

ORDINANCE 2023-1

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, AMENDING ORDINANCE 22-10 TO EXTEND THE TEMPORARY MORATORIUM ON APPLICATIONS FOR SOLID WASTE MANAGEMENT, PROCESSING, RECYCLING, AND WASTE TO FUEL FACILITIES FOR AN ADDITIONAL 90 DAYS IN ORDER TO ENACT A COMPREHENSIVE PLAN AMENDMENT PROHIBITING SOLID WASTE USES.

WHEREAS, on January 5, 2023, the Liberty County Board of County Commissioners (“Board”) adopted Ordinance 2022-10, which established a short-term moratorium of 90 days on the receipt of applications for and the issuance of certain requests for site plans, development orders, permits, or building permits for Solid Waste Facilities in order to give the Board time to consider new solid waste land use regulations; and

WHEREAS, after consideration and legal consultation, on February 9, 2023 the Board directed staff to initiate a change to the Comprehensive Plan to prohibit private landfills and delete solid waste facilities from the uses allowed in the Industrial Land Use Category (“Comp Plan Amendment”); and

WHEREAS on March 9, 2023, the Board held a public hearing and voted to approve the Comp Plan Amendment and it will take time for the State to consider and process the Comp Plan Amendment and for the Board to finalize these Comp Plan changes; and

WHEREAS, the Board finds it must extend the duration of the short-term moratorium for an additional 90 day period in order to enact the Comp Plan Amendment; and

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

SECTION I. Amendment. Liberty County Ordinance 2022-10, Section 3, is hereby amended to in ~~strikeout and bold, underlined~~ text to read:

Section 3. Limited Duration of Moratorium. Beginning on the effective date of this Ordinance, and continuing for a period of ~~90~~ **180** days, the moratorium shall be in effect unless terminated earlier by adoption by the Commission of ordinance(s) repealing this moratorium, or upon the adoption of ~~an ordinance amending Ordinance 2022-5 regarding the permitting of a~~ **Comprehensive Plan Amendment prohibiting solid waste facilities** within the area described in Section 2 of this Ordinance, whichever event shall first occur.

SECTION II. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION III. Effective Date. This ordinance shall take effect as provided by law in accordance with Section 125.66, Florida Statutes.

DULY ADOPTED on this 6th day of April, 2023.

ATTEST:


Daniel Stanley, Clerk

**BOARD OF COUNTY COMMISSIONERS
LIBERTY COUNTY FLORIDA**


Hannah Causseaux, Chair

Approved as to Form:


Office of the County Attorney