

**ORDINANCE NO. 773**

**AN ORDINANCE AMENDING THE COMPRE-HENSIVE PLAN OF THE CITY OF DEFUNIAK SPRINGS, FLORIDA, UPDATING THE DATA AND ANALYSIS AND LEVEL OF SERVICE STANDARDS OF THE INFRASTRUCTURE ELEMENT, POTABLE WATER SUB-ELEMENT, PURSUANT TO FLORIDA STATUTE CHAPTER 163, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS, PRO-VIDING FOR A SHORT TITLE, PROVIDING FOR FINDINGS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature adopted Chapter 163, Florida Statutes which required the City of DeFuniak Springs, Florida to prepare and adopt a Comprehensive Plan; and,

**WHEREAS**, the City Council of the City of DeFuniak Springs, Florida, adopted Ordinance Number 674 on February 21, 2001, which Ordinance is the City's Comprehensive Plan, and

**WHEREAS**, the City Council of the City of DeFuniak Springs, Florida, adopted Resolution Number 2008-16 on November 10, 2008, which is the City's Evaluation and Appraisal Report of the Comprehensive Plan, and,

**WHEREAS**, the City Council of the City of DeFuniak Springs, Florida, is required by Florida Statutes to amend its Comprehensive Plan by adopting provisions addressing water supply planning; and,

**WHEREAS**, the City Council of DeFuniak Springs is designated as the Local Planning Agency and has responsibility for reviewing and adopting amendments to the Comprehensive Plan, and

**WHEREAS**, a public hearing for the adoption of the Comprehensive Plan Amendment was duly advertised as required by law and notice having been published once on October 23, 2008; and

**WHEREAS**, this amendment is not subject to the twice a year limitation on amendments to the Comprehensive Plan.

**NOW THEREFORE**, be it enacted by the City Council of the City of DeFuniak Springs, Florida, that,

**SECTION 1. Repeal.**

Any provision that is in conflict with these provisions is hereby repealed.

**SECTION 2. Short Title.**

This Ordinance shall be known as The Water Supply Work Plan Amendment to the City of DeFuniak Comprehensive Plan.

**SECTION 3. Findings.**

The City Council of the City of DeFuniak Springs finds that the Water Supply Work Plan Amendment to the Infrastructure Element, Potable Water Sub-Element (Exhibit "A"), as proposed to be adopted by this Ordinance are necessary to be in compliance with the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes.

**SECTION 4. Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the validity shall not affect other provisions or applications of this Ordinance or the City of DeFuniak Springs Comprehensive Plan which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**SECTION 5. Effective Date.**

This Ordinance shall become effective as provided by law.

ADOPTED THIS 24<sup>th</sup> DAY OF November, 2008.

CITY COUNCIL OF THE CITY OF DEFUNIAK  
SPRINGS, FLORIDA

By: C. Harold Carpenter  
C. Harold Carpenter, Mayor

ATTEST:

Vanessa Mitchell  
Deputy City Clerk