

LIBERTY COUNTY ORDINANCE NO.: 01-03

AN ORDINANCE PROVIDING FOR LIBERTY COUNTY TO REPAIR PRIVATE DRIVEWAYS AND ROADS; FINDING THAT THIS SERVICE WOULD SERVE A COUNTY PURPOSE; ESTABLISHING THAT THE OWNER OF THE PRIVATE DRIVEWAY OR ROAD MUST PAY THE COUNTY FOR THE ACTUAL COST OF SERVICES PROVIDED AS OUTLINED BELOW.

ARTICLE I.

SECTION 1.01. DEFINITIONS. When used in this Ordinance, the following terms shall have the following meanings, unless the context clearly otherwise requires:

“**Board**” shall mean the Board of County Commissioners of the County.

“**Clerk**” shall mean the Clerk to the Board.

“**County**” shall mean Liberty County, Florida.

“**Ordinance**” shall mean this County Repair of Private Driveways and Roads.

SECTION 1.02. FINDINGS. It is hereby ascertained, determined and declared:

(A) The Board has the authority to furnish fill dirt on county road grading of private roads where the owner of the private road pays for the actual costs incurred by the County for such service. These services are incidental to the grading and maintaining of county roads.

(B) The Board, in the exercise of the county's home rule powers, finds that the furnishing of county road grading of private roads and providing fill dirt serves a valid county purpose.

SECTION 1.03. COUNTY REPAIR OF PRIVATE DRIVEWAYS AND ROADS FEE

(A) Each resident that submits a request for the County to grade or repair a private driveway or road shall pay all actual costs of such service to the County. The following is the rate of cost for the County to provide one (1) load of dirt to be delivered to a resident of the County: twenty dollars and three cents (\$20.03). The following is the cost of the use of a motor grader for one (1) hour: seventeen dollars and sixty two cents (\$17.62). The above fees are determined to be the amount of actual costs for such services stated. The above fees shall be used in proportion to the actual time spent on such service.

(B) The County shall not repair or grade a private driveway or road nor shall it deliver fill dirt unless the County is paid for the actual costs of such service as set forth above.

(C) Not less than once every five years the County shall review the costs outlined above to determine whether the above costs are still consistent with the cost required by the County to provide such services to the owners of a private driveway or road, and shall increase said charges as necessary to insure that the County is fully compensated for providing these services.

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ARTICLE II.

GENERAL PROVISIONS

SECTION 2.01. **AUTHORITY.** This Ordinance is adopted under the power of self-government of counties authorized under Article VIII, section (1) (f), Florida Constitution, and section 125.01(1), Florida Statutes.

SECTION 2.02. **SEVERABILITY.** If any clause, section, or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall not remain in effect.

SECTION 2.03. **EFFECTIVE DATE.** A certified copy of this Ordinance shall be filed with the Secretary of State by the Board within ten (10) days after enactment. This Ordinance shall take effect immediately upon its filing with the Secretary of State.

DULY ENACTED in regular session, this 5th day of July,
2001.

**BOARD OF COUNTY COMMISSIONERS
OF LIBERTY COUNTY, FLORIDA**

By: John T. Sanders
John T. Sanders, Chairman

ATTEST:

By: Robert Hill
Robert Hill, Clerk

L.B. Arnold

F.B. Arnold

Curtis Anders

Curtis A. Anders

Stahrold S. Dawson, Sr.

Stahrold S. Dawson, Sr.

Kenneth P. Green

Kenneth P. Green

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