

TOWN OF CINCO BAYOU
SPECIAL COUNCIL MEETING
JUNE 7, 1988

Mayor Laginess called the Special Council Meeting to order at 6:02 PM.

SILENT PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Present: Mayor Laginess
Councilman Davis
Councilwoman Dumka
Councilman Gage
Councilman Skelly

Absent: Councilwoman Buchanan

Also Present: Attorney McInnis Manager Borchik
Bill Runge (PGDN) Secretary Kelley
Irene Balsley Jerry Schnitzius

1. Resolution 88-10 - Councilman Skelly made a motion to adopt Resolution 88-10, seconded by Councilman Gage. The motion was unanimously approved.

2. Resolution 88-11 - Councilman Gage made a motion to adopt Resolution 88-11, seconded by Councilman Davis. The motion was unanimously approved.

There being no further business, the Special Meeting adjourned at 6:04 PM.

COUNCIL AS COMMITTEE MEETING

REGULAR BUSINESS

1. Minutes - May 3 & May 10, 1988 - Councilman Skelly made a motion to accept the minutes of the May 3 and May 10, 1988 Town Council Meetings as presented and the May Financial Report and to place these items on the Consent Agenda, seconded by Councilman Gage. The motion was unanimously approved.

2. Financial Report - May, 1988 - See item 1.

3. Building Permit - Mr. Waters - The Town Manager advised the Council that the plans for the dwelling and the proposed placement on the lot satisfy the R-1 zoning requirements with regard to front, rear and side yard setback's. In addition, flood plain setback and ground floor elevation are at or above that required. This item will be placed on the regular meeting agenda.

4. Landscaping Ordinance - Councilman Skelly - Councilman Skelly advised the Council that the conflicts with the zoning ordinance had been resolved and the ordinance was ready for adoption. Following a short discussion, Councilman Skelly proposed that the ordinance be adopted as soon as possible. It was decided that the first reading could be held at this time with the proper advertisement placed in time for the second reading and adoption on July 5, 1988, Councilman Skelly then read Ordinance No. 125 by title only. Councilman Skelly made a motion to accept the first reading of Ordinance No. 125, seconded by Councilwoman Dumka. The motion was unanimously approved.

5. Leyenda Park Survey - The Council reviewed the survey and agreed to place a fence along the west property line depicted on the survey. Councilman Skelly made a motion to secure bids on a security fence and retaining wall along the west property line, seconded by Councilwoman Dumka. The motion was unanimously approved.

6. Frances Park Irrigation system - Mayor Laginess opened the two bids that were received for the irrigation system in Frances Park. The Council considered both bids to be high and extended the bid period until the next meeting.

7. Yacht Club Drive Curb - The Town Manager contacted Mr. Overstreet this morning, however, the plans and specifications are not ready at this time.

8. Building Permit Performance Bond - Mr. McInnis indicated that the state statutes did provide for a performance bond for municipal construction projects and therefore there was no reason that a performance bond could not be required for all construction in the Town. This item will be discussed again during the regular meeting.

COUNCILMEMBERS REPORTS/COMMENTS

1. Councilman Skelly expressed his continued concern for the Cuco's building and asked the Council to review Ordinance No. 121 and to come to next week's prepared to take some action !

2. Councilman Davis advised the Council that he had been attending the Ad Hoc Committee meetings concerning solid waste and the problems we and the county face in the next few months. Mr. Schnitzius was present to explain the situation and the possible rate increases due to the increase in transportation time and costs.

PUBLIC REQUESTS WILL BE HEARD AT THIS TIME - None

COMMITTEE REPORTS

1. Administrative Committee - No Report
2. Finance & Budget Committee - No Report
3. Comprehensive Plan Committee - No Report

CORRESPONDENCE

1. Letter, Lassie Lee - Mayor Laginess called the Council's attention to the letter and all indicated they had received a copy and believed no action was necessary. At this point Mrs Balsley, the adjacent property owner stated that she was concerned because nothing had been done to remove or reduce the fire hazard that existed. Following a short discussion, the Council directed the Town Manager to follow the procedures stated in Chapter 8 and to prepare the required resolution for next weeks meeting.

2. Letter, Okaloosa County Planning & Zoning - Upon receipt of this letter, it was discovered that the interlocal agreement had expired in April. 1987. The Town Manager has discussed this with Mr. Zell and Mr. Peebles and both indicated that a new agreement would be approved if requested by the Council. The Town Manager was requested to send a letter to Commissioner Peebles requesting that an interlocal agreement between the Town and Okaloosa County be prepared and presented to the Board of County Commissioners for approval as soon as possible.

3. Letter, LOC Convention Ad. Councilman Gage made a motion to place an eighth page ad (\$75.00) in the LOC Convention magazine and to place this item on the Consent Agenda, seconded by Councilman Davis. The motion was unanimously approved.

TOWN MANAGER'S REPORT - None

MAYOR'S ANNOUNCEMENTS - Mayor Laginess reminded the Council that the Town is hosting the Okaloosa County League of Cities Meeting on June 23, 1988 at the Ft Walton Yacht Club and urged all to attend for a Filet Mignon or Charbroiled Grouper dinner.

