevated, at least two (2) feet above the highest adjacent grade.

- (2) All new construction and substantial improvements of non-residential

buildings shall:

Repealed

- (a) have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement shall be elevated at least two (2) feet above the highest adjacent grade, or;
- (b) together with attendant utility and sanitary facilities be completely flood-proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

ARTICLE 6. CONSTRUCTION.

This Ordinance shall be deemed to be cumulative and supplemental and in addition to any other act, law or ordinance relating to flood hazard zones; provided, however, that this ordinance shall supersede and repeal any existing ordinances, special law or County regulation which is in direct conflict herewith, to the extent of such conflict. The provisions of this Ordinance shall be liberally construed in order to effectively carry out its purpose in the interest of the public health, safety and welfare of the citizens of Jefferson County and the State of Florida.

ARTICLE 7. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held or declared to be unconstitutional, invalid or void, such holding or invalidity shall not effect the remaining portions of this Ordinance, and the unconstitutional, invalid or void provisions shall be deemed to have been severed here-from, and the remainder of

Repealed

this Ordinance, after the exclusion of such part or parts, shall be deemed to be valid, as if such part or parts had not been included herein. If this Ordinance or any provisions hereof shall be held inapplicable to any person, group of person, property, or kind of property or circumstances, such holding shall not affect the application hereof to any other person, property, or circumstances.

ARTICLE 8. EFFECTIVE DATE.

This Ordinance shall become effective upon notification of receipt of same in the Office of the Secretary of the State of Florida.

DULY PASSED AND ADOPTED in regular session of the Board of County Commissioners of Jefferson County, Florida, this 19th day of June, 1991.

BOARD OF COUNTY COMMISSIONERS,
JEFFERSON COUNTY, FLORIDA

Clifford Brown
BY: CLIFFORD BROWN, CHAIRMAN

ATTEST TO FORM:

T. Buckingham Bird
T. BUCKINGHAM BIRD, ATTORNEY

Eleanor B. Hawkins
ELEANOR B. HAWKINS, CLERK OF COURT

Repealed

Addendum to "Model" Flood
Damage Prevention Ordinance

(For Communities with identified Coastal High Hazard Areas - V-Zones)

Definitions

"Coastal high hazard area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

"Primary frontal dune" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes, immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

"Reference feature" is the receding edge of a bluff or eroding frontal dune, or if such a feature is not present, the normal highwater line or the seaward line of permanent vegetation if a highwater line cannot be identified.

"60-year setback" means a distance equal to 60 times the average annual long term recession rate at a site, measured from the reference feature.

"30-year setback" means a distance equal to 30 times the average annual long term recession rate at a site, measured from the reference feature.

"Zone of imminent collapse" means an area subject to erosion adjacent to the shoreline of an ocean, bay, or lake and within a distance equal to 10 feet plus 5 times the average annual long-term erosion rate for the site, measured from the reference feature.

Repealed In Its Entirety

ORDINANCE 91-8

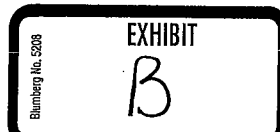
AN ORDINANCE AMENDING ORDINANCE 91-4, RELATING TO THE FLOOD HAZARD LANDS IN JEFFERSON COUNTY, FLORIDA; ESTABLISHING OFFICIAL FLOOD ELEVATIONS AND MAP SERIES; PROVIDING DEFINITIONS; REQUIRING INFORMATION; ESTABLISHING GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN FOR FLOODPLAIN DEVELOPMENT, INCLUDING ELEVATION OF RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION; PROVIDING FOR DEVELOPMENT PERMIT REVIEW BY AN APPOINTED ADMINISTRATOR; REQUIRING THE ADMINISTRATOR TO MAINTAIN RECORDS OF ALL DEVELOPMENT PERMITS; PROVIDING FOR DENIAL OF DEVELOPMENT PERMITS; ESTABLISHING AN APPEALS PROCEDURE AND MODIFICATION PROVISIONS BY THE GOVERNING BODY; PROVIDING FOR PENALTIES UPON VIOLATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, that:

Section 1. This amending ordinance is adopted pursuant to and in accordance with Section 125.01, Florida Statutes, and other applicable law and amends Jefferson County Ordinance 91-4 as follows:

Section 2. Article 5, Section B(6)(b) of Ordinance 91-4 (page 27) is hereby amended in its entirety and the following is substituted:

- (b) All buildings shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located no lower than (1 foot) above the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative



Repealed

screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of abnormal wave action and in accordance with Article 5, Section B(6)(h); (the change is underlined for emphasis).

