

Draft 5/31/95

ORDINANCE NO. 95- 28

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA RELATING TO CODE AND ORDINANCE ENFORCEMENT AND AMENDING ST. JOHNS COUNTY ORDINANCE 94-36 WHICH IS THE ST. JOHNS COUNTY UNIFORM CITATION ORDINANCE. THIS AMENDMENT AMENDS THE PORTIONS OF SCHEDULE A OF SAID ORDINANCE THAT PERTAIN TO ENFORCEMENT OF CONTRACTOR LICENSING AND CONTRACTOR REGULATION; ROAD AND BRIDGE REGULATIONS; AND PROVIDES THAT ST. JOHNS COUNTY CODES AND ORDINANCES MAY BE ENFORCED BY THE PROCESS SET OUT IN ORDINANCE 94-36 IF THEY ARE LISTED IN EXHIBIT A THERETO OR IF SUCH ENFORCEMENT IS PROVIDED FOR IN THE ORDINANCE TO BE ENFORCED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 9, 1994, the Board of County Commissioners of St. Johns County, Florida enacted the St. Johns County Uniform Citation Ordinance, Ordinance 94-36, which included within Schedule A of said ordinance a schedule or list of applicable codes and ordinances or parts thereof which may be enforced pursuant to the Uniform Citation Ordinance; and

WHEREAS, St. Johns County Ordinance 76-20, which regulated licensing of building contractors and the business of contracting, was included in schedule A of the Uniform Citation Ordinance; and

WHEREAS, St. Johns County Ordinance 94-50, enacted November 8, 1994, repealed and replaced Ordinance 76-20, while also permitting within its language the enforcement of

contractor licensing and regulation via the Uniform Citation Ordinance; and

WHEREAS, that portion of Schedule A of the St. Johns County Uniform Citation Ordinance which refers to violations of County Code involving the St. Johns County Road and Bridge Department is to be clarified and expanded; and

WHEREAS, it will be efficient to also allow for citation enforcement of new ordinances or newly amended ordinances without amending the Exhibit A Schedule when such new ordinance or ordinance amendment specifically provides for such enforcement in accordance with established County procedures.

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

Section 1. Amendment to Schedule of Applicable Codes and Ordinance.

St. Johns County, Florida Ordinance 94-36 is hereby amended by making the following additions and deletions to Schedule A attached to said ordinance:

A. Subparagraphs #5 and #12 under the heading Building and Codes Department are deleted and the following subparagraphs #5 and #12 are added and substituted in their stead:

5. Standard Plumbing Code. SJC Code Sec. 6-31 (Ord. 95-16)..

12. Contractor Licensing. (Ord. 94-50).

B. Subparagraphs #1 through 12 under the heading Road and Bridge are deleted and the following subparagraphs numbered 1 through 12 are added and substituted in their stead:

1. Construction or placement of any temporary or permanent structure, sign, culvert, ditch, post, fence or landscaping within the right-of-way of any public road without a permit. SJC Code Sec. 16-39.1 (Ord. 86-4, Sec. 5A; Ord. 87-24, Sec. 4; Ord. 88-48, Sec.3).
2. Installation of a mailbox with post(s) or other base(s) greater than 6" square without a permit. SJC Code Sec. 16-39.1 (Ord. 86-4, Sec. 5A).
3. Installation of utilities within right-of-way of any public road without a permit. SJC Code Sec. 16-39.1 (Ord. 86-4, Sec. 5A; Ord. 87-24, Sec. 4; Ord. 88-48, Sec. 3).
4. Construction of driveways and roads connecting to a public road without a permit. SJC Code Sec. 16-39.1 (Ord. 86-4, Sec. 5A; Ord. 87-24, Sec. 4; Ord. 88-48, Sec. 3).
5. Construction, alteration, restriction, removal or abandonment of any drainage system whether natural, man-made, public or private, without prior approval of the county and all appropriate local, state and federal agencies having jurisdiction. SJC Code Sec. 16-44 (Ord. 86-4, Sec.

- 10.1; Ord. 87-24, Sec. 9).
6. Construction activities which fail to maintain offsite drainage entering the subject property prior to the commencement of and throughout the construction period. SJC Code Sec. 16-44(5) (Ord. 86-4, Sec. 10.5; Ord. 87-24, Sec. 9).
 7. Construction activities which fail to prevent silts, erosion, or other pollutants from leaving site. SJC Code Sec. 16-44(5) (Ord. 86-4, Sec. 10.5; Ord. 87-24, Sec. 9).
 8. Failure to maintain privately owned drainage facilities by the responsible entity (i.e., homeowners association, developer, or others) as approved by the County and designed in the construction application. SJC Code Sec. 16-44(6) (Ord. 86-4, Sec. 10; Ord. 87-24, Sec. 9).
 9. Construction activities which include filling of lots outside of authority of Building Permit or an approved lot grading plan. SJC Code Sec. 16-44(7) (Ord. 86-4, Sec. 10.7; Ord. 87-24, Sec. 9).
 10. Failure to maintain driveway crossings of County Swales and/or ditches. SJC Code Sec. 16-44 (Ord. 86-4, Sec. 10.1; Ord. 87-24, Sec.9).
 11. Installation of a culvert which is found to be damaged, set to incorrect

grades, or is of insufficient size. SJC Code Sec. 16-45(1)(B)
(Ord. 86-4, Sec. 11.5).

