

FRANKLIN COUNTY ORDINANCE 2001- 21

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA
DECLARING AN EMERGENCY; PROHIBITING THE CREATION
OR MAINTENANCE OF ANY STANDING FRESHWATER CONDITION
CAPABLE OF BREEDING MOSQUITOS; PROVIDING FOR INJUNCTIVE RELIEF;
PROVIDING FOR PENALTIES AND AN EFFECTIVE DATE.

WHEREAS, there exists in Florida and Franklin County an emergency condition caused by mosquito-born disease, and

WHEREAS, Eastern Equine Encephalitis and West Nile Virus are deadly diseases vectored by mosquitos here and elsewhere, now

THEREFORE BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. A public health emergency exists.
2. It shall be a violation of this ordinance to create or maintain any standing freshwater condition capable of breeding mosquitos in Franklin County.
3. A freshwater condition capable of breeding mosquitos shall include but not be limited to any trash, litter, receptacle or container on public or private property which holds or accumulates rainwater, runoff or other freshwater for a period of time which will allow the existence of mosquito larvae, but shall not include any natural water body or any ditch, swale, or water control structure of the State of Florida, Franklin County, or any municipality in Franklin County.
4. Nothing herein shall permit the alteration of permitted storm water management systems or prohibit maintaining fish ponds, xeriscaping or other maintained systems of landscaping or vegetation.
5. If such condition is found to exist, notice shall be served on the property owner to abate, treat or remove the condition. Such notice shall serve as prima facie evidence of maintaining a nuisance, and upon failure to treat, remove or abate the condition, Franklin County may proceed pursuant to Florida Statute Section 60.05 to enjoin the nuisance and may recover costs and attorney's fees in such action.


6. Wilful creation or maintenance of such condition shall be a misdemeanor of the second degree.

This Ordinance shall take effect immediately.

SIGNED AND ADOPTED ON SEPTEMBER 18, 2001.

THE FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: Eddie Creamer
EDDIE CREAMER, Chairman

ATTEST
The seal is circular with a double-line border. The outer ring contains the text "BOARD OF COUNTY COMMISSIONERS" at the top and "FRANKLIN COUNTY, FLORIDA" at the bottom. The center of the seal features the word "SEAL" in a bold, serif font. A signature, "Kenall Wade", is written across the seal and extends to the right, crossing a horizontal line.
KENALL WADE, Clerk
(SEAL)