

EMERGENCY ORDINANCE NO. 2018- 07

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, GRANTING TEMPORARY RELIEF TO THE FIRE VICTIMS IN THE NEIGHBORHOOD OF WILDERNESS ROAD, RIDGE ROAD AND BUCK ROAD, EASTPOINT, FLORIDA; TEMPORARY WAIVER OF FEES FOR DUMPING CONSTRUCTION AND DEMOLITION DEBRIS; TEMPORARY WAIVER OF FEES FOR DEVELOPMENT PERMITS AND BUILDING PERMITS, AND TEMPORARY HOUSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND PROVIDING FOR AUTOMATIC REPEAL ON JULY 15, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, FLORIDA:

SECTION 1: AUTHORITY.

The authority for the enactment of this Ordinance is Chapter 125, *Florida Statutes*, and Franklin County's Home Rule powers.

SECTION 2: FINDINGS OF FACTS.

WHEREAS, the County Commission of Franklin County, Florida ("County Commission"), is required to protect the public health, safety, and welfare; and

WHEREAS, on Sunday, June 24, 2018, a State of Florida control burn North of Eastpoint, Florida, escaped and created a wildfire; and,

WHEREAS, the wildfire burned approximately 810 acres of land and inflicted severe damage to the citizens in the area of Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida; and,

WHEREAS, the wildfire destroyed thirty-six (36) mobile homes and homes in the Ridge Road, Wilderness Road and Buck Road neighborhood of Eastpoint, Florida; and,

WHEREAS, the wildfire destroyed additional structures that were being used as living quarters in the Ridge Road, Wilderness Road and Buck Road neighborhood of Eastpoint, Florida; and,

WHEREAS, the wildfire displaced up to 180 persons as a result of the destruction directly caused by the wildfire that escaped from the State of Florida control burn North of the

neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida; and,

WHEREAS, Franklin County's ordinances restrict and limit the use of temporary power poles and temporary housing, both of which are now necessary for the recovery effort for the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida; and,

WHEREAS, Franklin County presently requires, but for this temporary emergency will temporarily waive, the payment of fees for development permits and building permits, inclusive of fees for permits for plumbing and electrical installation, repair work made to structures, plumbing and electrical services, including power poles, damaged by the escaped control burn in the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida, but not anywhere else; and,

WHEREAS, Franklin County presently requires, but for this temporary emergency will temporarily waive, the payment of tipping fees at its landfill for the disposal of construction and demolition materials from the damages caused by the escaped control burn in the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida, but not anywhere else; and,

WHEREAS, Franklin County intends that the temporary waiver of the tipping fees shall be limited to the debris directly resulting from the fire damage that occurred June 24, 2018, in the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida, but not anywhere else; and,

WHEREAS, Franklin County prohibits the dumping of additional debris onto the property in the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida, and the tipping fees for such debris shall not be waived; and,

WHEREAS, Franklin County shall require the issuance of development permits, building permits and the keeping of scale house records of the debris deposited at the landfill, but will not charge the fees ordinarily associated with such services; and,

WHEREAS, Franklin County will develop a process for tracking the issuance of permits and the debris dumped from each property effected by this ordinance; and,

WHEREAS, during this emergency, Franklin County intends to allow temporary housing at density that will accommodate the immediate family members who resided on the property on June 24, 2018, but no more than one power pole shall be allowed on any one parcel of record as of June 24, 2018; and,

WHEREAS, Franklin County does not intend to increase the density allowed by the Franklin County Zoning Code for any of the properties effected by this ordinance after July 15, 2020; and,

WHEREAS, Franklin County, by at least a four/fifths vote of the entire board of county commissioners, has determined that the damages caused by the wildfire that escaped from the State of Florida's control burn north of the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida, has resulted in a state of emergency requiring the adoption of this ordinance; and,

WHEREAS, Franklin County further finds and determines that this ordinance shall be a temporary measure to assist in the recovery of the neighborhood along Ridge Road, Wilderness Road and Buck Road in Eastpoint, Florida only; and,

WHEREAS, Franklin County finds that the temporary measures provided by this emergency ordinance do not change the zoning classification of any parcel of land and do not change the actual list of allowed uses of land in any zoning category are necessary to respond to the emergency circumstances described herein to provide for the public health, safety and welfare of those effected by this ordinance,

NOW, THEREFORE, BE IT ORDAINED by the County Commission of Franklin County, Florida, that:

1. All of the preamble and findings are incorporated into this Ordinance.
2. This ordinance shall only apply to the property located along and abutting Wilderness Road, Ridge Road and Buck Road, Eastpoint, Florida as is shown on the attached exhibit "A," identifying property by parcel number. It shall not apply to any other property in Franklin County, Florida, except as provided in Section 3.
3. Temporary housing shall be allowed to be placed upon the properties listed on Exhibit "A" for a period beginning upon the adoption of this ordinance and ending on July 15, 2020.
4. On or before July 15, 2020, the temporary housing shall be replaced with permanent housing and the temporary housing disconnected from electric service and plumbing and removed or stored on the property as provided by the Franklin County Zoning Code.
5. Power poles and electric service for temporary housing shall be allowed for the properties listed on Exhibit "A" for a period beginning upon the adoption of this ordinance and ending on July 15, 2020. On or before July 15, 2020, the power poles and electric service shall be connected to permanent housing. One power pole per parcel of land of record on June 24, 2018.
6. For the properties listed on Exhibit "A," the fees for development applications, building permits and tipping fees shall be waived for a two-year period ending on July 15, 2020. After July 15, 2020, such fees shall not be waived.
7. Development applications and building permits shall remain mandatory, and records of tipping fees shall be maintained, and tagged to each such permit.

SECTION 3: PROCEDURE TO IDENTIFY ADDITIONAL PROPERTIES SUBJECT TO THIS ORDINANCE.

Franklin County recognizes that a short period of time has passed since the June 24, 2018 wildfire and the adoption of this emergency ordinance. As such, Exhibit “A” shall be subject to modification upon the concurrence of the County Coordinator and the Franklin County Property Appraiser that additional property in the neighborhood along Wilderness Road, Ridge Road and Buck Road, Eastpoint, Florida, should be included in the temporary measures provided by this emergency ordinance, subject to ratification by Franklin County by resolution subsequently confirming the inclusion of such additional real estate from time to time. The limited geographic area within which additional properties may be added to Exhibit “A” is shown on Exhibit “B” and is limited to the real property abutting Ridge Road, Buck Road and Wilderness Road, Eastpoint, Florida, and not any other place.

SECTION 4: DEFINITIONS

“*Temporary Housing*” shall mean housing that is not permanent housing within the meaning of the Franklin County Zoning Code. Temporary Housing shall not include mobile homes, unless the mobile home is rated as a Zone 3 Mobile Home or which is otherwise lawfully approved for placement on property abutting the following roads; to wit: Ridge Road, Buck Road or Ridge Road, Eastpoint, Florida.

“*Permanent Housing*” shall mean housing that is permanent housing within the meaning of the Franklin County Zoning Code.

SECTION 5: PROHIBITIONS AND PENALTY:

Property subject to this ordinance shall not construct or place permanent housing in excess of the density allowed by the Franklin County Zoning Code.

After July 15, 2020, the temporary housing shall not exceed the density allowed by the Franklin County Zoning Code.

No person shall add construction and demolition debris to the property described in Exhibit “A”, including property added pursuant to Section 3. The first violation of this ordinance shall be a second-degree misdemeanor. The second and all future violations of this ordinance shall be prosecuted as a first-degree misdemeanor.

No person shall claim an exemption from the payment of tipping fees except for the disposal of construction and demolition debris from the properties listed on Exhibit “A”, including any additional property added pursuant to Section 3. The first violation of this ordinance shall be a second-degree misdemeanor. The second and all future violations of this ordinance shall be prosecuted as a first-degree misdemeanor.

SECTION 6: REPEAL.

This ordinance shall stand automatically repealed at 11:59 p.m. (ET) on July 15, 2020.

SECTION 7: SEVERABILITY.

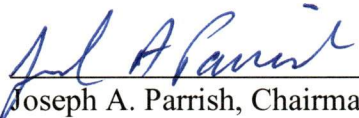
If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8: EFFECTIVE DATE.

This Ordinance shall take effect as provided by law.

PASSED and ADOPTED, in regular session, with a unanimous affirmative vote of all five members of the entire board present and voting, by the County Commission on this 3rd day of July, 2018.

FRANKLIN COUNTY, a political
subdivision of the State of Florida



Joseph A. Parrish, Chairman

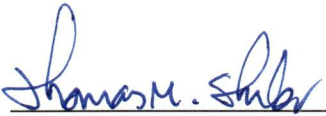


ATTEST:



Marcia M. Johnson, Clerk

APPROVED AS TO FORM

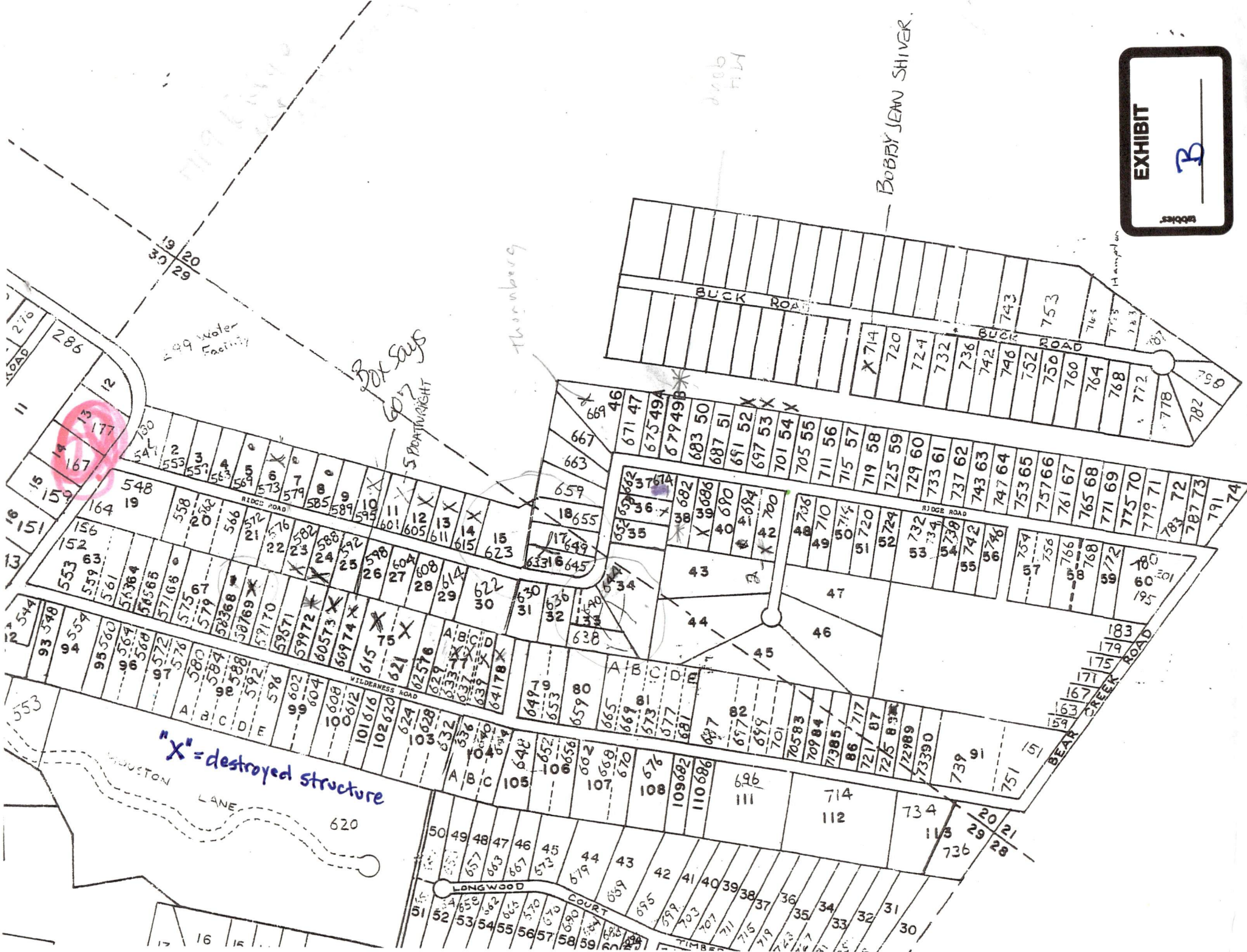


Thomas M. Shuler, County Attorney



SUNDAY, JUNE 24, 2018 EASTPOINT FIRE

TICKET	STATUS	OPEN DATE	PARCEL IDENTIFICATION	OWNER	LOCATION	CITY	STATE	ZIPCODE	INCIDENT	DESCRIPTION
3	OPEN	6/27/2018	29-085-06W-1001-0000-0130	JOHN AND LEANNA NOWLING	579 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
4	OPEN	6/27/2018	29-085-06W-1001-0000-0110	MARIANO DE JESUS ZAMBRANO AND ESTELA BLANCO	573 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
5	OPEN	6/27/2018	29-085-06W-1001-0000-0190	JAMES AND JEANETTE MILLER	595 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
6	OPEN	6/27/2018	29-085-06W-1001-0000-0210	MARK AND CHERYL ORTEGA	601 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
7	OPEN	6/27/2018	29-085-06W-1001-0000-0230	JOHN AND PAULA POLOUS	605 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
8	OPEN	6/27/2018	29-085-06W-1001-0000-0250	BETTY THOMAS	611 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
9	OPEN	6/27/2018	29-085-06W-1001-0000-0270	THOMAS AND CAROL DASEN	615 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
10	OPEN	6/27/2018	29-085-06W-1001-0000-0330	KELLY AND LOUISE SHIVER	645 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
11	OPEN	6/27/2018	29-085-06W-1001-0000-0880	ELIZABETH THORNBURG	667 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
12	OPEN	6/27/2018	29-085-06W-0000-0010-0800	CHARLES DERRICK LOLLEY	679 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
13	OPEN	6/27/2018	29-085-06W-0000-0010-0780	CHRISTOPHER ROSE	691 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
14	OPEN	6/27/2018	29-085-06W-0000-0010-0820	LUCY BETTINGER	697 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
15	OPEN	6/27/2018	29-085-06W-0000-0010-0750	TERRI WOODALL	701 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
16	OPEN	6/27/2018	29-085-06W-0000-0010-0024	WILLIAM AND LINDA MCQUAGGE	715 AND 719 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
17	OPEN	6/27/2018	20-085-06W-0000-0030-0140	BOBBY GENE SHIVER	714 BUICK STREET	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
18	OPEN	6/27/2018	29-085-06W-1001-0000-0200	THOMAS GORSKI AND RITA HENDERSHOT	588 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
19	OPEN	6/27/2018	29-085-06W-1001-0000-0400	EARL MOSES	640 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
20	OPEN	6/27/2018	29-085-06W-1001-0000-0401	WILLIAM AND ANNIE BANKS	638 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
21	OPEN	6/27/2018	29-085-06W-1001-0000-0460	BILLY AND JESSETTE DALTON	658 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
22	OPEN	6/27/2018	29-085-06W-1001-0000-0940	PHILLIP AND LILLIAN HOLIAN	686 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
23	OPEN	6/27/2018	29-085-06W-1001-0000-0910	STEVEN AND STORMY	700 RIDGE ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
24	OPEN	6/27/2018	29-085-06W-0000-0010-0480	LINDA HITT	639 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
25	OPEN	6/27/2018	29-085-06W-0000-0010-0261	WILLIAM AND JEAN BUTLER	621 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
26	OPEN	6/27/2018	29-085-06W-0000-0010-0651	MIMI GOLDEN	633 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
27	OPEN	6/27/2018	29-085-06W-0000-0010-0260	J BEN WATKINS	615 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
28	OPEN	6/27/2018	29-085-06W-0000-0010-0270	PHILLIP AND NATASHA VINSON	609 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
29	OPEN	6/27/2018	29-085-06W-1001-0000-1180	WEEDEN GLENN WOODALL	605 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
30	OPEN	6/27/2018	29-085-06W-0000-0010-0120	JAMES BOONE	599 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
31	OPEN	6/27/2018	29-085-06W-0000-0010-0140	BRUFORD FLOWERS	591 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
32	OPEN	6/27/2018	29-085-06W-0000-0010-0220	CHARLES GRANGER	587 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME DESTROYED BY 2018 EASTPOINT FIRE	HOME DESTROYED BY FIRE
33	OPEN	6/27/2018	29-085-06W-1001-0000-0130	JOHN AND LEANNA NOWLING	579 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	MELTED SIDING ON DW TOTAL LOSS TO SW AND SHED
34	OPEN	6/27/2018	29-085-06W-1001-0000-0090	DONNA JO HERNDON	569 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	MELTED SIDING
35	OPEN	6/27/2018	29-085-06W-1001-0000-0150	ERIK HOWARD	585 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	MELTED SIDING SMOKE DAMAGE AND INSIDE IS QUESTIONABLE
36	OPEN	6/27/2018	29-085-06W-0000-0010-0240	CECIL AND LISA BABBS	120 OTTERSLEIDE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SHED GONE
37	OPEN	6/27/2018	29-085-06W-0000-0010-0760	EDWARD AND FRANCES ESTES	725 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SHED GONE
38	OPEN	6/27/2018	29-085-06W-1001-0000-0160	DALLAS GILBERT	576 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SIDING DAMAGE
39	OPEN	6/27/2018	29-085-06W-1001-0000-0300	MANOLA LUGO	614 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SHED DESTROYED
40	OPEN	6/27/2018	29-085-06W-1001-0000-0380	JOHNNIE AND FARON BRYANT	636 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SHED DESTROYED FRONT AND BACK SIDING AND DOOR GONE
41	OPEN	6/27/2018	29-085-06W-1001-0000-0480	MARK YOWELL AND BELINDA NOWLING	674 RIDGE ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SIDING DAMAGE
42	OPEN	6/27/2018	29-085-06W-0000-0010-0650	WILLIAR AND JEAN BUTLER	629 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SHEDS ARE GONE
43	OPEN	6/27/2018	29-085-06W-0000-0010-0540	PATRICK AND ERA MILLENDER	612 WILDERNESS ROAD	EASTPOINT	Florida	32328	HOME/OUT BUILDING DAMAGED IN 2018 EASTPOINT FIRE	SHEDS ARE GONE



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Water Facility

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BUCK ROAD

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