There being no further business, the meeting adjourned at 6:57 PM.


Mayor

Attest:


Town Manager/Clerk

NOTE: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part and is on file in the Office of the Town Manager/Clerk.

(2) If a contractor disciplined under subsection (1) is a qualifying agent for a business entity and the violation was performed in connection with a construction project undertaken by that business entity, the board may impose an additional administrative fine not to exceed \$5,000 against the business entity or against any partner, officer, director, trustee, or member if such person participated in the violation or knew or should have known of the violation and failed to take reasonable corrective action.

(3) The board may specify by rule the acts or omissions which constitute violations of this section.

History.—ss. 12, 17, ch. 79-200; s. 371, ch. 81-259; ss. 2, 3, ch. 81-318; s. 7, ch. 83-160; ss. 87, 119, ch. 83-329; s. 9, ch. 87-74.

Note.—Repealed effective October 1, 1988, by s. 2, ch. 81-318, and scheduled for review pursuant to s. 11.61 in advance of that date.

Note.—The words "of the" were added by the editors.

1489.131 Applicability.—

(1) This act applies to any contractor performing work for the state or any county or municipality. Officers of the state or any county or municipality shall determine compliance with this act before awarding any contract for construction, improvement, remodeling, or repair.

(2) The state or any county or municipality may require that bids submitted for construction, improvement, remodeling, or repair of public buildings be accompanied by evidence that the bidder holds an appropriate certificate or registration.

(3) Nothing in this act limits the power of a municipality or county:

(a) To regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections which is designed to secure compliance with and aid in the implementation of state and local building laws.

(b) To enforce other laws for the protection of the public health and safety.

(c) To collect occupational license and inspection fees for engaging in contracting or examination fees from persons who are registered with the board pursuant to local examination requirements. However, nothing in this act shall be construed to require general contractors, building contractors, or residential contractors to obtain additional occupational licenses for specialty work when such specialty work is performed by employees of such contractors on projects for which they have substantially full responsibility and such contractors do not hold themselves out to the public as being specialty contractors.

(d) To adopt any system of permits requiring submission to and approval by the municipality or county of plans and specifications for work to be performed by contractors before commencement of the work.

(e) To require a bond for contractors in an amount not to exceed \$5,000, which bond shall be conditioned only upon compliance with the applicable state minimum building code and applicable local building code requirements adopted pursuant to s. 553.73. Any such bond must be equally available to all contractors without regard to the period of time a contractor has been certified or registered and without regard to any financial responsibility requirements. Any such bonds shall be payable to the Governor and filed in each county or municipi-

ality in which a building permit is requested. Bond reciprocity shall be granted statewide. All such bonds shall be included in meeting any financial responsibility requirements imposed by any statute or rule. Any contractor who provides a third party insured warranty policy in connection with a new building or structure for the benefit of the purchaser or owner shall be exempt from the bond requirements under this subsection with respect to such building or structure.

(4) Nothing in this act shall be construed to waive any requirement of any existing ordinance or resolution of a board of county commissioners regulating the type of work required to be performed by a specialty contractor.

(5) Any official authorized to issue building or other related permits shall, before issuing a permit, ascertain that the applicant contractor is certified or is registered in the area where the construction is to take place.

(6) Municipalities or counties may continue to provide examinations for their territorial area, provided that:

(a) To engage in contracting in the territorial area, an applicant shall also be registered with the board;

(b) Each local board or agency which licenses contractors transmits annually during May to the board a report of any disciplinary action taken against the licensee; and

(c) No examination is given the holder of a certificate.

(7) The right to create local boards in the future by any municipality or county is preserved.

(8) No provision of this act shall be construed to permit a contractor to perform mechanical or plumbing work for which an examination for a certificate of competency or a license is required, unless such contractor holds such certificates of competency or such licenses as may be required by the appropriate local authority. If the appropriate local authority does not require a certificate of competency or a license for such trade, the provisions of this subsection do not apply.

History.—ss. 10, 17, ch. 79-200; s. 372, ch. 81-259; ss. 2, 3, ch. 81-318; s. 1, ch. 87-152.

Note.—Repealed effective October 1, 1988, by s. 2, ch. 81-318, and scheduled for review pursuant to s. 11.61 in advance of that date.

PART II

ELECTRICAL CONTRACTING

489.501	Purpose.
489.503	Exemptions.
489.505	Definitions.
489.507	Electrical Contractors' Licensing Board.
489.509	Fees.
489.511	Certification; application; examinations; prerequisites; endorsement.
489.513	Registration; application; requirements; temporary registration.
489.515	Licensure.
489.517	Renewal of license.
489.519	Inactive status.
489.521	Business organizations; qualifying agents.
489.523	Emergency registration upon death of contractor.

1 year of proven experience in the category in which the person seeks to qualify. For the purpose of this act, a minimum of 2,000 man-hours shall be used in determining full-time equivalency.

2. Has at least 3 years of active experience as a workman who has learned his trade by serving an apprenticeship or as a skilled workman who is able to command the rate of a mechanic in his particular trade, and has at least 1 year of active experience at the level of foreman who is in charge of a group of workmen and usually is responsible to a superintendent or a contractor or his equivalent.

