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ORDINANCE NO: 01-07

AN ORDINANCE AMENDING ORDINANCE NO. 01-03; PROVIDING THAT ONLY A PRIVATE CITIZEN SHALL BE PERMITTED TO BUY FILL DIRT AND TO BUY USE OF THE MOTOR GRADER; PROVIDING THAT THE FILL DIRT AND THE USE OF THE MOTOR GRADER MUST ONLY BE USED FOR PERSONAL USE AND NOT FOR A ROAD THAT IS UNDER CONSTRUCTION; PROVIDING FOR A LIMIT TO ONE HALF HOUR FOR USE OF MOTOR GRADER PER GRADING CYCLE; PROVIDING FOR AN EFFECTIVE DATE THEREIN; AND INCORPORATING ORDINANCE NO. 01-03 IN ALL OTHER ORDINANCE PROVISIONS.

WHEREAS, the Board of County Commissioners 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.

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

WHEREAS, the Board of County Commissioners of Liberty County has determined that it shall be necessary to amend Ordinance No. 01-03 for the purpose of limiting the number of loads of fill dirt furnished to private road owners for cost and limiting the amount of time that the county will furnish road grading of private roads for cost.

NOW THEREFORE BE IT RESOLVED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, THAT ALL OF THE PROVISIONS OF LIBERTY COUNTY ORDINANCE 01-03, INCLUDING THE CHANGES AND MODIFICATIONS STATED HEREIN, ARE INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF:

(A)

(1) 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) plus tax. The following is the cost of the use of a motor grader for one half hour: eight dollars and

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eighty one cents (\$8.81) plus tax. The above fees are determined to be the amount of actual costs for such services stated.

(2) The fill dirt shall only be furnished to a private citizen for costs outlined herein in the Ordinance, if the fill dirt is being used for personal use. Fill dirt will not be furnished to a private citizen for cost if the fill dirt will be used for a road that is under construction.

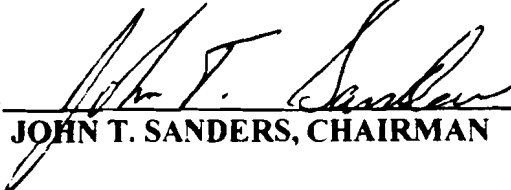
(3) The motor grader may only be furnished to a private citizen for the costs outlined in this Ordinance for no more than one half an hour use per grading cycle. The use of a motor grader shall only be furnished to a private citizen for costs outlined herein in the Ordinance if the motor grader is being used for the private citizens personal use and not for a road that is under construction.

(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.

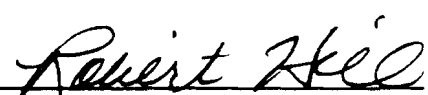
SECTION 2.03. EFFECTIVE DATE. This Ordinance shall take effect as provided by law.

PASSED AND ADOPTED THIS 4th DAY OF OCTOBER, 2001.

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

By: 
JOHN T. SANDERS, CHAIRMAN

ATTESTED BY:


**ROBERT HILL
CLERK OF COURT**