

Chapter 18

ROADS AND BRIDGES*

* **Cross References:** Definitions and rules of construction generally, § 1-2; discharging firearms across county roads, easements, etc., § 14-2; litter control, § 21-21 et seq.;

State Law References: County road system, F.S. Ch. 336.

Art. I. In General, §§ 18-1--18-20

Art. II. Driveway Construction, §§ 18-21--18-65

Art. III. Special Assessments, §§ 18-66--18-90

Art. IV. Adopt-a-Roadway Program, §§ 18-91--18-100

Art. V. Uniform Street Addressing System, §§ 18-101--18-110

Art. VI. Request for Release of Road Right-of-Way Reservations, §§ 18-111--18-115

Art. VII. Vacation of Platted Easements, §§ 18-116--18-122

ARTICLE I.

IN GENERAL

Sec. 18-1. Escrow account for private road construction.

(a) The board of county commissioners is hereby authorized to accept from private citizens sums of money to be held in escrow account provided for by the board of county commissioners for the purpose of holding the funds in escrow until sufficient funds have been secured so that the private citizens may contract with a private contractor to have a road or a street constructed or reconstructed with appropriate ditching on either side when needed.

(b) The board of county commissioners are hereby authorized to pay from the escrow account the sums to the private contractor for the reconstruction or construction as hereinabove provided for.

(c) The board of county commissioners is hereby authorized to have the construction or reconstruction supervised by the county engineering to the extent possible with the work force of county engineering in order to verify as nearly as possible that the road has been constructed or reconstructed to specifications set by the county.

(Ord. No. 1971-4, §§ 1-3, 7-12-71)

Cross References: Financial affairs, § 2-21 et seq.

Secs. 18-2--18-20. Reserved.

ARTICLE II.

DRIVEWAY CONSTRUCTION (RESERVED)*

* **Editors Note:** Ord. No. 1992-6, §§ 1--5, enacted May 19, 1992, adopted land development regulations for Lake County and repealed former Art. II, §§ 18-21--18-65, in its entirety. Former Art. II derived from Ord. No. 1981-2, §§ 1--6, adopted March 10, 1981.

Secs. 18-21--18-65. Reserved.

ARTICLE III.

SPECIAL ASSESSMENTS*

* **Editors Note:** Ord. No. 2005-55, § 2, adopted July 19, 2005, amended Art. III, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Art. III was entitled, "Paving financed by special assessments." See also the Code Comparative Table for a detailed analysis of inclusion.

Cross References: Financial affairs, § 2-21 et seq.

Sec. 18-66. Power and authority.

The board of county commissioners may provide for the paving, grading, curbing, draining or other improving of streets and highways, and may provide for installation of utilities, including connection to a public water system, in the unincorporated area of the county and may specially assess against the abutting property to be improved the entire cost of the improvement, or any portion thereof, and to pay as a county charge any of the costs which are not specially assessed.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-67. Preliminary resolution to declare special assessments.

(a) When the board may determine to make any public improvement authorized by section 18-66 and defray the whole or any part of the cost thereof by special assessment, the board shall so declare by resolution stating the nature of the proposed improvement, designating the road(s) to be improved, or the parcels to be benefited by the installation of utilities, and stating the portion of the cost to be paid by special assessment. The resolution shall also designate the lands upon which the special assessments shall be levied and in describing said lands, it shall be sufficient to describe them as "all lots and lands adjoining and contiguous or bounding and abutting upon such improvements specially benefited by the assessment plat hereinafter provided for." The resolution shall also state the total estimated cost of the improvement. The resolution may also contain those matters required by section 18-68, subsection (a).

(b) The resolution adopted pursuant to subsection (a) shall be recorded in the public records of the county immediately after its adoption.

(c) The board of county commissioners shall cause to be published once a week for a period of two (2) weeks in a newspaper of general circulation published in the county, a notice stating that at a regular meeting of the board on a certain day and hour not earlier than fifteen (15) days from the first publication, the board will hear objections of all interested persons to the adoption of the resolution provided for in subsection (d).

(d) At the time designated in the notice or to which an adjournment may be taken, the board of county commissioners shall receive any objections of interested persons and may then or thereafter adopt such resolution with such amendments, if any, as may be desired by the board and which do not change the location of the improvement or increase the probable cost thereof.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-68. Assessment roll.

(a) At a convenient and reasonable time, either before or after the completion of work under this article, the board of county commissioners shall cause to be prepared a preliminary assessment roll containing property descriptions and preliminary assessments of cost against each lot or parcel of land abutting the improvement. Upon completion of the preliminary assessment roll, the board shall cause to be published at least once a week for a period of two (2) weeks in a newspaper of general circulation published in the county, a notice stating that the preliminary assessment roll has been completed and is on file in the office of the board and is open to public inspection and that at a regular meeting of the board on a certain day and hour not earlier than fifteen (15) days from the first publication, the board will hear objections of all interested persons to the proposed assessments contained in the preliminary assessment roll. The notice shall further state in brief and general terms, a description of the improvement with the location thereof. On or after the hearing provided for in this section, the board shall either annul or sustain or modify in whole or in part the preliminary assessment indicated on the preliminary assessment roll either by confirming the preliminary assessment against any or all lots or parcels described therein, or by canceling, increasing or reducing the same according to the special benefits which the board decides each lot or parcel has received or will receive by virtue of the improvement but shall not confirm any assessment in excess of the special benefit to the property assessed. Immediately after the determination of special assessments as hereinbefore provided, the special assessment roll as sustained or modified, shall be delivered to the county finance director and such determination of special assessments shall be final and conclusive unless proper steps shall be taken in a court of competent jurisdiction to secure relief within ten (10) days and except as hereinafter provided. The hearing provided for in this section may be held in conjunction with the hearing on adoption of the resolution as provided for in section 18-67.

