

NOTICE OF INTENTION TO ADOPT ORDINANCE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Okaloosa County, Florida, on August 18, 2020 at 9:00 A.M. or soon thereafter, in the Commission Meeting Room at the Okaloosa County Administration Building located at 1250 N. Eglin Parkway Shalimar, Florida 32579, will hold a public hearing to consider adopting an ordinance, the title and substance of said proposed ordinance being:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, RE-ADOPTING COUNTY ORDINANCE 15-20 KNOWN AS THE “EXCESSIVE GROWTH AND ACCUMULATION OF VEGETATION ORDINANCE” AND ELIMINATING THE SUNSET CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinance may be inspected by the public at the Offices of the County Commission located at Suite 100, Okaloosa County Administrative Building, 1250 N. Eglin Parkway, Shalimar, Florida 32579 and at Suite 302, 302 N. Wilson Street, Crestview, Florida 32536. Those offices can be contacted by telephone at 850-651-7105.

If any person decides to appeal any decision made with respect to any matter considered at these hearings, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

Okaloosa County adheres to the Americans With Disabilities Act and will make reasonable modifications for access to these hearings upon request. Requests may be made to the County Commission Offices at the above address and must be made at least 48 hours in advance of the hearings to provide the requested service.

ORDINANCE NO. 2020- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA, RE-ADOPTING COUNTY ORDINANCE 15-20 KNOWN AS THE “EXCESSIVE GROWTH AND ACCUMULATION OF VEGETATION ORDINANCE” AND ELIMINATING THE SUNSET CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapters 125 and 162 of the Florida Statutes, the Board of County Commissioners of Okaloosa County (the “Board”) has the power to adopt Ordinances necessary for the exercise of its powers and to prescribe fines and penalties for the violation of Ordinances in accordance with law; and

WHEREAS, in order to protect the health, safety, and welfare of the citizens of Okaloosa County, and after due consideration and notice, on December 1, 2015 the Board adopted Ordinance 15-20 establishing standards regulating excessive vegetative growth in certain zoning districts of unincorporated Okaloosa County; and

WHEREAS, in order to ensure that the provisions of Ordinance 15-20 be reconsidered after sufficient time to evaluate its effectiveness had lapsed, the Board included in the Ordinance a sunset clause through which the Ordinance will automatically cease to be in effect after 5 years from the date of its adoption if not re-adopted by the Board; and

WHEREAS, since December 1, 2015 and as of the date of the writing of this re-adoption ordinance, Ordinance 15-20 has been invoked four times and in each instance has proven effective in causing excessive vegetative growth to be brought into compliance with the adopted standards; and

WHEREAS, the Board finds that it is in the public interest to both re-adopt Ordinance 15-20 and repeal the sunset provision to ensure that the standards created therein remain in force without interruption.

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

SECTION 1. RE-ADOPTION OF THE EXCESSIVE VEGETATION ORDINANCE OF 2015, ORDINANCE 15-20. Except as provided herein, Ordinance 15-20 and the standards it creates is hereby re-adopted.

SECTION 2. ELIMINATION OF SUNSET PROVISION. Section 5 of Ordinance 15-20 establishing a sunset provision is hereby repealed in its entirety.

SECTION 3. CODIFICATION. The Board hereby recognizes the codification of the provisions of Ordinance 15-20 as Division 4 of Article III of the Chapter 11 of the Okaloosa Code of Ordinances, and authorizes and directs that it remain so.

SECTION 4. EFFECTIVE DATE. This Ordinance will take effect as provided by law.

DULY PASSED AND ADOPTED THIS ____th DAY OF AUGUST, 2020.

BOARD OF COUNTY COMMISSIONERS
OKALOOSA COUNTY, FLORIDA

By: _____
Robert A. "Trey" Goodwin III, Chairman

ATTEST:

APPROVED AS TO FORM:

By: _____
J.D. Peacock II
Clerk of Circuit Court

By: _____
Lynn M. Hoshihara
County Attorney