3. Has a combination of not less than 1 year of experience as a foreman and not less than 3 years of credits for any accredited college-level courses; or has a combination of not less than 2 years of experience as a skilled workman, 1 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior college or community college-level courses shall be considered accredited college-level courses.

4.a. An active certified residential contractor is eligible to take the building contractors' examination if he possesses a minimum of 3 years of proven experience in the classification in which he is certified.

b. An active certified residential contractor is eligible to take the general contractors' examination if he possesses a minimum of 4 years of proven experience in the classification in which he is certified.

c. An active certified building contractor is eligible to take the general contractors' examination if he possesses a minimum of 4 years of proven experience in the classification in which he is certified.

5.a. An active certified air conditioning Class C contractor is eligible to take the air conditioning Class B contractors' examination if he possesses a minimum of 3 years of proven experience in the classification in which he is certified.

b. An active certified air conditioning Class C contractor is eligible to take the air conditioning Class A contractors' examination if he possesses a minimum of 4 years of proven experience in the classification in which he is certified.

c. An active certified air conditioning Class B contractor is eligible to take the air conditioning Class A contractors' examination if he possesses a minimum of 1 year of proven experience in the classification in which he is certified.

6.a. An active certified swimming pool servicing contractor is eligible to take the residential swimming pool contractors' examination if he possesses a minimum of 3 years of proven experience in the classification in which he is certified.

b. An active certified swimming pool servicing contractor is eligible to take the swimming pool commercial contractors' examination if he possesses a minimum of 4 years of proven experience in the classification in which he is certified.

c. An active certified residential swimming pool contractor is eligible to take the commercial swimming pool contractors' examination if he possesses a minimum of 1 year of proven experience in the classification in which he is certified.

(3)(a) The board may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:

1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a certified contractor; and

2. The finding by the board of lack of good moral character is supported by clear and convincing evidence.

(b) When an applicant is found to be unqualified for a license because of a lack of good moral character, the board shall furnish the applicant a statement containing the findings of the board, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.

History.—ss. 5, 17, ch. 79-200, s. 369, ch. 81-259, ss. 2, 3, ch. 81-318
*Note.—Repealed effective October 1, 1988, by s. 2, ch. 81-318, and scheduled for review pursuant to s. 11.61 in advance of that date

1489.113 Qualifications for practice; restrictions.—

(1) Any person who desires to engage in contracting on a statewide basis shall, as a prerequisite thereto, establish his competency and qualifications to be certified pursuant to this act. To establish his competency, a person shall pass the appropriate examination administered by the department. Any person who desires to engage in contracting on other than a statewide basis shall, as a prerequisite thereto, be registered pursuant to this act, unless exempted by this act. Registration shall be required of specialty contractors when licensing is required by a county or municipality in which the specialty contractor practices.

(2) No person who is not a licensee shall engage in the business of contracting in this state.

(3) A contractor shall subcontract the electrical, mechanical, plumbing, roofing, sheet metal, commercial swimming pool, and air conditioning work for which a local examination for a certificate of competency or a license is required, unless such contractor holds a state certificate of competency or license of the respective trade category, as required by the appropriate local authority. However, a general, building, or residential contractor shall not be required to subcontract the installation of wood shingles, wood shakes, or asphalt or fiberglass shingle roofing materials on a new building of his own construction, and a general contractor shall not be required to subcontract structural swimming pool work. Further, a general contractor, on new site development work, site redevelopment work, mobile home parks, and commercial properties, shall not be required to subcontract the construction of the main sanitary sewer collection system and the water distribution system, not including the continuation of utility lines from the mains to the buildings. Further, as to mobile home parks, the general contractor shall not be required to subcontract the continuation of utility lines from the mains, and the continuations are to be considered a part of the main sewer collection and main water distribution systems. This subsection does not apply if the local authority does not require a certificate of competency or license for such trade. However, no general, building, or residential contractor certified after 1973 shall act as, hold himself out

to be, or advertise himself to be a roofing contractor unless he is certified or registered as a roofing contractor.

(4) When a certificateholder desires to engage in contracting in any area of the state, as a prerequisite therefor, he shall be required only to exhibit to the local building official, tax collector, or other person in charge of the issuance of licenses and building permits in the area evidence of holding a current certificate and to pay the fee for the occupational license and building permit required of other persons. However, a local construction regulation board may deny the issuance of a building permit to a certified contractor if the local construction regulation board has found such contractor, through the public hearing process, to be guilty of fraud or a willful building code violation within the county or municipality that the local construction regulation board represents. Notification of and information concerning such permit denial shall be submitted to the Department of Professional Regulation within 15 days after the local construction regulation board decides to deny the permit.

(5) The certificate is not transferable.

(6) The board shall, by rule, designate those types of specialty contractors which may be certified under this act.

(7) The board shall, by July 1, 1987, adopt rules providing standards for certification of pollutant storage systems specialty contractors and by July 1, 1988, amend such rules to include persons who remove such systems. The Department of Environmental Regulation shall review and comment on such rules prior to adoption. The rules shall include, but not be limited to:

(a) Standards for operating as a pollutant storage systems specialty contractor.

(b) Requirements for certification as a pollutant storage systems specialty contractor.

(c) Requirements for certification without examination of pollutant storage systems specialty contractors for any person who has passed a local licensure examination, a licensure examination in another state, or a licensure examination of a national organization, which is at least as stringent as the examination adopted by the board.

(d) Requirements for certification without examination of pollutant storage systems specialty contractors for any certified mechanical contractor, any certified plumbing contractor, and any registered mechanical or plumbing contractor who has passed a local examination judged by the board to be at least as stringent as the equivalent state mechanical or plumbing contractor's examination, provided that such contractor has been certified prior to July 1, 1986, or has been registered and passed such local examination prior to July 1, 1986.

The board may use standards and examinations of national organizations if such standards and examinations are adequate to ensure competent installation² and removal of pollutant storage tanks. All such standards and examinations shall be designed to ensure that leaks and other discharges are eliminated to the greatest extent possible.

(8)(a) Any person who has operated as a pollutant storage systems specialty contractor during the 5 years

preceding September 1, 1986, shall receive within 30 days after written request a temporary certificate permitting such person to continue operating without certification until July 1, 1989, if such person:

1. Notifies the department in writing that he intends to continue such operation and submits an application fee set by the board not to exceed \$50; and

2. Provides a history of successful operation as a pollutant storage systems specialty contractor within such time period.

(b) A contractor seeking to be certified pursuant to paragraph (7)(d) shall receive within 30 days after written request a temporary certificate permitting such contractor to continue operating without certification until the board determines whether he qualifies for a certificate under paragraph (7)(d), provided that such contractor:

1. Notifies the department in writing that he intends to apply for certification under paragraph (7)(d); and

2. Provides the board sufficient information to determine that such contractor qualifies on the basis of certification or registration and the passage of an examination.

The board may revoke or refuse to issue such temporary certificate for violation of s. 489.127 or s. 489.129.

(9)³(a) Effective October 1, 1986, notwithstanding any provision of this chapter to the contrary, no person shall engage in contracting as a pollutant storage systems specialty contractor unless such person is certified as a pollutant storage systems specialty contractor pursuant to this part, nor shall any official authorized to issue building or other related permits issue a permit or permits for the installation of a pollutant storage tank unless such official ascertains that the applicant for such permit or permits is certified as a pollutant storage systems specialty contractor.

(b) The Department of Environmental Regulation may inspect the installation of any pollutant storage tank. Any person installing a pollutant storage tank after July 1, 1987, shall certify that such installation is in accordance with the standards adopted pursuant to s. 376.303. The Department of Environmental Regulation shall promulgate a form for such certification which shall at a minimum include:

1. A signed statement by the certified pollutant storage systems specialty contractor that such installation is in accordance with standards adopted pursuant to s. 376.303; and

2. Signed statements by the onsite persons performing or supervising the installation of a pollutant storage tank, which statements shall be required of tasks that are necessary for the proper installation of such tank.

(c)1. The Department of Environmental Regulation shall, to the greatest extent possible, contract with local governments to provide for the administration of its responsibilities under this subsection. Such contracts may allow for administration outside the jurisdictional boundaries of a local government. However, no such contract shall be entered into unless the local government is deemed capable of carrying out such responsibilities to

the satisfaction of the Department of Environmental Regulation.

2. To this end, the Department of Environmental Regulation shall inform local governments as to the provisions of this section and as to their options hereunder. At its option, any local government may apply to the Department of Environmental Regulation for such purpose, on forms to be provided by the Department of Environmental Regulation, and shall supply such information as the Department of Environmental Regulation may require.

(d) The Department of Environmental Regulation may enjoin the installation or use of any pollutant storage tank that has been or is being installed in violation of this part.

(e) The Department of Environmental Regulation shall establish a pilot program providing for inspections of pollutant storage tanks in a county of less than 300,000 population. The Department of Environmental Regulation shall adopt rules providing for such inspection program, which rules shall provide for an inspection prior to placing a pollutant storage tank in the excavation, an inspection after assembly but before connection to the tank, and an inspection prior to placing the pollutant storage tank in service. All such inspections shall be conducted pursuant to the standards adopted under s. 376.303. Inspection fees shall be set by rule and shall not exceed \$200 per pollutant storage tank, which fees shall fund the inspection program. The Department of Environmental Regulation may contract, pursuant to paragraph (c), with the county government to perform such inspections, in which case the county government shall receive the inspection fees to fund the program. The county government shall make application to the Department of Environmental Regulation for the administration of the program. If more than one county government applies, the Department of Environmental Regulation shall determine which county is most capable of administering the program and may contract with that county. If no county of less than 300,000 in population applies to administer the program by September 1, 1987, all counties in the state shall be eligible to administer the program, regardless of population. The county government shall not require any additional inspections, except for electrical inspections, of a pollutant storage tank installed during the term of the pilot inspection program. Such program shall be established within 30 days after execution of a contract with a county or, if no county applies by December 1, 1987, within 30 days after the date on which the Department of Environmental Regulation designates the county in which it will administer the program, but in any event no later than July 1, 1988. The program shall be continued for a period of 18 months. Within 3 months after the conclusion of this program, the Department of Environmental Regulation shall report to the Legislature on the results of the program.

