

ORDINANCE NUMBER: 84- 60

INTRODUCED BY: COMMISSIONER WALDRON

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 78-38 AS PREVIOUSLY AMENDED, WHICH IS THE ST. JOHNS COUNTY SUBDIVISION ORDINANCE. THIS AMENDMENT PROVIDES THAT NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY SHALL BE GIVEN FOR ANY BUILDING WITHIN A SUBDIVISION UNLESS AND UNTIL ALL ROADWAYS, DRAINAGE AND OTHER IMPROVEMENTS DEPICTED ON THE RECORDED SUBDIVISION PLAT OR AGREED TO BE CONSTRUCTED BY THE OWNER OR DEVELOPER BY SEPARATE INSTRUMENT OR WRITING HAVE BEEN CONSTRUCTED IN THE MANNER SHOWN AND HAVE BEEN APPROVED BY COUNTY OFFICIALS; IT PROVIDES FOR WAIVER OF THAT PROVISION; IT ALSO PROVIDES THAT EVERY PLAT DEDICATION ON PLATS APPROVED AND ACCEPTED BY THE COUNTY SUBSEQUENT TO JULY 31, 1984, WHEREIN THERE IS A DEDICATION OF ROADS, STREETS, RIGHTS OF WAYS, DRAINAGE EASEMENTS OR WATER OR SEWER UTILITY EASEMENTS, REGARDLESS OF WHETHER SUCH RIGHT OF WAYS OR EASEMENTS ARE DEDICATED TO THE COUNTY, THE PUBLIC OR PRIVATE PERSONS OR ENTITIES SHALL BE DEEMED AS A MATTER OF LAW TO HAVE DEDICATED SUCH RIGHT OF WAYS AND EASEMENTS FOR THE INSTALLATION, MAINTENANCE AND USE OF SUCH CENTRAL WATER AND/OR CENTRAL SEWER SYSTEMS AS MAY EVENTUALLY BE PROVIDED BY THE COUNTY OR OTHER GOVERNMENTAL OR PRIVATE ENTITIES AND THAT FURTHER, UPON THE CONNECTION OF ANY MAINS OR LINES WITHIN THE SUBDIVISION TO THE WATER OR SEWER FACILITIES OF THE COUNTY OR OTHER GOVERNMENTAL ENTITY SUCH MAINS, LINES AND EQUIPMENT RUNNING TO THE VARIOUS PRIVATELY OWNED PARCELS OF LAND WITHIN SUCH SUBDIVISION SHALL AS A MATTER OF LAW BECOME THE PROPERTY OF THE COUNTY OR GOVERNMENTAL ENTITY WITHOUT COST OR CHARGE TO THE COUNTY OR GOVERNMENTAL ENTITY AND SHALL BECOME A PART OF ITS WATER OR SEWER SYSTEM; AND IT PROVIDES AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. St. Johns County Ordinance 78-38, as previously amended, which is the ordinance described in the above title, is hereby amended by adding the following sentences to the end of Article XII - Building Construction and Building Permit Construction:

No building permit or certificate of occupancy shall be given for any building located within a subdivision unless and until all roadways, drainage and other improvements shown, described or depicted on the recorded subdivision plat or agreed to be constructed by the owner or developer by separate instrument or writing have been constructed in the manner specified and have been approved by appropriate County officials. This provision requiring completion of improvements prior to issuance of building permits and certificates of occupancy may be waived by the person or persons to be determined by the County Administrator for good cause. The waiver of the requirement for one building within the subdivision shall not be deemed a waiver of the requirement for other buildings within the subdivision and

a waiver of the requirement allowing a building permit for a building shall not be deemed a waiver of the requirement for a certificate of occupancy for that same building. This provision requiring completion of improvement construction prior to issuance of building permits and certificates of occupancy shall apply regardless of whether construction bonds have or have not been waived.

Section 2. St. Johns County Ordinance 78-38, as previously amended, which is the ordinance described in the above title, is hereby amended by adding the following paragraph to the end of section 72.2 - Dedication and Adoption:

Every plat dedication containing a dedication of roads, streets, right of ways, drainage easements, sewer utility easements or water utility easements, regardless of whether they are dedicated to the County, to the public, or to private persons or entities, shall also dedicate such roads, streets, right of ways and easements for the installation, maintenance and use of such central water and/or central sewage systems as may eventually be provided by the County or by other governmental or private entities and such dedication for central water and/or sewage purposes shall be deemed as a matter of law to have been included in the plat dedication whether or not expressly written therein. In addition, by dedicating such roads, streets, right of ways and easements, the dedicators thereof shall agree and shall be deemed as a matter of law to have agreed that upon the connection of any mains or lines within the subdivision to the water or sewer facilities of the county or to some other governmental entity, said mains, lines and equipment running to the various privately owned parcels of land within such subdivision shall become the property of the county or other governmental entity without cost or charge to the county or governmental entity and shall become a part of its water system improvements and/or sewer improvements. This paragraph pertaining to central water and sewer systems shall apply to all subdivision plats accepted or approved by St. Johns County on or after ~~August 1, 1984~~ ^{SEPTEMBER} ~~1, 1984~~ ^{OCTOBER 1, 1984}.

