

# Board of County Commissioners

## Leon County, Florida

### Policy No. 98-19

Title: Fill Material- Securement and Disposal: Private Property

Date Adopted: October 13, 1998

Effective Date: October 13, 1998

Reference: n/a

Policy Superseded: Policy No. 93-31 "Fill Material - Securement and Disposal; Private Property" adopted January 12, 1993

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It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-31, entitled "Fill Material-Securement and Disposal: Private Property" adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

#### A. **Securement**

1. The material secured from a private source shall be donated to the County at no cost other than the cost of excavating and hauling and permitting.
2. The cost of excavating and hauling from a private source shall not exceed the cost of obtaining materials from a County pit.
3. The County may, if requested by the property owner, do such grading as is necessary to leave the site of excavation in an acceptable condition to the property owner. The cost of such grading shall be considered as a part of the cost of the excavation.
4. In the interest of economic prudence, the County may not accept fill material from a private source unless sufficient quantities needed for a given project are made available to the County.
5. A written agreement with the property owner shall be obtained stating the terms and conditions covering the excavation, and a waiver of any and all claims against the County and its employees shall be also be obtained.
6. Proposed excavation will not create a dangerous or hazardous condition.
7. Any permits necessary for excavation will be acquired prior to beginning work.

**B. Disposal**

1. Excess material may be disposed of upon private property when:
  - a. the expense of moving the excess material to a County disposal point exceeds the cost of disposal on private property;
  - b. there is no need of such material for other County projects;
  - c. a written waiver is obtained from the property owner for any and all claims against the County and its employees;
  - d. the property owner provides documentation from the Leon County Community Development Department/ Florida Department of Environmental Protection that it is permissible to place spoils on the property.