

543

**ORDINANCE NO. 96-01**

**AN ORDINANCE OF THE COUNTY COMMISSION OF THE COUNTY OF LIBERTY, FLORIDA, UPDATING THE 5-YEAR SCHEDULE OF IMPROVEMENTS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE LIBERTY COUNTY COMPREHENSIVE PLAN, PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT (CHAPTER 163, PART II, FLORIDA STATUTES), BY INCLUDING A WATER SYSTEM IMPROVEMENTS PROJECT WITHIN THE UPDATED 5-YEAR SCHEDULE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapters 163 and 125, Florida Statutes, empowers Liberty County to prepare and enforce a comprehensive plan for the development of Liberty County; and,

**WHEREAS**, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulations Act, empowers and requires Liberty County to (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and,

**WHEREAS**, Section 163.3177(3)(b), Florida Statutes, provides that certain revisions to the Capital Improvements Element are not deemed to be amendments to the adopted Liberty County Comprehensive Plan, and may be accomplished by ordinance; such revisions being specified in Section 163.3177(3)(b), Florida Statutes, to include corrections, updates, and modifications concerning costs; revenue sources; acceptance of facilities pursuant to dedications which are consistent with the plan; or the date of construction of any facility enumerated in the capital improvements element; and,

**WHEREAS**, the Liberty County Board of County Commissioners has determined that the revisions to the 5-Year Schedule of Capital Improvements, attached hereto as "Exhibit A", are consistent with the provisions of Section 163.3177(b), Florida Statutes and not deemed to be an amendment to the adopted Liberty County Comprehensive Plan; and,

**WHEREAS**, pursuant to Section 125.66(2), Florida Statutes, the Liberty County Board of County Commissioners held a duly noticed public hearing on May 9, 1996, to consider an update to the 5-Year Schedule of Capital Improvements of the Capital Improvements Element, and further considered all oral and written comments received during such public hearing;

444

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1. Purpose and Intent**

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, and the County Government Act, Chapter 125, Florida Statutes, as amended.

**Section 2. Revision**

The 5-Year Schedule of Capital Improvements, is hereby amended as set forth in "Exhibit A" attached hereto.

**Section 3. Conflict with Other Ordinances**

All ordinances or parts of ordinances of the Code of Ordinances for Liberty County, Florida, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

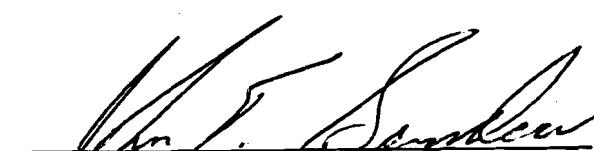
**Section 4. Severability**

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of the Ordinance shall remain in full force and effect.

**Section 5. Effective Date**

The effective date of this Ordinance shall be upon filing with the Department of State.

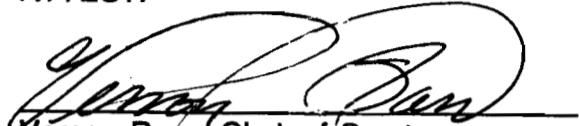
**PASSED AND DULY ADOPTED** by the Liberty County Board of County Commissioners on the 9th day of May, 1996.



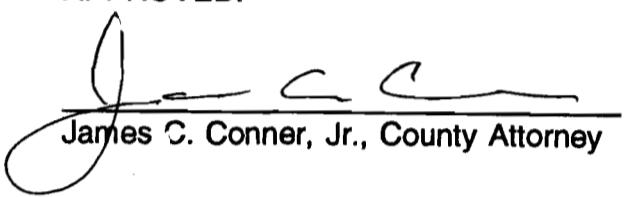
John T. Sanders, Chairman  
Liberty County Commission

445

ATTEST:

  
Vernon Ross, Clerk of Court

APPROVED:

  
James C. Conner, Jr., County Attorney

1/14/6

EXHIBIT A  
5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS, 1996-2001

<u>Project Description</u>	<u>Date</u>	<u>Projected Cost (\$)</u>	<u>General Location</u>	<u>Revenue Source</u>	<u>Consistency with other Elements</u>
Sumatra (streets)	by 1996	13,250	Sumatra	TTF <sup>1</sup> GRF <sup>2</sup>	Yes
Hwy. 379 to intersection with Hwy. 20-Joe Chason Rd	by 1996	31,800	Sec. 4, TIS R7W	TTF GRF	Yes
River Road near Estiffanulga	by 1996	10,600	Graded road running west from Hwy. 333 to boat ramp on Apalachicola River	TTF GRF	Yes
CR 379 Loop of CR 12, east of Lake Mystic and back to CR 12	by 1996	159,000	North of Johnson Mill Branch	TTF GRF	Yes
Ray Kever Road	by 1996	132,500	Graded road running from intersection 333 and Sec. 21, T2S, R8W	TTF	Yes
Graded road beginning at intersection w/ Hwy. 12 in NW quarter of Sec. 30, T1S, R8W, NEAR	by 1996	37,100	See Project Description	TTF GRF	Yes Yes

<sup>1</sup> Transportation Trust Fund

<sup>2</sup> General Revenue Fund

447

SW corner of  
Lake Mystic

<u>Water System Improvements</u>	<u>1996</u>	<u>500,000</u>	<u>Hosford</u>	<u>RECD<sup>3</sup></u>	<u>Yes</u>
			<u>Telogia</u>	<u>grant/loan</u>	
			<u>Estiffanulga</u>		
			<u>areas</u>		

---

<sup>3</sup> RECD Grant/Loan-If funds not received, project will be deleted or rescheduled