Section 3. This ordinance shall take effect immediately upon receipt of official acknowledgement by the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that same has been filed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 11th DAY OF September, 1984.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Chester Benet
Its _____ Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: Marie Hudson
Deputy Clerk

Adopted regular meeting 09/11/84

Effective: 09-14-84

84-60

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Virginia L. Goodrich who on oath says that he is
Advertising Manager of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida;
that the attached copy of advertisement, being a _____
Notice of County Commission Meeting
_____ in the matter of _____
Amending St. Johns County Ordinance 73-33
_____ in the _____ Court,
was published in said newspaper in the issues of _____
August 20, 1934

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Sundays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he 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.

Sworn to and subscribed before me Virginia L. Goodrich
this 21st day of August
A.D. 19 34

Richard M. Walker
Notary Public

(SEAL)
Notary Public, State of Florida
My Commission Expires May 13, 1935
Bonded thru Toy Fair - Insurance, Inc.

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON SEPTEMBER 11, 1934, AT 8:15 O'CLOCK A.M. IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE: AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 73-33 AS PREVIOUSLY AMENDED, WHICH IS THE ST. JOHNS COUNTY SUBDIVISION ORDINANCE. THIS AMENDMENT PROVIDES THAT NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY SHALL BE GIVEN FOR ANY BUILDING WITHIN A SUBDIVISION UNLESS AND UNTIL ALL ROADWAYS, DRAINAGE AND OTHER IMPROVEMENTS DEPICTED ON THE RECORDED SUBDIVISION PLAT OR AGREED TO BE CONSTRUCTED BY THE OWNER OR DEVELOPER BY SEPARATE INSTRUMENT OR WRITING HAVE BEEN CONSTRUCTED IN THE MANNER SHOWN AND HAVE BEEN APPROVED BY COUNTY OFFICIALS; IT PROVIDES FOR WAIVER OF THAT PROVISION; IT ALSO PROVIDES THAT EVERY PLAT DEDICATION OR PLATS APPROVED AND ACCEPTED BY THE COUNTY SUBSEQUENT TO JULY 31, 1934, WHEREIN THERE IS A DEDICATION OF ROADS, STREETS, RIGHTS OF WAYS, DRAINAGE EASEMENTS OR WATER OR SEWER UTILITY EASEMENTS, REGARDLESS OF WHETHER SUCH RIGHT OF WAYS OR EASEMENTS ARE DEDICATED TO THE COUNTY, THE PUBLIC OR PRIVATE PERSONS OR ENTITIES SHALL BE DEEMED AS A MATTER OF LAW TO HAVE DEDICATED SUCH RIGHT OF WAYS AND EASEMENTS FOR THE INSTALLATION, MAINTENANCE AND USE OF SUCH CENTRAL WATER AND/OR CENTRAL SEWER SYSTEMS AS MAY EVENTUALLY BE PROVIDED BY THE COUNTY OR OTHER GOVERNMENTAL OR PRIVATE ENTITIES AND THAT FURTHER, UPON THE CONNECTION OF ANY MAINS OR LINES WITHIN THE SUBDIVISION TO THE WATER OR SEWER FACILITIES OF THE COUNTY OR OTHER GOVERNMENTAL ENTITY SUCH MAINS, LINES AND EQUIPMENT REMAINS TO THE VARIOUS PRIVATELY OWNED PARCELS OF LAND WITHIN SUCH SUBDIVISION SHALL AS A MATTER OF LAW BECOME THE PROPERTY OF THE COUNTY OR GOVERNMENTAL ENTITY WITHOUT COST OR CHARGE TO THE COUNTY OR GOVERNMENTAL ENTITY AND SHALL BECOME A PART OF ITS WATER OR SEWER SYSTEM; AND IT PROVIDES AN EFFECTIVE DATE. The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing. All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing. If a person desires to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the 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. BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
Carl "Bud" Merkel, its Clerk
By: Marie Hudson
Deputy Clerk
L733-August 20, 1934



FLORIDA DEPARTMENT OF STATE

George Firestone
Secretary of State

September 13, 1984

Honorable Carl "Bud" Markel, Clerk
Board of County Commissioners
Post Office Drawer 300
St. Augustine, Florida 32084

Attention: Marie Hudson

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of September 12
and certified copy/ies of St. Johns
County Ordinance/s Nos. 84-60, 84-61 and 84-62
2. Certified copy/ies of _____ County
Ordinance/s relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. This/these ordinance/s has/have been filed in this
office on September 13, 1984.
4. The original/duplicate copy/ies showing the filing
date is/are being returned for your records.

Kindest regards.

Sincerely,

Nancy Kavanaugh

(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

84 SEP 14 AM 10 28
CLERK OF CIRCUIT COURT

FILED

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