Section 3. Severability. Each separate provision of this amending ordinance is deemed independent of all other provisions herein so that if any provision or provisions of this amending ordinance be declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 4. Effective Date. A certified copy of this amending ordinance shall be filed in the Department of State by the Clerk of the Board of County Commissioners within ten days after enactment by the Board of County Commissioners and shall take effect upon receipt of official acknowledgement from that office that the same has been filed.

DULY ADOPTED in regular session, this 4th day of September, 1991, by affirmative vote of five (5) members of total membership of five.

BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA.

BY: Clifford Brown CLIFFORD BROWN, Chairman

ATTEST:

ELEANOR B. HAWKINS, Clerk of Court

(SEAL)

Repealed

APPROVED AS TO FORM

T. Buckingham Bird

T. BUCKINGHAM BIRD, County Attorney

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Repealed In Its Entirety

ORDINANCE NO. 2003- 03

A ORDINANCE AMENDING ORDINANCE 91-4
(AS AMENDED BY ORDINANCE 91-8)
RELATING TO FLOOD HAZARD LANDS IN
JEFFERSON COUNTY; PROVIDING
FINDINGS; PROVIDING A LEGAL BASIS;
ESTABLISHING STANDARDS FOR
ELEVATIONS IN UNNUMBERED A-ZONES ON
THE FEDERAL INSURANCE RATE MAP
(FIRM) FOR RESIDENTIAL AND NON-
RESIDENTIAL STRUCTURES; PROVIDING
FOR SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.

THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY RESOLVES AND
FINDS AS FOLLOWS:

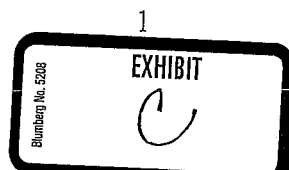
WHEREAS, flood hazard areas of Jefferson County are subject to periodic inundation which results in loss of life property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, these flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities; and

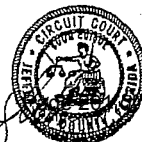
WHEREAS, Jefferson County has adopted Ordinance 91-4, as amended by Ordinance 91-8, which implements a comprehensive system of permitting of construction activities in flood hazard areas as required by the Federal Emergency Management Agency as part of the National Flood Insurance Program (NFIP);

WHEREAS, Jefferson County has been requested by the Florida Department of Community Affairs, which coordinates adoption by Florida Local Governments of appropriate permitting standards in flood hazard areas under the NFIP, to adopt permitting standards pertaining to structures to be located in Unnumbered A-Zones and has provided the appropriate standards as consistent with federal requirements;

WHEREAS, the Jefferson County Board of County Commissioners has determined that adoption of standards for structures in Unnumbered A-Zone flood hazard areas is necessary to protect the public health, safety and welfare.



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



Repealed

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, FLORIDA, that:

Section 1. This amending ordinance is adopted pursuant to and in accordance with Section 125.01, Florida Statutes, and other applicable law and amends Jefferson County Ordinance 91-4, as amended, as follows:

Section 2. Article 5 of 91-4 is here amended by the addition of SECTION F with the following language:

SECTION F Standards For Elevations in Unnumbered A-Zones

Located within the Special Flood Hazard Area established are areas designated as flood areas with no elevations or areas of shallow flooding.

1. All new construction and substantial improvements of residential structures shall have the lowest floor , including basement, elevated to the flood depth number specified on the Flood Insurance Rate Map (FIRM) above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet above the highest adjacent grade.
2. All new construction and substantial improvements of non-residential structures shall:
 - A. Have the lowest floor, including basement, elevated to the flood depth number specified on the FIRM above highest adjacent grade. If no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet above the highest adjacent grade or;
 - B. Together with attendant utility and sanitary facilities be completely flood-proofed to the specified flood level so that any space below that level is watertight with walls substantially impermeable to the passage if water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.

Section 3. Severability Each separate provision of this amending ordinance is deemed independent of all other provisions herein so that if any provision or provisions

Repealed

of this amending ordinance be declared invalid, all other provisions hereof shall be valid and enforceable.

Section 4. Effective Date A certified copy of this amending ordinance shall be filed in the Department of State by the Clerk of the Board of County Commissioners within ten days after enactment by the Board of County Commissioners and shall take effect upon receipt of official acknowledgment from that office that the same has been filed.