(b) The final assessment roll shall be recorded in the public records of the county immediately after determination of special assessments.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-69. Interest, method of payment.

Assessments made under this article shall become due and payable at a location designated by the county manager or designee thirty (30) days after acceptance by the board of county commissioners of said improved road into the county maintenance system, or by written confirmation of acceptance by the utility company of the utility improvements. All assessments not paid within thirty (30) days after assessment shall thereupon become payable in equal, annual installments for a period not to exceed ten (10) years with interest as hereinafter set

forth commencing at the expiration of the thirty-day period above specified and shall be payable annually. Interest rates shall not exceed by more than two (2) percent the prime rate fixed as of such date by the banking institution designated by county as its main depository. The board of county commissioners may fix shorter periods for the payment of annual installments or may determine a lower rate of annual interest but any assessment becoming so payable and installments may be paid at any time together with interest accrued thereon to the date of payment. Any annual payments shall be paid pursuant to resolution of the board of county commissioners which shall designate where payment is to be made for the special assessment.
(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-70. Priority of lien.

All special assessments for any improvements made under the provisions of this article shall constitute liens upon the property assessed from the date of the recording of the resolution adopted pursuant to section 18-67 and shall be of the same nature and to the same extent as liens for general county taxes. No sale of any property for general county taxes or for an installment or installments of any such assessment and no perfecting of title under any such sale shall divest the lien of any installment of such assessment not due at the time of the sale. Collection of such assessments with such interest and penalties, and with a reasonable attorney's fee, may be made by the county or lending institution by proceedings in a court of equity to foreclose the lien of the assessment as lien for mortgages is, or may be foreclosed under the laws of the state. It shall be lawful to join in any bill for foreclosure any one (1) or more lots or parcels of land, by whomsoever owned, if assessed for the same improvement; provided that failure to pay any installment of principal or interest on any assessment within thirty (30) days of the date when such installment shall become due shall without notice or other proceedings, cause all installments of principal remaining unpaid to be forthwith due and payable with interest due thereon at date of default and further interest as herein provided; but if before the sale of the property for delinquent assessments, the amount of such delinquency shall be paid with all penalties, interest costs and attorney's fees, further installments of the principal shall cease to become so due and payable, and shall be due and payable at the times at which the same would be due if no such default had occurred.
(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-71. Alternative method of collection.

(a) *Findings.*

- (1) The special assessments specified in this article are to be imposed by the board, not the property appraiser or tax collector. The duties of the property appraiser and tax collector under the Uniform Assessment Collection Act, section 197.3632, Florida Statutes, are ministerial.
- (2) The special assessments to be imposed pursuant to this article will constitute a non-ad valorem assessment within the meaning and intent of the Uniform Assessment Collection Act, if the board elects to utilize this section.

(b) *Initial proceedings.* In order to utilize the Uniform Assessment Collection Act for a first assessment, the board shall adopt a resolution at a public hearing prior to January 1st. The resolution shall, at a minimum, clearly state its intent to use the uniform method for collecting the assessment and notice thereof shall be published weekly in a newspaper of general circulation for four (4) consecutive weeks preceding the

hearing. The resolution shall additionally state the need for the levy, shall include a legal description of the boundaries of the real property subject to the levy, and shall direct the county manager to prepare the initial assessment roll, publish the required notice, and mail the required notice. Other items which may be set forth in the resolution include the purpose of the assessment, the total amount to be levied against each parcel, the unit of measurement, the number of units per parcel, and the total revenue to be collected. If the resolution is adopted, the board shall send a copy of it by United States mail to the property appraiser and the tax collector by January 10th, or by March 10th if agreed to by the parties.

(c) *Assessment roll.* The board shall adopt the non-ad valorem assessment roll at a public hearing held between January 1st and September 15th.

(d) *Notice by mail.* At least twenty (20) days prior to the public hearing, the county shall notice the hearing by first class mail and by publication in a newspaper generally circulated within the county. The notice by mail shall be sent to each person owning property subject to the assessment and shall include the following information:

- (1) The purpose of the assessment;
- (2) The total amount to be levied against each parcel;
- (3) The unit of measurement to be applied against each parcel;
- (4) The number of units contained within each parcel;
- (5) The total revenue the local government will collect;
- (6) A statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title;
- (7) A statement that all affected property owners have a right to appear at the hearing and to file written objections with the county within twenty (20) days of the notice;
- (8) A statement that the assessment is to be collected for a period of more than one (1) year, or is to be amortized over a number of years, if applicable; and
- (9) The date, time, and place of the hearing.

If the notice states that the assessment is to be collected for more than one (1) year, notice by mail for subsequent years shall not be required unless the assessment is increased beyond the maximum rate authorized by law, the county's boundaries have changed, or there is a change in the purpose of the assessment; provided, however, that notice is provided by including the assessment in the property appraiser's notice of proposed property taxes and proposed/adopted nonad valorem assessments.

(e) *Notice by publication.* In addition to the notice by mail, notice by publication shall also be required and shall contain the following information:

- (1) The name of the local governing board;
- (2) A geographic depiction of the property subject to the assessment;
- (3) The proposed schedule of the assessment;
- (4) The fact that the assessment will be collected by the tax collector;
- (5) A statement that all affected property owners have the right to appear at the public hearing and the right to file written objections within twenty (20) days of the publication of the notice;
- (6) A statement that the assessment is to be collected for a period of more than one (1) year, or is to be amortized over a number of years, if applicable; and
- (7) A statement that the initial assessment roll is available for inspection and all interested persons may ascertain the amount to be assessed against a parcel of property at the office of the county manager or designee.

(f) *Adoption of the final assessment resolution.* At the time named in the notice, or to which an adjournment or continuance may be taken by the board, the board shall receive any written objections of interested persons and may then or at any subsequent meeting of the board adopt the final assessment resolution which shall:

- (1) Repeal or affirm the initial assessment resolution with such amendments, if any, as may be deemed appropriate by the board.
- (2) Establish the rate of assessment; and
- (3) Approve the initial assessment roll, or adjust such roll or the application of the assessment to any affected property based on the benefit which the board will provide or has provided to the property with the revenue generated by the assessment.

The adoption of the final assessment resolution shall be the final adjudication of the issues presented, including but not limited to, the method of apportionment, the initial rate of assessment, the initial assessment roll and the levy and lien of the assessment, unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of board action on the final assessment resolution. The assessment roll shall be delivered to the tax collector, or such other official as the board deems appropriate.

(g) *Adoption of the annual rate resolution.* The board shall adopt an annual rate resolution during its budget adoption process for each fiscal year following the initial fiscal year for which the assessments are imposed hereunder. The annual rate resolution shall approve the assessment roll for the upcoming fiscal year. The annual rate resolution shall be prepared in accordance with the method of apportionment set forth in the final assessment resolution. A public hearing shall be required prior to adoption of the annual rate resolution if

the assessment is increased beyond the maximum rate authorized by law, the county's boundaries have changed, or there is a change in the purpose of the assessment. The annual rate resolution and associated assessment roll shall be delivered to the tax collector as required by the Uniform Assessment Collection Act.

(h) *Lien on real property.* All assessments levied hereunder shall constitute a lien against real property equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-72. Supplemental assessments.

In case of any omissions, errors and mistakes in making the special assessments under this article or in case of deficiencies or otherwise, then unless the board of county commissioners shall have determined that special assessments already made fully equal the amount of special benefits, supplemental assessments may be made for such deficiencies, errors, omissions and mistakes; such supplemental special assessments may be made in the same manner, and after the same notice and hearing herein provided for the original special assessments, and shall be a lien to the same extent, and be payable in the same manner, draw the same rate of interest, be subject to the same penalties, and be enforced and collectible in the same manner as such original special assessments.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-73. Bonds--Generally.

(a) The board of county commissioners shall have the power and it is hereby authorized to provide by resolution from time to time for the issuance of bonds for the purpose of paying all or a part of the cost of any one (1) or more improvements authorized by this article or any combination of improvements as a single improvement. The principal and interest of the bonds shall be payable solely from the special assessments levied against the property abutting the improvement and any other funds legally available for payment. The bonds of each issue shall be dated, shall bear interest at such rate or rates not to exceed the provisions of F.S. § 215.84(3), shall mature at such time or times not exceeding ten (10) years from their date or dates as may be determined by the board and may be made redeemable before maturity at the option of the county at such price or prices and under such terms and conditions as may be fixed by the board prior to the issuance of the bonds. The board shall determine the form of the bonds and the interest coupons to be attached thereto, the manner of executing the bonds and coupons and shall fix the denomination or denominations of the bonds and the place or places of payment of the principal and interest which may be at any bank or trust company within the state. In case any officer whose signature or a facsimile signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of the bonds, this signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until delivery. All bonds issued under the provisions of this article shall have and are hereby declared to be and to have all of the qualities and incidents of negotiable instruments under the laws of the state. Provision may be made for the registration of any of the bonds in the name of the owner as to the principal alone and also as to both principal and interest and for the reconversion of any of the bonds registered as to both principal and interest into coupon bonds. The bonds may be issued without regard to any limitation on indebtedness prescribed by any law and shall not be included in the amount of bonds which the county may be authorized to issue under any statute. The board shall sell the bonds

by competitive bid unless it first determines that a negotiated bid best serves the interest of the county. The board may sell the bonds at such interest rate or rates limited only by the provisions of F.S. § 215.84(3) and for such price as it may determine to be for the best interests of the county. The board may also provide for the replacement of any bonds which shall become mutilated or be destroyed or lost. Bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this article.

(b) The proceeds of bonds shall be used solely for the payment of the cost of the improvement and shall be disbursed in such manner and under such restrictions, if any, as the board may provide. If the proceeds of the bonds by error of estimates or otherwise shall be less than the cost of the improvement, the board of county commissioners may pay the deficit from any other county revenues or funds legally available for the purpose. If the proceeds of bonds issued for any improvement shall exceed the cost of the improvement, the surplus may be paid into the fund provided for the payment of principal and interest on the bonds or for any lawful purpose.

(c) In the event that the county has constructed an improvement under the terms of this article, and to pay the cost of that improvement has issued bonds payable from the funds provided for herein, and in the event the county desires to construct additions, extensions or betterments to the initial improvement or to construct an additional improvement and to combine the additional improvement with the initial improvement and to refund the outstanding bonds, the county may provide for the issuance of a single issue of bonds under the provisions of this article or for the combined purposes:

- (1) Of refunding bonds then outstanding if they have matured and shall then be subject to redemption or be subject to redemption within a period not to exceed ten (10) years thereafter or can be acquired for retirement.
- (2) Of constructing additions, extensions or betterments or constructing additional improvements and the principal of and the interest on the bonds shall be payable from the funds pledged therefore as provided herein.

(d) The resolution providing for the issuance of the bonds may also contain such limitations upon the issuance of additional bonds as the board of county commissioners may deem proper and additional bonds shall be issued under such restrictions and limitations as may be prescribed by resolution. All monies received from any bonds issued and sold under the provisions of this article shall be applied solely for the purpose for which the bonds shall be authorized or to the sinking fund created for the payment of the bonds.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-74. Same--Pledge of special assessments.

(a) The county shall pledge the special assessments provided for by this article as security for the payment of the principal of and interest on any bonds issued under the terms of this article or for a reserve for such debt service.

(b) The pledge of special assessments shall be a valid and legal binding contract between the county and the holders of the bonds and the county shall be obligated to continue to receive and apply the special

assessments in accordance with the proceedings which authorize the issuance of the bonds for which the special assessments are pledged as security as long as any of the bonds are outstanding and unpaid. The county also shall be obligated to collect and apply all revenues derived from the improvement in accordance with proceedings authorizing the issuance of the bonds.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-75. Same--Neither credit nor taxing power pledged.

(a) Bonds issued under the provisions of this article shall not constitute a debt of the county or a pledge of the faith and credit of the county but shall be payable solely from special assessments levied against the property abutting the improvement. All bonds shall contain a statement on their face to the effect that the county is not obligated to pay the principal or the interest thereon except from the funds provided for in this article and that the faith and credit of the county are not pledged to the payment of the principal or interest of the bonds.

(b) The issuance of bonds under the provisions of this article shall not directly or indirectly or contingently obligate the county to levy or to pledge any form of ad valorem taxation upon real property. No holder of any bond shall have the right to compel any exercise by the county of the ad valorem taxing power to pay any bonds or the interest thereon or to enforce payment of the bonds or the interest thereon against any property of the county. The bonds shall not constitute a charge, lien or encumbrances, legal or equitable upon any property of the county except those funds pledged for the payment of the bonds.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-76. Refunding bonds.

(a) The county is hereby authorized to provide by resolution for the issuance of refunding bonds for the purpose of refunding any bonds then outstanding and which shall then have matured or are then redeemable or subject to redemption within ten (10) years thereafter or can be acquired for retirement and issued under the provisions of this article for the purpose of paying all or a part of the cost of improvements provided for in this article. The county is further authorized to provide by resolution for the issuance of bonds for the combined purpose of:

- (1) Paying the cost of constructing an additional improvement or improvements; and
- (2) Refunding bonds of the county which shall previously have been issued for improvements provided for by this article and shall then be outstanding and which shall then have matured or are then redeemable or subject to redemption within ten (10) years thereafter or can be acquired for retirement.

The issuance of such refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the board of county commissioners and of the county in respect to refunding bonds shall be governed by the provisions of this article insofar as those provisions may be applicable.

(b) If outstanding bonds to be refunded are not immediately redeemable, the board of county commissioners shall have the power to invest the proceeds of refunding bonds in direct obligations of the

United States of America or in time deposit of banks or trust companies represented by certificates of deposit secured by direct obligations of the United States of America until the first date upon which the outstanding bonds are redeemable prior to maturity but in no event later than ten (10) years from the date of issuance of the refunding bonds.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-77. Additional security.

The county may additionally pledge for the payment of the principal of and interest on any bonds issued under the provisions of this article any funds of the county legally available for the purpose.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-78. Trust funds.

All monies received pursuant to the authority of this article whether as proceeds from the sale of bonds or otherwise, shall be deemed to be trust funds to be held and applied solely as provided for in this article. The board of county commissioners shall, in a resolution authorizing the issuance of bonds, provide for the payment of the proceeds of the sale of the bonds to any officer or to any agency, bank or trust company which shall act as trustee of the funds and hold and apply the funds to the purposes of this article subject to such regulations as this article and the resolution may provide.

(Ord. No. 2005-55, § 2, 7-19-05)

Sec. 18-79. Remedies of bondholders.

Any holder of bonds issued under the provisions of this article or any of the coupons attached thereto except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds, may by suit, action, mandamus or other proceedings, protect and enforce any and all rights under the laws of this state or granted by this article or resolution and may enforce and compel the performance of all duties required by this article or resolution to be performed by the county or the board of county commissioners or by any officer thereof.

(Ord. No. 2005-55, § 2, 7-19-05)

Secs. 18-80--18-90. Reserved.

ARTICLE IV.

ADOPT-A-ROADWAY PROGRAM*

* **Editors Note:** Nonamendatory Ord. No. 1992-3, adopted Feb. 18, 1992, has been included herein as Art. IV, §§ 18-91--18-96, at the discretion of the editor.

Sec. 18-91. Adopt-a-roadway program established.

There is hereby established the Lake County adopt-a-roadway program. The adopt-a-roadway program

shall be administered by the executive director of the department of public works or a designee under the supervision of the county manager. The purpose of the adopt-a-roadway program shall be to involve the public in an effort to keep county roadways free of litter by enlisting civic-minded volunteer organizations and individuals to adopt a section of county roadway. Through adoption of a portion of a county roadway, an organization or individual shall have the responsibility for picking up any litter which may accumulate within that section of adopted county roadway.

(Ord. No. 1992-3, § 2, 2-18-92)

Sec. 18-92. Department of public works to have primary responsibility.

The Lake County Department of Public Works shall, through the executive director of the department of public works or a designee, have responsibility for the administration, coordination, permitting, and record keeping activities associated with the adopt-a-roadway program. The executive director of the department of public works or a designee shall:

- (1) Explain the adopt-a-roadway program to interested organizations or individuals.
- (2) Issue permits to qualifying adopting organizations or individuals.
- (3) Schedule the litter removal to be accomplished by the adopting organization or individual, consistent with the provisions of this article, and the rules and regulations of the adopt-a-roadway program, which may be promulgated by the board of county commissioners.
- (4) Schedule pickup of bagged litter by county personnel.
- (5) Provide approved safety vests, trash bags and safety literature to organizations or individual members.
- (6) Provide work zone signs for the county road network, and provide and erect an adopt-a-roadway sign at each end of the adopted section on arterial and collector county roadways. Each adopt-a-roadway sign shall display the permitted organization or individual's name or acronym. Permitted organizations or individuals which are sponsored by businesses may have the name of the business displayed on the sign in block letters, but not business logo or trademark shall be displayed.
- (7) Provide analysis and reports to the county manager and the board of county commissioners as required.

(Ord. No. 1992-3, § 3, 2-18-92)

Sec. 18-93. Conditions of participation.

The executive director of the department of public works shall ensure that organizations or individuals participating in the adopt-a-roadway program shall abide by the following conditions:

- (1) Any county community organization or individual, such as a civic, social, or school organization

or individual, as well as businesses, and individuals eighteen (18) years of age or older, may be issued a permit by the executive director of the department of public works or a designee to adopt a roadway. Participants shall have approved permit applications on file with the executive director of the department of public works prior to issuance of a permit, and prior to participation in any cleanup effort. The executive director of the department of public works or a designee shall assist the permitted organization or individual in the selection of the county roadway section to be adopted.

- (2) The members of any participating organization or an individual shall obey and abide by all laws, ordinances and regulations relating to safety and other matters as may be required by the executive director of the department of public works. The executive director of the department of public works or a designee shall have authority to require adherence to special regulations in relation to county roadways which offer unusual problems of safety.
- (3) The permitted organization or individual shall be responsible for furnishing adequate supervision by one (1) or more adults for participants who are fifteen (15) years of age or younger.
- (4) Each permitted organization or individual shall conduct at least two (2) safety meetings per year.
- (5) Participants who are sponsored by permitted organizations or individuals shall be required to attend a safety meeting conducted by the permitted organization or individual before participating in the cleanup of the adopted roadway.
- (6) Each permitted organization or individual shall adopt a section of county roadway at least two (2) miles in length.
- (7) Each permitted organization or individual shall adopt a section of county roadway for a minimum period of two (2) years.
- (8) Each permitted organization or individual shall pick up litter a minimum of four (4) times each year, with the year measured from the date the permit is issued. The executive director of the department of public works or a designee may require a greater number of minimum pickups based upon the location and volume of litter on a county road segment. The executive director of the department of public works or a designee may grant an exception to the minimum number of pickups for sections where fewer litter pickups are necessary in order to maintain an acceptably clean right-of-way.
- (9) Each permitted organization or individual shall obtain supplies and materials from the department of public works at a designated location during regular business hours.
- (10) Each permitted organization or individual shall ensure that appropriate traffic control signs are placed so as to be visible to the motoring public during cleanup of a section of county roadway, and shall further ensure that participants wear an approved safety vest during the litter pickup. Participants shall not possess or consume alcoholic beverages while participating in the litter pickup. Each permitted organization or individual shall ensure that a first aid kit and adequate

drinking water are available to participants during litter pickup.

- (11) Each permitted organization or individual shall ensure that litter collected is placed in trash bags furnished by the department of public works, to be collected by and disposed of by the department of public works.
- (12) No permitted organization or individual shall subcontract or assign its duties to any other organization or individual. Each permitted organization or individual shall act as an independent contractor in picking up litter, and shall not be subject to the control of the department of public works, provided that the provisions of this article are complied with.
- (13) Each permitted organization shall elect a chairperson to represent the organization in the conduct of its affairs with the department of public works. An individual shall designate a person to represent himself or herself.

(Ord. No. 1992-3, § 4, 2-18-92)

Sec. 18-94. Unusual circumstances.

Once a county roadway section has been adopted by a permitted organization or individual pursuant to the terms of this article, the department of public works shall be responsible only for removing litter from the adopted county roadway section under unusual circumstances, such as to remove large, heavy, or hazardous items.

(Ord. No. 1992-3, § 5, 2-18-92)

Sec. 18-95. Permit.

The executive director of the department of public works shall be authorized to issue adopt-a-roadway permits after a complete application has been submitted and approved. The form of the permit shall be developed by the executive director of the department of public works.

(Ord. No. 1992-3, § 6, 2-18-92)

Sec. 18-96. Liberal construction.

The provisions of this ordinance shall be liberally construed in order to effectively carry out the purposes of this article in the interest of the public health, welfare, and safety of the citizens and residents of Lake County, and the State of Florida.

(Ord. No. 1992-3, § 7, 2-18-92)

Secs. 18-97--18-100. Reserved.

ARTICLE V.