(10) If an eligible applicant fails any contractor's written examination, except the general and building contractors' examination, and provides the board with acceptable proof of lack of comprehension of written examinations, the applicant may petition the board to be administered a uniform oral examination, subject to the following conditions:

(a) The applicant documents 10 years of experience in the appropriate construction craft.

(b) The applicant files written recommendations concerning his competency in the appropriate construction craft.

(c) The applicant is administered only one oral examination within a period of 1 year.

(11) Any public record of the board, when certified by the executive director of the board or his representative, may be received as prima facie evidence in any administrative or judicial proceeding.

(12) The board shall, by January 1, 1988, adopt rules providing standards for registration of precision tank testers who precision test a pollutant storage tank. The Department of Environmental Regulation shall review and comment on such rules prior to adoption.

History.—ss. 6, 17, ch. 79-200; ss. 3, 4, ch. 80-85; ss. 2, 3, ch. 81-318, s. 2, ch. 85-290; ss. 28, 31, ch. 86-159; s. 3, ch. 87-235; s. 13, ch. 87-310, s. 7, ch. 87-374

Note.—Repealed effective October 1, 1988, by s. 2, ch. 81-318, and scheduled for review pursuant to s. 11.61 in advance of that date. Repealed effective October 1, 1988, by s. 31, ch. 86-159, and scheduled for review pursuant to s. 11.61

Note.—Section 17, ch. 87-374, provides that the amendment (by s. 7, ch. 87-374) to paragraph (d) of subsection (7) shall take effect October 1, 1988, but the amendment by s. 7 made no change in the paragraph. However, s. 7 added these words "and removal" in this continuing language of subsection (7) which is applicable to the subsection as a whole.

Note.—Section 7, ch. 87-374, amended paragraph (9)(a), effective October 1, 1988, to read:

(9)(a) Notwithstanding any provision of this chapter to the contrary, no person shall engage in contracting as a pollutant storage systems specialty contractor unless such person is certified as a pollutant storage systems specialty contractor pursuant to this part, nor shall any official authorized to issue building or other related permits issue a permit or permits for the installation or removal of a pollutant storage tank unless such official ascertains that the applicant for such permit or permits is certified as a pollutant storage systems specialty contractor.
cf.—s. 489.115 Certification and registration.

489.115 Certification and registration; endorsement; renewals.—

(1)(a) The department shall issue a certificate or registration to each person qualified by the board and upon receipt of the original license fee.

(b) Certification allows the certificateholder to engage in contracting only for the type of work covered by the certificate.

(2) The board shall adopt rules prescribing procedures for the certification or registration of contractors who have been licensed in states which have standards substantially similar to, or more stringent than, the standards of this state and who meet the other requirements established pursuant to this act.

(3)(a) Each licensee who desires to continue as a licensee shall renew his certificate or registration every 2 years. The department shall mail each licensee an application for renewal.

(b) The licensee shall complete, sign, and forward the renewal application to the department, together with the appropriate fee. Upon receipt of the application and fee, the department shall renew the certificate or registration.

(4) As a prerequisite to issuance of a certificate, the applicant shall submit satisfactory evidence that he has obtained public liability and property damage insurance for the safety and welfare of the public in amounts determined by rule of the board, and the applicant shall furnish evidence of financial responsibility, credit, and business reputation of either himself or the business organization he desires to qualify. The board shall adopt rules defining financial responsibility based upon the appli-

RESOLUTION NO. 88-10

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA PURSUANT TO HOUSE BILL 477 OF THE 1986 FLORIDA STATE LEGISLATIVE SESSION REQUIRING A RESOLUTION BY LOCAL GOVERNING AUTHORITIES TO ASSUME RESPONSIBILITY AND LIABILITY FOR STATE ROAD CLOSING BY THE PUBLIC ENTITY; PROVIDING THE EFFECTIVE DATE THEREOF.

WHEREAS, House Bill 477 of the Florida State Legislative Session became effective as law on July 1, 1986, and;

WHEREAS, House Bill 477 requires Public Entities desiring to close a State road for parade or other like purpose to submit a resolution or excerpts of the minutes in which the public entity assumes liability and responsibility for the foreseeable consequences of said closing.

NOW THEREFORE, on a motion duly made, seconded and unanimously approved, the following Resolution is adopted by the Town Council of the Town of Cinco Bayou, Florida.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA:

That the Town of Cinco Bayou, Florida, hereby expressly assumes responsibility and liability for all foreseeable consequences of the requested State Road closing for the "BILLY BOWLEGS PARADE" scheduled for Monday night, June 6, 1988.

This Resolution shall become effective immediately upon its adoption.

Adopted this 23RD day of May, 1988.



Approved:

Charles R. Legiers
Mayor

Attest:

Alvin B. Bonchey
Town Manager/Clerk

RESOLUTION NO. 88-11

A RESOLUTION OF THE TOWN OF CINCO BAYOU, FLORIDA REQUESTING THE UNITED STATES GOVERNMENT TO EXTEND THE WRIGHT LANDFILL LEASE UNTIL JULY 1, 1991.

