

Ordinance No. 788

AN ORDINANCE AMENDING THE CITY OF DEFUNIAK SPRINGS LAND DEVELOPMENT CODE, PROVIDING FOR AUTHORITY; PROVIDING A PURPOSE; PROVIDING FINDINGS; PROVIDING FOR AUTHORITY; PROVIDING FOR APPLICABILITY; ADOPTING A SEVERABILITY CLAUSE; ADOPTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of DeFuniak Springs has determined the need to update its Land Development Regulations relative to technical specifications and standards; and

WHEREAS, the City Council of the City of DeFuniak Springs has determined the need to establish standards for infrastructure construction including, but not limited to street design and layout, water distribution system, wastewater collection system, stormwater management, subdivision plats, easements, etc.; and

WHEREAS, the City Council of the City of DeFuniak Springs wishes to protect the health, safety and welfare of its citizens and reduce the costs associated with development by establishing uniform standards for materials and methods used to construct facilities dedicated for public use; and

WHEREAS, the City Council of the City of DeFuniak Springs is authorized by Florida Statute 163 to adopt land development regulations consistent with its comprehensive plan.

NOW THEREFORE, be it ordained by the City Council of the City of DeFuniak Springs, Florida as follows:

SECTION 1 Short Title.

This Amendment to the Land Development Regulations shall be known as the Development Technical Manual Amendment.

SECTION 2 Applicability.

The Development Technical Manual (Exhibit "A") shall apply to all land development, redevelopment, construction, and reconstruction.

SECTION 3 Amendment.

The DeFuniak Springs Code of Ordinances, Appendix A, Zoning, Chapter 1. General Provisions is amended to read as follows:

Section 1.13 Development Technical Standards.

The City of DeFuniak Springs has adopted a Development Technical Manual (DTM) by reference. All land development, redevelopment, construction, and reconstruction is required to utilize the DTM.

SECTION 4 Legal Provisions.

1. Severability. If any section, clause or phrase of this Ordinance is adjudicated to be void, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.
2. Amendment. This ordinance may be amended by the City Council by notification and hearing as specified by law.
3. Conflicting Ordinances. Should the requirements of this Ordinance conflict with those of any other regulation or ordinance of DeFuniak Springs, Florida, the regulation or ordinance requiring the higher standard shall prevail.

SECTION 5 Violation.

ADOPTED THIS 12th DAY OF July, 2010.

CITY COUNCIL OF THE CITY OF DEFUNIAK
SPRINGS, FLORIDA

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

ATTEST:

Jonathan King
Jonathan King, City Clerk