UNIFORM STREET ADDRESSING SYSTEM*

* **Editors Note:** This article was formerly Art. VI of Ch. 17, §§ 17-131--17-135.1, 17-136--17-138. Said provisions have been

redesignated as Art. V, §§ 18-101--18-109, at the discretion of the editor. Subsequently, Ord. No. 1995-52, § 1, adopted Dec. 5, 1995, repealed Art. V and section 2 of said ordinance enacted new provisions designated as a new Art. V to read as herein set out. See the Code Comparative Table.

Sec. 18-101. Address numbers.

(a) All residential and commercial buildings in unincorporated Lake County are required to be issued an address by the communications systems division and to post that address on or about their property in accordance with the following guidelines:

- (1) All addresses shall contain numbers only. Alpha/numeric addresses shall not be permitted. Addresses shall be assigned by the communications systems division and shall be posted as follows:
 - a. Address numbers shall not be less than three (3) inches in height for residential buildings less than fifty (50) feet from the road right-of-way, nor less than six (6) inches in height for all other buildings, structures or portions thereof.
 - b. All numbers are to be clearly seen from the road fronting the property, shall contrast with the surrounding surface, and shall be placed in a position plainly legible and visible from the street or road fronting the property.
 - c. Large commercial-type occupancies which do not have all occupants directly fronting the appropriate street may be assigned a building address and/or number and then utilize suite numbers to identify individual occupants. For plazas or other such commercial occupancies with multiple addresses, the range of addresses shall also be posted on the main plaza or occupancy sign readily viewed from the roadway.
 - d. If the main entrance of the building is not readily visible from the roadway, numbers shall be posted in a position plainly legible and visible from the street or road fronting the property. Recognizing that there may be circumstances for which these standards may not be appropriate, exceptions or additional requirements may be made based on the interest of emergency response.
 - e. Residential one- or two-family dwellings which are greater than fifty (50) feet from the roadway shall also have the address numbers posted on a mailbox or addressing post located at the entrance to the property. If access to the property is by way of a street different from the address assigned, numbers shall be posted on the addressed street. Signage containing street name and address number shall be required on the entrance street in these cases.
- (2) Subdivisions will be pre-addressed after final plat approval.
- (3) Should deviations from standard addressing policies and practices be required, the communications systems division and the department of fire and emergency services will decide

on such deviations.

(b) *Effective date.* This section shall become effective immediately upon receipt by the clerk of the board that it has been filed with the department of state. This section shall apply to all new structures. This section shall not apply to residential or business structures existing at the time of adoption. (Ord. No. 1995-52, § 2, 12-5-95; Ord. No. 2003-98, §§ 2, 5, 11-4-03)

Sec. 18-102. Street names/designations.

All street names shall be approved by the information services division. (Ord. No. 1995-52, § 3, 12-5-95)

Sec. 18-103. Standards for naming streets.

(a) From the date of enactment of this article, there shall be no further duplication of road names. There shall be no numbers used as street names. There shall be no punctuation allowed in street names. Existing, approved street names shall not be affected by the terms of this article.

(b) It is not permissible to differentiate the same name by a suffix such as street or avenue, i.e.: Washington Street and Washington Avenue.

(c) There shall be no directionals used in road names, i.e.: East Grove Street.

(d) Street names that "sound alike" such as Peach and Beach and Lynwood and Linwood shall not be permitted.

(e) A street running in one (1) direction should have one (1) name only throughout its length.

(f) Naming streets around a theme or alphabetical sequencing are ways to facilitate locating addresses.

(g) No street shall be named for a person living or dead without the consent of the Lake County Board of County Commissioners. (Ord. No. 1995-52, § 4, 12-5-95)

Sec. 18-104. Private street naming.

The following regulations are established for the mandatory or voluntary naming of private roads/easements providing access to multiple residences or commercial buildings which are remotely located from one another. Private roads/easements shall be required to be named under the following conditions:

(1) If the road/easement extends more than one thousand (1,000) feet from the public road and there are three (3) or more homes or businesses on the easement which are not readily visible one from the other.

- (2) When an unnamed private road/easement requires naming, a petition must be obtained with the signatures of fifty-one (51) percent of the residents who are property owners on the subject road/easement.
- (3) The said petition must provide three (3) road name choices that are acceptable to the petitioners. The petition shall include a general location map, the section, township, and range of the road/easement (a copy of each property owner's tax bill is preferred.)
 - a. Road names, including spaces between words should be no more than twelve (12) spaces in length, suffix excluded.
 - b. Any name duplication in the road name choices is not permitted. For example, if there is already a "Sunset Road," then "Sunset Drive" would be unacceptable.
 - c. The information services division will not approve names that have directional or numerical reference.
- (4) An appropriate road sign will be required on unmaintained roads. Signs are available from Lake County for a fee for the sign, cap and post, or may be purchased privately or handmade to county guidelines. Property owners will be required to pay for the creation and erection of road signs on private streets and roadways.
- (5) When property owners fail to respond to or participate in the road naming procedure, the information services division, after due notice and a minimum of a ninety-day grace period, shall provide a name for the subject road/easement. Furthermore, property owners will be required to purchase and erect the appropriate road sign per Lake County guidelines.

(Ord. No. 1995-52, § 5, 12-5-95)

Sec. 18-105. Changing the name of a road/easement.

