

FRANKLIN COUNTY, FLORIDA
ORDINANCE 2024- 02

AN ORDINANCE PROVIDING PENALTIES FOR WORKING WITHOUT THE PERMIT REQUIRED BY THE FRANKLIN COUNTY ZONING CODE; PROVIDING FOR ISSUANCE OF STOP WORK ORDER FOR WORK COMMENCED WITHOUT THE PERMIT REQUIRED BY THE FRANKLIN COUNTY ZONING CODE; PROVIDING A PENALTY FOR VIOLATION OF THE STOP WORK ORDER; PROVIDING A DEFINITION FOR VIOLATION OF STOP WORK ORDER; RESCINDING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Franklin County Zoning Code of Franklin County, Florida, requires the issuance of a permit prior to commence of work; and,

WHEREAS, the Franklin County Board of County Commissioners has determined that it is in the best interests of the residents and citizens of the County that the penalty for commence of work without first obtaining the permit required by the Franklin County Zoning Code should be amended,

NOW THEREFORE, BE IT ORDAINED that:

(1) PENALTIES FOR COMMENCEMENT OF WORK PRIOR TO
OBTAINING THE PERMIT REQUIRED BY THE FRANKLIN
COUNTY ZONING CODE:

- (a) 1st Offense – Issuance of a Stop Work Order plus a Double the Permit Fee which would have been due for the work and a \$50.00 fine per day commencing with the date that the stop work order is issued and

ending on, and including, the date that the completed application for the after the fact permit is received by the Franklin County Planning and Zoning Department, together with payment in full of all fees and fines. Upon payment of all fees and fines, the after the fact permit shall be issued and the Stop Work Order shall be deemed lifted upon the issuance of the after the fact permit. Failure to file a complete application or failure to pay all of the fines and penalties will result in the continuation of daily fines.

- (b) 2nd Offense – Issuance of a Stop Work Order and Triple the Permit Fee which would have been due for the work and a \$100.00 fine per day commencing with the date that the stop work order is issued and ending on, and including, the date that the completed application for the after the fact permit is received by the Franklin County Planning and Zoning Department, together with payment in full of all fees and fines. Upon payment of all fees and fines, the after the fact permit shall be issued and the Stop Work Order shall be deemed lifted upon the issuance of the after the fact permit. Failure to file a complete application or failure to pay all of the fines and penalties will result in the continuation of daily fines.

(c) 3rd Offense – Issuance of a Stop Work Order plus a Triple Permit Fee and a \$500.00 fine per day commencing with the date that the stop work order is issued and ending on, and including, the date that the completed application for the after the fact permit is received by the Franklin County Planning and Zoning Department, together with payment in full of all fees and fines. Upon payment of all fees and fines, the after the fact permit shall be issued and the Stop Work Order shall be deemed lifted upon the issuance of the after the fact permit. Failure to file a complete application or failure to pay all of the fines and penalties will result in the continuation of daily fines.

(d) 4th Offense and Subsequent Offenses – Issuance of a Stop Work Order plus prosecution in the same manner as misdemeanors are prosecuted pursuant to Florida Statute Section 125.69, as amended from time to time. The Stop Work Order shall not be lifted until the resolution of the prosecution and the payment of all fines and penalties, if any. If found not guilty, then the Stop Work Order shall be automatically lifted.

(2) PENALTY FOR VIOLATION OF THE STOP WORK ORDER shall be prosecution in the same manner as misdemeanors are prosecuted

pursuant to Florida Statute Section 125.69, as amended from time to time.

- a. Violation of the Stop Work Order shall be defined as the continuation of work without the permit required by the Franklin County Zoning Code subsequent to the posting of the Stop Work Order on the property subject to the Stop Work Order.
- b. Franklin County shall also mail a notice of the Stop Work Order to the property owner at their address as shown on the records of the Franklin County Property Appraiser and to the contractor's address on file either with Franklin County or the State of Florida, Division of Corporations.
- c. The effective date of the Stop Work Order shall be the date that it is posted on the property on which work has commenced without the permit required by the Franklin County Zoning Code.

(3) SEVERABILITY: It is declared to be the intent of the Board that if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision to be severed from this ordinance and such holding shall not affect the validity of the remaining portions hereof.

(4) RESCISSION: All ordinances in conflict herewith are rescinded, but only to the extent necessary to avoid such conflict.

(5) EFFECTIVE DATE: This ordinance shall take effect as provided by law.

ADOPTED, this the 19th day of March 2024, by a vote of five out of five members.

Franklin County, a political subdivision of the State of Florida

By: Ricky D. Jones
Ricky D. Jones, Its Chairman

ATTEST:

By: Michele Maxwell
Michele Maxwell, Clerk of Courts



Approved as to form and substance:

By: Thomas M. Shuler
Thomas M. Shuler, County Attorney