DULY ADOPTED in regular session, this 15th day of May, 2003.

BOARD OF COUNTY COMMISSIONERS
JEFFERSON COUNTY, FLORIDA

By: Quinn E. Cedeno
Chairman, Board of County Commissioners

ATTESTED BY:

Carl D. Boatwright
C. Dale Boatwright
Clerk of Court

APPROVED AS TO FORM AND SUBSTANCE:

Scott Shirley
Scott Shirley
County Land Use Attorney

NOTICE OF INTENTION TO ADOPT ORDINANCE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Jefferson County, Florida, on November 19, 2013 at 7:00 P.M., or soon thereafter, in the Jefferson County Courthouse Annex, 435 West Walnut St., Monticello, Florida 32344, will consider adopting an ordinance the title and substance of said proposed ordinance being:

ORDINANCE NO. 2013-111913-02

AN ORDINANCE OF JEFFERSON COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; PROVIDING FOR REFERENCE AS THE “ELDER LIVING QUARTERS TEMPORARY ASSESSMENT ABEYANCE ORDINANCE”; PROVIDING FOR EXERCISE OF COUNTY POWERS; AUTHORIZING A TEMPORARY ABEYANCE IN THE INCREASE OF THE ASSESSED VALUE OF HOMESTEAD PROPERTY; PROVIDING THAT SAID TEMPORARY ABEYANCE IN THE INCREASED OF THE ASSESSED VALUE RESULTS FROM THE CONSTRUCTION OR RECONSTRUCTION OF THE PROPERTY FOR THE PURPOSE OF PROVIDING LIVING QUARTERS FOR ONE OR MORE NATURAL OR ADOPTIVE PARENTS OR GRANDPARENTS OF THE OWNERS OF THE PROPERTY OR THE OWNER’S SPOUSE IF AT LEASE ONE OF THE PARENTS OR GRANDPARENTS FOR WHOM THE LIVING QUARTERS ARE PROVIDED IS AT LEAST 62 YEARS OF AGE; PROVIDING FOR ADJUSTMENTS; ESTABLISHING ANNUAL FILING REQUIREMENTS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Office of the Clerk to the Board of County Commissioners located in the Jefferson County Courthouse during regular business hours.

All persons wishing to speak upon the adoption of this ordinance are invited to attend the meeting and they shall be heard.

Should any person decide to appeal any decision made by the Board at this meeting, such person will need a record of the proceeding and may need to ensure that a verbatim record of these proceedings is made, pursuant to Florida Statute 286.0105

DATED THIS 30th day of October, 2013

Kirk Reams, Clerk of the Circuit Court

John R. Nelson, Sr., Chairman, JBOCC

JEFFERSON COUNTY - GRANNY FLAT TAX
2013

ORDINANCE NO: _____

AN ORDINANCE OF JEFFERSON COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; PROVIDING FOR REFERENCE AS THE “ELDER LIVING QUARTERS TEMPORARY ASSESSMENT ABEYANCE ORDINANCE”; PROVIDING FOR EXERCISE OF COUNTY POWERS; AUTHORIZING A TEMPORARY ABEYANCE IN THE INCREASE OF THE ASSESSED VALUE OF HOMESTEAD PROPERTY; PROVIDING THAT SAID TEMPORARY ABEYANCE IN THE INCREASED OF THE ASSESSED VALUE RESULTS FROM THE CONSTRUCTION OR RECONSTRUCTION OF THE PROPERTY FOR THE PURPOSE OF PROVIDING LIVING QUARTERS FOR ONE OR MORE NATURAL OR ADOPTIVE PARENTS OR GRANDPARENTS OF THE OWNERS OF THE PROPERTY OR THE OWNER’S SPOUSE IF AT LEASE ONE OF THE PARENTS OR GRANDPARENTS FOR WHOM THE LIVING QUARTERS ARE PROVIDED IS AT LEAST 62 YEARS OF AGE; PROVIDING FOR ADJUSTMENTS; ESTABLISHING ANNUAL FILING REQUIREMENTS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VII, Section 4(e), Florida Constitution, authorizes the State Legislature to enact a general law allowing counties to provide for a temporary abeyance in the increase of the assessed value of a homestead property; and