The following regulations are established for changing the name of a legally named road/easement:

- (1) To change the name of an existing recorded road, an application shall be submitted to the information services division which demonstrates that notice of the proposed road name change has been forwarded by certified United States Mail, return receipt requested, to the official mailing address listed in the property appraiser's office for each real property owner on the subject road.
- (2) The notice shall be in the form prescribed by the information services division and shall provide that if the property owner desires to object to the road name change, the property owner shall, within forty-five (45) days of the date of the notice, forward written objection to the person sending the notice, and forward a copy of the same to the information services division.
- (3) The board of county commissioners may deny the requested road name change if twenty (20) percent of the property owners on the subject road file written objections to the road renaming.

- (4) The board of county commissioners shall otherwise grant or deny the renaming request within its sound discretion, after recommendation by the information services division. The board of county commissioners shall have authority, on its own motion, to change the name of any road within the unincorporated limits of Lake County, whenever the health, safety, or welfare of the residents of Lake County shall so require, or whenever a public purpose shall be served.
- (5) Upon approval by the board of county commissioners of a road name change, the road name shall not be changed again for ten (10) years, unless the board of county commissioners shall find that a threat to the health, safety or welfare of the residents exists.

(Ord. No. 1995-52, § 6, 12-5-95)

Sec. 18-106. Roadway and thoroughfare designation definitions.

[For the purposes of this article, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.]

Avenue. Avenues run east-west and are longer than one thousand (1,000) feet.

Boulevard means a street with a median, or divided by a landscaped center island its entire length and over one thousand (1,000) feet long with more than two (2) intersections.

Circle means a secondary road that begins and circles back to terminate at the same road. A short entrance road of two hundred (200) feet or less may carry the same name.

Court means a permanently closed street such as a cul-de-sac which is under one thousand (1,000) feet in length.

Drive means a winding thoroughfare which has more than two (2) intersections.

Lane means a deadend road over one thousand (1,000) feet in length.

Loop means a short road that begins and ends at the same street such as a semi-circular road.

Street. Streets run north-south and are longer than one thousand (1,000) feet.

Way means a short street usually less than one thousand (1,000) feet in length which has no more than two (2) intersections.

(Ord. No. 1995-52, § 7, 12-5-95)

Sec. 18-107. Posting street signs.

(a) On county maintained roads, signage shall be provided and maintained by Lake County Public Services Department.

(b) On private streets and roadways the owner(s), whether individuals or associations, shall be responsible to maintain signage which complies with the following guidelines:

- (1) Signs shall be posted at a height of approximately seven (7) feet above the road surface.
- (2) Signs shall be located at all street or roadway intersections.
- (3) Signs shall be of a readily identifiable background with contrasting letters.
- (4) Signs shall not have the same color background as county maintained road signs (green with white lettering).
- (5) Signs may be purchased from the Lake County Public Services Department, bought privately, or handmade to the above guidelines.

(Ord. No. 1995-52, § 8, 12-5-95)

Sec. 18-108. Subdivision, plaza and building names.

(a) At the time of plan review for new construction, the name of the proposed development or building shall be submitted for review and approval to the technical review committee.

(b) No names shall be approved which conflict with existing names or those previously approved.

(c) Names, once approved, shall be held until such subdivision or building plans are no longer valid. If the plans become invalid, the name(s) shall require additional review and approval at the time of resubmittal.

(d) Any subdivision, building or plaza which desires to be renamed shall be subject to a name review and approval process prior to being permitted to rename.

(Ord. No. 1995-52, § 9, 12-5-95)

Sec. 18-109. [Applicability.]

This article shall pertain to all new or revised addresses, street names, building or plaza names, or other such facilities.

(Ord. No. 1995-52, § 10, 12-5-95)

Sec. 18-110. Enforcement.

(a) Where an addressing problem has been found, the information services division may notify the property owner by telephone or through the U.S. Postal Service of the discrepancy.

(b) If the discrepancy appears serious enough to be deemed critical, the information services division will notify the code enforcement division.

(Ord. No. 1995-52, § 11, 12-5-95)

ARTICLE VI.

REQUEST FOR RELEASE OF ROAD RIGHT-OF-WAY RESERVATIONS

Sec. 18-111. Purpose and intent.

The purpose and intent of this article is to provide an administrative process whereby property owners may request county approval of their applications to the board of trustees of the internal improvement fund for release of reserved road rights-of-way pursuant to Section 18-2.014, FAC.

(Ord. No. 1996-60, § 1, 7-23-96)

Sec. 18-112. Application; additional information.

A request for county approval to a release of road right-of-way reservation by the board of trustees of the internal improvement fund shall be made by application to the Lake County Department of Public Services stating clearly the reason for the request and identifying the real property encumbered by the reservation. In addition, the applicant, upon request by the county, shall provide such other information as may be requested which the county determines is necessary in order for a recommendation to be made.

(Ord. No. 1996-60, § 1, 7-23-96)

Sec. 18-113. Determination of sufficient application; review by the county manager or designee; coordination with and approval of affected municipality prior to determination.

(a) Once an application is deemed sufficient by the county, the county manager or designee shall review the application and make a recommendation to the board of trustees of the internal improvement fund. The recommendation may recommend that the reservation not be released, that it be released in full, or that it be released in part.

(b) If the property upon which the road right-of-way reservation is located is within the city limits or the utility planning area of any municipality, prior to making a recommendation to the board of trustees or the internal improvement fund, the county shall send a copy of the application to the affected municipality to obtain the recommendation of the municipality. The county manager or designee shall not approve any release of such road right-of-way reservation which is objected to by a municipality without first obtaining the approval of the board of county commissioners. The affected municipality and the applicant shall be provided with notice of the meeting at which the item is to be considered by the board of county commissioners.

