

ORDINANCE NO. 275

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, RELATING TO PERMITS AND FEES, REQUIRING LANDOWNERS TO OBTAIN A PERMIT BEFORE CONSTRUCTING ANY DRIVEWAY OVER CITY PROPERTY, ESTABLISHING COST OF SUCH PERMITS, ESTABLISHING PROCEDURE FOR REMOVAL OF IMPROPERLY INSTALLED DRIVEWAYS ACROSS CITY PROPERTY, PROVIDING FOR ASSESSMENT OF COSTS, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

The Code of Ordinances of the City of Port St. Joe, Florida, is hereby amended by adding a section to be numbered 58-30, which sections reads as follows:

SECTION 1. *Permit needed.*

A. All landowners desiring to construct a driveway across City's rights of way shall obtain a permit from the City Clerk.

B. The cost of the permit required shall be \$50.00 for a driveway to a residence, and \$75.00 for a driveway to a commercial establishment.

SECTION 2. *Procedures.*

A. After payment is made for the permit, the permittee will coordinate with the director of public works, City of Port St. Joe, Florida.

B. The Public Works Department will, within a reasonable time, inspect the location where the driveway is to be constructed and prescribe the minimum city requirements such as grade and pipe diameter for the installation of the driveway.

C. After the driveway has been constructed, the permittee shall notify the director of public works that the work has been completed. The director shall have the installation work inspected to ensure compliance with city requirements.

SECTION 3. *Remedies.*

A. If, upon inspection, the installation is not in accordance with the minimum requirements previously established, the director of public works shall notify the permittee of the deficiency. Notice may be provided in person, by mail, or by posting notice on the property.

B. The permittee, upon receipt of the deficiency notice, must either bring the driveway into compliance with the minimum standards or remove the driveway and restore the City right

of way to its original condition.

C. Should the permittee refuse or fail to comply with the requirements of Section 3-B within seven days of being notified of the deficiency, the director of public works is authorized to remove the driveway/construction and restore the City right of way to its original condition. The permittee shall be liable for all costs so incurred by the City.

D. All costs incurred by City in removing the driveway and restoring the City right of way shall be assessed against and be a lien upon the lot, tract, or parcel of land to which access was requested. Additionally, no subsequent permit for driveway construction shall be issued to the permittee until such costs to City have been reimbursed.

E. Failure to Pay Costs: Should permittee fail to reimburse City for costs incurred, the city clerk shall issue no subsequent permit for a driveway to the property until such costs are paid.

SECTION 4. Severance. All ordinances or parts of ordinances in conflict herewith are hereby repealed. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. Effective date. This ordinance shall become effective as provided by law.

THIS ORDINANCE ADOPTED this 5th day of June, 2001.

CITY COMMISSION OF THE CITY
OF PORT ST. JOE, FLORIDA

BY: 
Mayor-Commissioner

Attest: 
Auditor/Clerk

The following commissioners voted yea: Pate, Raffield, Williams, Roberts & Horton
The following commissioners voted nay: None