

ORDINANCE NO. 07-\_\_\_\_\_

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4 AN ORDINANCE OF THE BOARD OF COUNTY  
5 COMMISSIONERS OF LEON COUNTY, FLORIDA,  
6 AMENDING CHAPTER 10, ARTICLE XI, DIVISION 6 OF  
7 THE CODE OF LAWS OF LEON COUNTY, FLORIDA,  
8 REGARDING PLATS; AMENDING SECTION 10-1560  
9 ENTITLED "PLATS CONTAINING STREETS AND  
10 SUBDIVISION IMPROVEMENTS NOT DEDICATED TO  
11 THE PUBLIC" BY ADDING A NEW SUBSECTION 8  
12 RELATING TO COMPLETION OF INFRASTRUCTURE;  
13 AMENDING SECTION 10-1561 ENTITLED  
14 "COMPLETION OF INFRASTRUCTURE;" PROVIDING  
15 FOR CONFLICTS; PROVIDING FOR SEVERABILITY;  
16 AND PROVIDING AN EFFECTIVE DATE.

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18 WHEREAS, the Board of County Commissioners desires to enact an ordinance to amend  
19 Chapter 10, Article XI, Division 6, Section 10-1560 of the Code of Laws of Leon County,  
20 Florida, relating to plats containing streets and subdivision improvements not dedicated to the  
21 public; and

22 WHEREAS, the Board of County Commissioners desires to enact an ordinance to amend  
23 Chapter 10, Article XI, Division 6, Section 10-1561 of the Code of Laws of Leon County,  
24 Florida, relating to completion of infrastructure;

25 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON  
26 COUNTY, FLORIDA, that:

27 Section 1. Section 10-1560 of Chapter 10, Article XI, Division 6 of the Code of Laws of  
28 Leon County, Florida, entitled "Plats containing streets and subdivision improvements not  
29 dedicated to the public," is hereby amended by adding a new subsection 8, which shall read as  
30 follows:

31 8. Private street subdivisions shall have all infrastructure completed prior to plat  
32 recordation.

1           **Section 2.** Section 10-1561 of Chapter 10, Article XI, Division 6 of the Code of Laws of  
2 Leon County, Florida, is hereby amended to read as follows:

3           **Sec. 10-1561. Completion of infrastructure.**

4           Before plats for public street subdivisions are approved, all required improvements shall  
5 be completed by the applicant or agents and inspected and approved by county. ~~or~~ Aa  
6 performance guarantee/surety device acceptable to the county attorney shall be provided. In  
7 addition, all required offers to dedicate or reserve for future dedication shall be made clear of all  
8 liens and encumbrances on the property and public improvements thus dedicated, and shall be  
9 subject to approval and acceptance by the Board of County Commissioners.

10           **Section 3. Conflicts.** All ordinances or parts of ordinances in conflict with the  
11 provisions of this ordinance are hereby repealed to the extent of such conflict, except to the  
12 extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended,  
13 which provisions shall prevail over any part of this ordinance which is inconsistent, either in  
14 whole or in part, with the said Comprehensive Plan.

15           **Section 4. Severability.** If any word, phrase, clause, section or portion of this  
16 ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such  
17 portion or words shall be deemed a separate and independent provision and such holding shall  
18 not affect the validity of the remaining portions thereof.

19           **Section 5. Effective Date.** This ordinance shall have effect upon becoming law.

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DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon  
County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

LEON COUNTY, FLORIDA

By: \_\_\_\_\_  
C. E. DePuy, Jr., Chairman  
Board of County Commissioners

ATTEST:  
Bob Inzer, Clerk of Circuit Court

By: \_\_\_\_\_  
Clerk of Court

APPROVED AS TO FORM:  
COUNTY ATTORNEY'S OFFICE  
LEON COUNTY, FLORIDA

By: \_\_\_\_\_  
Herbert W. A. Thiele, Esq.  
County Attorney