WHEREAS, the Wright Landfill is scheduled for closing on July 1, 1988; and

WHEREAS, the opening of the Dorcas Landfill will not coincide with the closing of the Wright Landfill; and

WHEREAS, the use of the Baker Landfill will result in an increase in residential and commercial service fees based upon the increased distance to and from the landfill from the Town; and

WHEREAS, the continued use of the Wright Landfill would allow service fees to remain at their present levels; and

WHEREAS, the continued use of the Wright Landfill would be in the best interests of all of the residential and commercial customers in both the incorporated and unincorporated areas of Okaloosa County.

WHEREAS, an extension to allow the continued use of the Wright Landfill until July 1, 1991, would allow detailed and finite planning and programming for the changeover to another landfill location or other solid waste disposal facility or system.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA THAT:

1. The Town Council unanimously supports the request for an extension until July 1, 1991, for the continued use of the Wright Landfill.

2. This three (3) year extension will allow sufficient time for municipal and county agencies to plan for and effect a smooth transition to a new landfill location and/or other solid waste disposal facility or system with a minimum impact on customer service and service costs.

Adopted this 23RD day of MAY, 1988.


Mayor



ATTEST:


Town Manager/Clerk

SECTION
3/4" = 1'-0"

2
4

WOOD DOCK

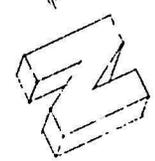
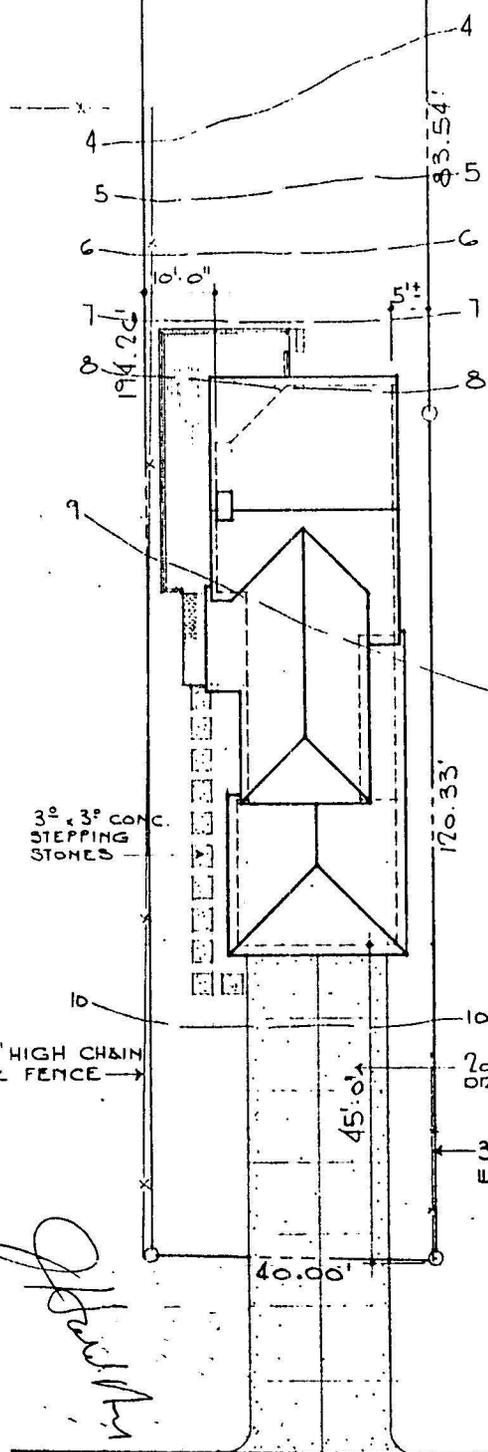
TILE SETTING BED
4" CONC SLABS
C & C CURBUM.
100% POLYFILM

CINCO BAYOU

MTL. SEAWALL

MTL. SEAWALL

GREAT RM.