12. Any activities within the public or private drainage system (ditches swales, etc.) which block or impede the flow of water. SJC Code Sec. 16-46(6)(D) (Ord. 86-4, Sec. 11.6).

Section 2. Section 4 of St. Johns County Ordinance 94-36 is hereby deleted in its entirety and the following is substituted in its stead:

Section 4. Applicable codes and ordinances; Classes. A schedule of the specific codes and ordinances or parts thereof that may be enforced through the means of this ordinance is attached hereto as "Schedule A," and incorporated herein by reference as if fully set forth herein. Amendments to Schedule A shall be made by amendment to this ordinance, with appropriate notice and formality. Notwithstanding provisions for amending Schedule A, any ordinance adopted or amended after the adoption of this ordinance may be enforced by means of this ordinance, if said newly adopted or amended ordinance makes specific provision for such manner of enforcement.

Section 3. Effective date.

This ordinance shall take effect immediately upon receipt by the Clerk of official acknowledgment from the Department of State that same has been filed.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 11th day of July, 1995.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Barbara Ward
Its Chair

ATTEST: CARL "BUD" MARKEL, CLERK

By: Carl "Bud" Markel
Clerk

Effective Date: July 24, 1995

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

Barbara Dresslar who on oath says that she is

Accounting Clerk 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 Intent to Consider Adoption of Ordinance

in the matter of _____

Amend Ordinance 94-36

in the _____ Court, was published in said newspaper in the

issues of June 19, 1995

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 heretofore been continuously published in said St. Johns County, Florida, each day 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 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 the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19th day of June, 1995,

by Barbara Dresslar who is personally

known to me or who has produced _____ personally known

(Type of Identification)

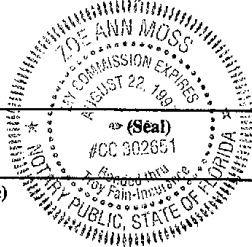
as identification.

Zoe Ann Moss

(Signature of Notary Public)

Zoe Ann Moss

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



Ordinance Book 15 481

COPY OF ADVERTISEMENT

NOTICE OF INTENT TO CONSIDER ADOPTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on Tuesday, July 11, 1995 at 1:30 p.m. in the County Auditorium, at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S. #1 North, St. Augustine, Florida, will hold a public hearing to consider the passage of the following ordinance:

ORDINANCE NO. 95- AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA RELATING TO CODE AND ORDINANCE ENFORCEMENT AND AMENDING ST. JOHNS COUNTY ORDINANCE 94-36 WHICH IS THE ST. JOHNS COUNTY UNIFORM CITATION ORDINANCE. THIS AMENDMENT AMENDS THE PORTIONS OF SCHEDULE A OF SAID ORDINANCE THAT PERTAIN TO ENFORCEMENT OF CONTRACTOR LICENSING AND CONTRACTOR REGULATION; ROAD AND BRIDGE REGULATIONS AND PROVIDES THAT ST. JOHNS COUNTY CODES AND ORDINANCES MAY BE ENFORCED BY THE PROCESS SET OUT IN ORDINANCE 94-36 IF THEY ARE LISTED IN EXHIBIT A THERETO OR IF SUCH ENFORCEMENT IS PROVIDED FOR IN THE ORDINANCE TO BE ENFORCED; AND PROVIDING 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 Administration Complex, Lewis Speedway, and may be examined by persons 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 decides to appeal any decision made with respect to any matter considered at the hearing, he/she will need a record of the proceedings, and for such purposes he/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.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these proceedings should contact, ADA Coordinator, at (904) 823-2501 or of the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 7 days prior to the date of the hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CARL "BUD" MARKELT, CLERK
Pacelli, Deputy Clerk
June 19, 1995



FLORIDA DEPARTMENT OF STATE RECEIVED
Sandra B. Mortham ST. JOHNS COUNTY CLERK
Secretary of State
DIVISION OF ELECTIONS '95 JUL 24 11:56
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250
(904) 488-8427
July 19, 1995
St. Johns County Commissioner

Honorable Carl Markel
Clerk to Board of County Commissioners
St. Johns County
Post Office Drawer 300
Saint Augustine, Florida 32085-0300

Attention: Rosemary Lewis, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated July 18, 1995 and certified copy each of St. Johns County Ordinance Nos. 95-28 through 95-35, which were filed in this office on July 19, 1995.

We notice that you did not include the Data Retrieval System Coding form for Ordinance 95-26 that was filed earlier. Please send that to us at your earliest convenience.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw