

2024-08

AN ORDINANCE AMENDING ORDINANCE 2016-06 TO CLARIFY AND DEFINE YARD TRASH; DEFINE ALLOWED VOLUMES AND SIZE OF YARD TRASH; PROVIDING THAT YARD TRASH EXCEEDING THE ALLOWED VOLUME AND SIZE CONSTITUTES LITTER; EXCLUDING LAND CLEARING AS ALLOWED YARD TRASH; EXCLUDING COMMERCIAL FOR HIRE SERVICES; PROVIDING FOR INCREASED PENALTIES; PROVIDING THAT ORDINANCE 2016-6 REMAINS IN FULL FORCE AND EFFECT EXCEPT AS AMENDED AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2016, Franklin County adopted ordinance 2016-6 for the purpose of regulating the dumping of litter in order to keep Franklin County a clean, safe and beautiful place to live and visit; and,

WHEREAS, section 4 of ordinance 2016-6 provided that the Dumping of Litter is prohibited in all of Franklin County, Florida; and,

WHEREAS, section 5 of ordinance 2016-6 provided penalties for Dumping of Litter; and,

WHEREAS, Section 2(m) of ordinance 2016-6 provided Ordinance 2016-6, Section 2(m) presently defines yard trash and debris as follows: “Yard Trash and Yard Debris: tree trimmings, bushes, leaves, grass clippings, pine straw and similar yard debris on residential properties; and,

WHEREAS, Section 4(d) presently provides as follows: “Yard Trash and Yard Debris are not litter within the meaning of this ordinance, provided that said trash and debris are placed by the landowner on the land from which the said trash and debris originate; and,

WHEREAS, Franklin County finds that it is in the best interests of the public’s health, safety and general welfare, to provide limitations and restrictions, including the size and volume, of yard trash and debris, allowed by ordinance 2016-6 and to provide that violations of those limitation and restrictions shall become a violation of ordinance 2016-6 subject to the penalties provided therein;

NOW THEREFORE BE IT ORDAINED THAT:

1. Ordinance 2016-6, Section 2(m) is repealed in its entirety and replaced with the following definition: “Yard Trash: tree trimmings, tree limbs, tree branches, and tree trunks, bushes, leaves, grass clippings, pine straw and similar yard debris placed on property from which the said trash originated. Tree limbs, branches and trunks shall not exceed four inches in diameter or exceed six feet in length. Tree limbs, branches and trunks that exceed four inches in diameter or exceed six feet in length regardless of diameter are considered litter and shall be subject to the penalties of this ordinance. Yard Trash piles shall not exceed the following size: four feet wide, by eight feet long, by 4 feet high (4’ w x 8’ l x 4’ h). Each lot or parcel of land shall not have more than one Yard Trash pile. Yard Trash excludes commercial for-hire services. Commercial for-hire services shall remove Yard Trash and dispose of it at the

Franklin County land-fill. Yard Trash shall not be mixed with any other material. The mixture of Yard Trash with any other material shall mean that the entire pile is considered litter and subject to the penalties of this ordinance. Yard Trash excludes land clearing, which shall be defined as removal of more than three percent of the vegetative or woody material from a lot of record by square foot.

2. Ordinance 2016-6, Section 4(d) is repealed in its entirety and replaced with the following definition: "Yard Trash is not litter within the meaning of this ordinance, provided that said trash is placed by the landowner on the land from which the said trash originated. Yard Trash shall not exceed a single pile on a lot of record. Yard Trash pile shall not exceed four feet wide, by eight feet long, by four feet high. Tree limbs, branches and trunks shall not exceed four inches in diameter and shall not exceed six feet in length. Yard Trash shall not be mixed with any other material. Any pile of Yard Trash that exceeds the limitations and restrictions of this ordinance is litter and shall be subject to the penalties provided by this ordinance.
3. Section 5(b) Penalties and Enforcement, is amended as follows: Any person who violates any provision of this ordinance for the first time is guilty of a non-criminal infraction punishable by of fine of \$100.00 per day for the first five days of the violation, plus court costs. Thereafter, the daily fine increases to \$250.00 per day, plus court costs.
4. Section 5(c) Penalties and Enforcement, is amended as follows: Any person who violates any provision of this ordinance for the second time is guilty of a non-criminal infraction punishable by of fine of \$250.00 per day for the first five days, plus court costs. Thereafter, the daily fine increases to \$500.00 per day, plus court costs.
5. Code Enforcement: Franklin County reserves the right to enforce this ordinance through code enforcement, using the daily fines set forth herein, which shall become a lien on the property.
6. Except as specifically modified herein, Ordinance 2016-6 shall remain in full force and effect.
7. Effective Date: This ordinance shall take effect as provided by law.

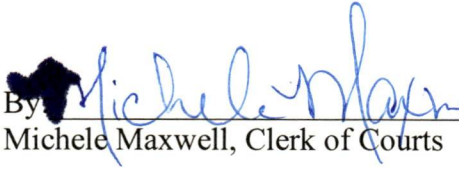
Adopted this the 17th day of September, 2024.

Franklin County, a political subdivision
of the State of Florida



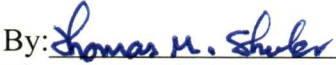
By: Ricky D. Jones
Ricky D. Jones, Its Chairman

Attest:

By: 
Michele Maxwell, Clerk of Courts



Approved as to legal form

By: 
Thomas M. Shuler, County Attorney