NOTE!
REMOVE ALL EXISTING
CONC. SLABS, WALKS
& DRIVES

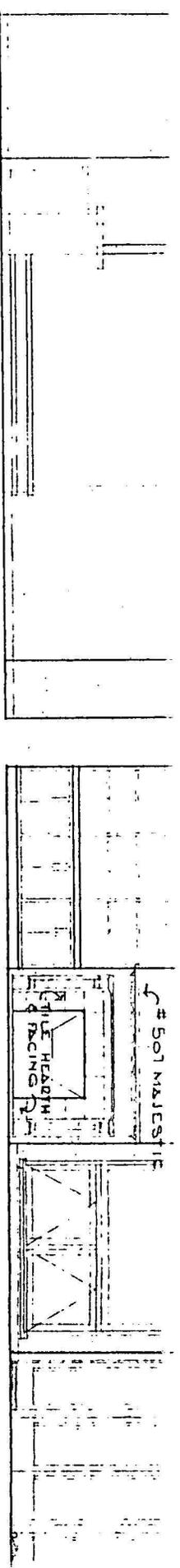
4'-0" HIGH CHAIN
LINK FENCE

20' CONC.
DRIVE
3'-0" HIGH
WD. FENCE

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YACHT CLUB DRIVE

SITE PLAN



ORDINANCE NO. 125

AN ORDINANCE OF THE TOWN OF CINCO BAYOU, FLORIDA, REGULATING LANDSCAPING IN THE TOWN; PROVIDING DEFINITIONS; SETTING THE STANDARDS FOR PUBLIC AND PRIVATE USE AREAS; ESTABLISHING LANDSCAPING REQUIREMENTS; ESTABLISHING REQUIREMENTS FOR LANDSCAPE PLANS AND PERMITS; ESTABLISHING STANDARDS FOR THE MAINTENANCE OF LANDSCAPE AND VEGETATION; DEFINING PROTECTED TREES; ESTABLISHING POLICIES REGARDING PROTECTED TREES; ESTABLISHING PROCEDURES FOR ENFORCEMENT; ESTABLISHING PENALTIES; PROVIDING FOR THE SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CINCO BAYOU, FLORIDA, that:

1. The landscaping requirements, procedures and actions described herein are adopted for the purpose of establishing protective regulations for trees and landscaped areas within the Town. Such areas preserve the ecological balance of the environment, control erosion, sedimentation and stormwater runoff, provide shade and reduce heat and glare, abate noise pollution, buffer incompatible land uses, and enhance the aesthetic value of the community.

2. The intent of this ordinance is to encourage preservation of existing trees and landscaped areas and to promote the planting of new vegetation within the Town in order to maintain and enhance the immediate and long-term health, safety and general welfare of the present and future citizens of the Town of Cinco Bayou.

SECTION 1 - Title

This Ordinance shall be known as the Landscaping Ordinance for the Town of Cinco Bayou.

SECTION 2 - Definitions

The following words and phrases, when used in this ordinance, shall have the meanings respectively ascribed to them.

Crown - means the main point of branching or foliage of a tree or the upper portion of a tree.

Developable area - means the total area of a lot or parcel, excluding public rights-of-way.

Dripline - means the circumference of the tree canopy extended vertically to the ground.

Ground cover - means low growing plants planted in such a manner as to form a continuous cover over ground, e.g., confederate jasmine; English ivy, or other similar plants.

Irrigation system - means the water supply system used to irrigate the landscaping consisting of underground watering systems, outlets for manual watering, or other appropriate technology.

Landscape material - means living material including but not limited to, trees, shrubs, vines, lawn grass, ground cover; landscape water feature; and nonliving durable material commonly used in landscaping, including, but not limited to polypropylene and jute mesh, brick pavers, earthen mounds, but excluding impervious surfaces for vehicular use. Fifty percent (50%) of all ground cover shall be living.

Parking lot - means a paved area or plot of land used for the storage and/or parking of vehicles.

Planting area - means any area designed for landscape material installation.

Protected tree - means native trees protected by this ordinance as identified by species and size in Appendix A of this ordinance.

Right-of-way - means a dedicated area identified on the plat of the Town, County or State wherein a street, highway, thoroughfare, parkway, road, avenue, alley, other vehicular use facility is constructed for public use.

Shade tree - means any species of tree identified in Appendix A and Appendix B of this Ordinance as a shade tree.

Tree - means any self-supporting woody plant which normally grows to any overall height of at least fifteen (15) feet.

Tree removal - means any act which causes a tree to die within a period of two (2) years; such acts including, but not limited to, cutting; inflicting damage upon a root system by machinery, storage of materials, or soil compaction; changing of the natural grade above or below a root system or around a trunk; inflicting damage on a tree; permitting infection or pest infestation; excessive pruning; or paving with concrete, asphalt or other impervious material so as to be harmful to a tree.

SECTION 3 - Applicability

The provisions of this Ordinance shall be applicable to all zoning districts of the Town of Cinco Bayou.

SECTION 4 - Landscaping Requirements

The following landscaping requirements apply in the Town of Cinco Bayou.

(1) Landscape area requirements - Unless otherwise specified in this ordinance, fifteen percent (15%) of the total developable site shall be devoted to landscaping.

(2) Off-street parking and vehicle use areas - Off-street parking facilities and other vehicular use areas shall meet the following requirements:

(a) Perimeter requirements. A ten-foot wide strip of privately owned land, located along the front property line adjacent to the public right-of-way shall be landscaped. A driveway entrance not exceeding twenty (20) feet wide may be placed in this area. In no case shall this strip be less than ten (10) feet wide. This perimeter landscape requirement shall be credited toward the percentage required for the total developable site in Section 4 (1) above.

1. Material requirements in perimeter area.

i. One tree for each fifty (50) feet of linear front footage along the right-of-way shall be preserved or planted. The remaining area within the perimeter strip shall be landscaped with other landscape materials.

ii. Trees and other landscaping required in the perimeter strip shall be maintained to assure unobstructed visibility between three (3) and nine (9) feet above the average grade of the adjacent street and the driveway intersections through the perimeter strip.

(b) Interior planting areas. Interior planting areas within parking lots shall be determined by subtracting the area set aside in the ten-foot perimeter strip from the total minimum area required to be landscaped (15%). This remaining percentage shall be allocated throughout the parking lot or in areas which are adjacent to the parking lot other than the perimeter strip. Interior planting areas shall be located to most effectively accommodate stormwater runoff, provide shade in large expanses of paving and contribute to the orderly circulation of vehicular and pedestrian traffic.