WHEREAS, said Article VII, Section 4(e), Florida Constitution provides a temporary abeyance in the increase of the assessed value of the homestead property to the extent it results from the construction and reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive parents or grandparents of the owner or of the owner’s spouse if at least one of the parents or grandparents for whom the living quarters are provided is 62 years of age or older. Article VII, Section 4(e), Florida Constitution further provides that the reduction may not exceed the lesser of: (1) the increase in assessed value resulting from construction or reconstruction of the property; or (2) twenty percent (20%) of the total assessed value of the property as improved; and

WHEREAS, Section 193.703, Florida Statutes, implements Article VII, Section 4(e), Florida Constitution, and Florida Administrative Code (F.A.C.) Chapter 12D-8.0068 provides for the administration of this statute; and

WHEREAS, the Board of County Commissioners finds that temporary abeyance in the increase of the assessed value of a homestead property within the provisions and limitations of

Article VII, Section 4(e), Florida Constitution, and Section 193.703, Florida Statutes is appropriate and beneficial to the citizens of Jefferson County; and

WHEREAS, a temporary abeyance in the increase of the assessed value of a homestead property should be in the form of an ordinance and should be filed with the Jefferson County Property Appraiser no later than December 30, 2013, to be effective in the 2014 tax year;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Florida;

Section 1. Elder Living Quarters Temporary Assessment Abeyance Ordinance. This ordinance shall be referenced, and commonly known as, the “Elder Living Quarters Temporary Assessment Abeyance Ordinance.”

Section 2. Exercise of County powers. This Ordinance represents an exercise of County powers, pursuant to Chapter 125, Florida Statutes. This Ordinance shall apply to the property tax levies of all taxing authorities levying tax within the County and shall be administered in compliance with F.A.C. Chapter 12D-8.0068, as amended.

Section 3. Temporary abeyance in the increase of the assessed value of a homestead property for living quarters of parents and grandparents. Commencing January 2014 and annually thereafter, pursuant to Article VII, Section 4(e), Florida Constitution, and Section 193.703, Florida Statutes, a temporary abeyance in the increase of the assessed value of homestead property is hereby authorized provided that the reduced assessment value results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more natural or adoptive parents or grandparents of the owner of the property or of the owner’s spouse if at least one of the parents or grandparents for whom the living quarters are provided is at least 62 years of age.

Section 4. Local plans and regulations. The temporary abeyance in the increase of the assessed value may be granted pursuant to this Ordinance only to the owner of homestead property where the construction or reconstruction is consistent with local land development regulations.

Section 5. Application. The temporary abeyance in the increase of the assessed value which is granted pursuant to this Ordinance applies only to construction or reconstruction that has been substantially completed after January 1, 2013 to an existing homestead and applies only during taxable years during which at least one such parent or grandparent maintains his or her primary place of residence in such living quarters within the homestead property of the owner.

Section 6. Annual application and limit on amount of reduction. The temporary abeyance in the increase of the assessed value may be granted only upon an application filed annually with the Property Appraiser. The application must be made before March 1 of the year for which the temporary abeyance in the increase of the assessed value is to be granted. If the Property Appraiser is satisfied that the property is entitled to temporary abeyance in the increase of the assessed value pursuant to this Ordinance, the Property Appraiser shall approve the

application, and the value of such residential improvements shall be excluded from the value of the property for purposes of ad valorem taxation. The value excluded may not exceed the lesser of the following:

- (a) The increase in assessed value resulting from construction or reconstruction of the property; or
- (b) Twenty percent (20%) of the total assessed value of the property is improved.

Section 7. Penalty for violation. Pursuant to Section 193.703, Florida Statutes, if the owner of homestead property for which such temporary abeyance in the increase of the assessed value has been granted is found to have made any willfully false statement in the application for the reduction, the reduction shall be revoked, the owner is subject to a civil penalty of not more than \$1,000, and the owner shall be disqualified from receiving any such reduction for a period of five (5) years.

Section 8. Adjustment of assessed value. When the property owner no longer qualifies for the temporary abeyance in the increase of the assessed value for living quarters of parents or grandparents, the previously excluded just value of such improvements as of the first January 1 after the improvements were substantially completed shall be added back to the assessed value of the property.

Section 9. Severability. If any Section, subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 10. Effective date. This Ordinance shall take effect upon filing with the Secretary of State.

PASSED AND ENACTED by the Board of County Commissioners of Jefferson County, Florida, this _____ day of _____, 2013.

**BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY, FLORIDA**

By: _____
Chairman

ATTEST: Kirk Reams, Clerk of Court

Rendition Date: _____

By: _____
Clerk

Effective Date: _____