(Ord. No. 1996-60, § 1, 7-23-96)

Sec. 18-114. Standards for review.

In reviewing the application, the county manager or designee or the senior director of the department of public services shall consider the following criteria:

- (1) Does the reservation abut or is it close to a road, proposed road, or prescriptive road, and is it needed for right-of-way purposes for the state, county or municipal road systems. In making this determination, the county manager or designee shall utilize the road classification and minimum

right-of-way standards contained in the Lake County Code.

- (2) Do current or future state, county or municipal road plans call for a road or roads to be constructed in the vicinity of the property which is encumbered by the road reservation and will the release of such reservation in any way interfere with such plans.
- (3) Is the reservation currently used for the provision of public utility services, or do current or future plans call for utilities to be constructed in the vicinity of the property which is encumbered by the road reservation and will release of such reservation in any way interfere with such utilities or utility plans.
- (4) Is the reservation currently used, or will it be used in the future for any other governmental purpose.
- (5) Any other matter that may be deemed appropriate by the county in review and consideration of the application.

(Ord. No. 1996-60, § 1, 7-23-96)

Sec. 18-115. Appeal.

Any applicant who is aggrieved by the decision of the county manager or designee may appeal such decision to the board of county commissioners by filing, within thirty (30) days of the date of the decision a written request to appeal.

(Ord. No. 1996-60, § 1, 7-23-96)

ARTICLE VII.

VACATION OF PLATTED EASEMENTS

Sec. 18-116. Purpose and intent.

The purpose and intent of this article is to provide an administrative process whereby property owners and/or developers may request county approval of their applications to vacate certain platted utility and drainage easements. This article shall not be used for the purposes of vacating road rights-of-way or for vacating plats or other portions of plats not related to utility and drainage easements, in full or in part. Road rights-of-way shall be vacated in accordance with Chapter 336, Florida Statutes and plats shall be vacated in accordance with Chapter 177, Florida Statutes.

(Ord. No. 2001-64, § 2, 4-17-01)

Sec. 18-117. Application; additional information.

A request for county approval to vacate platted easement(s) shall be made to the county manager or designee. Such application shall clearly state the reason for the request and shall identify the real property encumbered by the easement. In addition, the applicant, upon request by the county, shall provide such other information as may be requested which the county determines is necessary in order for a recommendation to be

made.

(Ord. No. 2001-64, § 2, 4-17-01)

Sec. 18-118. Determination of sufficient application; review by the county manager or designee.

Once an application is deemed sufficient, the county manager or designee shall review the application and make a recommendation to the board of county commissioners. The recommendation may be to vacate the easement in full, in part, or not at all.

(Ord. No. 2001-64, § 2, 4-17-01)

Sec. 18-119. Notice requirements.

(a) If the application is filed by a developer seeking to vacate platted easement(s), and the lots affected by the vacation are owned by persons other than the developer, the developer shall be required to send written notification to all such affected persons no later than ten (10) days prior to the hearing in front of the board of county commissioners. The notice shall additionally be published in a newspaper of general circulation, in not less than two (@) weekly issues no later than ten (10) days prior to the hearing in front of the board of county commissioners

(b) If the application is filed by a property owner, other than a developer, requesting the vacation of an easement affecting only the property owner's property, the property owner shall publish notice of the hearing in a newspaper of general circulation, in not less than two (2) weekly issues no later than ten (10) days prior to the hearing in front of the board of county commissioners.

(Ord. No. 2001-64, § 2, 4-17-01)

Sec. 18-120. Standards for review.

In reviewing the application, the county manager or designee shall consider the following criteria:

- (1) Does the easement to be vacated abut or is it close to a road, proposed road, or prescriptive road, and is it needed for right-of-way purposes. In making this determination, the county manager or designee shall utilize the road classification and minimum right-of-way standards contained in the Lake County Code.
- (2) Is the easement to be vacated currently being used for the provision of public utilities, or do current or future plans call for utilities to be constructed in the vicinity of the property which is encumbered by the easement and will vacation of such easement in any way interfere with such utilities or utility plans.
- (3) Does the easement to be vacated affect the ownership or right of access of persons owning other parts of the subdivision.
- (4) Is the easement currently being used, or will it be used in the future, for any other governmental purpose.

(5) In cases where the developer has applied to vacate easements, or a portion thereof, on property no longer owned by the developer, did any property owner express an objection to the vacation.

(6) Has any affected property owner objected to the vacation petition.

(7) Any other matter that may be deemed appropriate by the board of county commissioners.

(Ord. No. 2001-64, § 2, 4-17-01)

Sec. 18-121. Exclusion from vacation.

Any affected property owner who objects in writing prior to the hearing, or who objects on the record at the hearing in front of the board of county commissioners shall be excluded from the vacation and the resolution shall so state the legal description of the property excluded.

(Ord. No. 2001-64, § 2, 4-17-01)

Sec. 18-122. Decision by the board of county commissioners.

The board of county commissioners, upon making its final decision, shall pass a resolution indicating that the easement is vacated in full, in part or that the vacation is denied. The board's decisions shall be based upon the standards set forth in section 18-120. In the event of approval, the vacation shall not become effective until a certified copy of the resolution has been filed with the clerk and duly recorded in the public records of Lake County, Florida.

(Ord. No. 2001-64, § 2, 4-17-01)