1. Size of interior planting areas.

i. A minimum of fifty (50) square feet of planting area shall be required for each new species Type A tree identified in Appendices A and B.

ii. A minimum of one hundred (100) square feet of planting area shall be required for each new species type B and type C tree identified in Appendices A and B.

iii. A minimum planting area of fifty (50) percent of the dripline area of the tree shall be required for all existing trees. If conditions warrant that an area greater than fifty (50) percent is needed to preserve the tree, additional areas may be negotiated between the applicant and the Town Council.

iv. In no case shall be minimum planting area be less than fifty (50) square feet.

(c) Vehicle overhang. Vehicles shall not be permitted an overhang into any interior planting area or perimeter strip.

(d) Where landscaping is installed in interior or perimeter strip planting areas, a continuous curb or other acceptable means of protection shall be provided to prevent injury to the vegetation. Such curb shall be designed to allow percolation of water to the root system of the landscape material. Where existing trees are preserved, tree wells, tree islands or a continuous curb shall be utilized to protect the trunk and root system from alterations to surrounding grade elevations and damage from automobiles. A drainage system sufficient enough to allow percolation into permeable soil shall be provided in the area defined by the dripline of the trees.

(3) Buffer yards between incompatible land uses.

(a) The following relationships between land uses shall be considered incompatible and require a buffer yard:

1. Public and institutional land uses adjacent to single-family or duplex land uses.

2. Townhouse and multiple family land uses adjacent to single-family or duplex land uses.

3. Commercial land uses adjacent to single-family, duplex, townhouse and multiple family land uses.

(b) Where such incompatible land uses abut, a ten (10) foot buffer strip shall be required. Said buffer strip shall extend the entire length of the common incompatible boundaries. The planting area within this required buffer yard shall not be allowed to be credited as part of the required minimum landscaped area specified in Section 4, 1.

(c) Buffer material requirements shall be as follows:

1. Within the buffer strip, one tree for each twenty-five (25) linear feet of required buffer strip, or

majority portion thereof shall be required, with a minimum of fifty (50) percent of said trees being shade trees. Trees must be spaced so as to allow mature growth of shade trees.

2. Grass or other ground cover shall be planted on all sides of the buffer strip required by this section which are not occupied by other landscape material.

3. A visual screen of vegetation or a solid fence (six (6) feet in height) running the length of all common boundaries shall be installed within the buffer strip, except at permitted driveways or access points. Where vegetation strips are used, such strips shall provide a minimum of seventy-five (75) percent opacity for that area between the finished grade level at the common boundary line and six (6) feet above said level and horizontally along the length of all common boundaries within three (3) years of planting. Appendix C lists species and size of vegetation that are recommended to meet this requirement.

4. For buffers between incompatible land uses, developments adjacent to a vacant parcel shall not be responsible for providing a buffer. The development creating the incompatible land use shall be responsible for providing the buffer strip and required landscaping.

5. If the Town Council determines that the construction of a landscape buffer area required by this Ordinance would create a hardship for the renovation of existing structures or vehicular use areas, the Council may approve a buffer area with a width of less than ten (10) feet, provided such buffer area meets the visual screening requirements of this Ordinance.

SECTION 5 - Landscape Plan

A landscape plan shall be required as a condition of obtaining any building permit for all single-family, townhouse, multifamily and commercial construction within the Town as outlined in Section 3. The landscape plan shall be submitted along with the plat, building construction plans and specifications for the Town Council's review and approval.

(1) The landscape plan shall include the following information:

(a) Location by species and size of all trees, shrubs, and landscape material to be retained or placed on the site.

(b) Location of proposed structures, driveways, parking areas and other improvements to be constructed or installed.

(c) Location of irrigation system to be provided, if any, or manual outlet for watering.

(d) Landscape and tree protection techniques proposed to prevent damage to vegetation during construction and after construction is completed.

(2) All landscape materials and trees depicted on the approved landscape plan shall be installed within one year of the date of the issuance of the building permit for the site.

(3) A certificate of occupancy shall not be issued until it has been determined that landscaping has been installed in accordance with the approved landscape plan. In the event it is impractical to meet the requirements of the landscaping plan at the time the building is ready for occupancy, a certificate of occupancy may be issued provided a performance bond or other

security in an amount equal to the cost of the required landscaping improvements is posted. In this event, a time period for completion of the landscaping will be specified.

SECTION 6 - Maintenance

The property owner, agent or lessee shall be responsible for the maintenance of all landscaped areas so as to present a healthy, neat and orderly appearance at all times. Maintenance shall include the replacement of all dead plant material. Dead plant material shall be replaced at a time appropriate to the growing season of the species in question, not to exceed one year.

SECTION 7. Protected Trees

(1) Where protected trees are identified on a site proposed for clearing within the applicable areas identified in Section 3, the number of said trees which shall be required to be preserved shall be based on a ratio of one tree for each three thousand six hundred (3,600) square feet of impervious surface area or fraction thereof. The perimeter and interior landscaped areas required in Section 4 shall be located on the site to incorporate the preservation of said trees, where possible.

(a) Tree credits. Any existing protected tree located on the subject private property with crown extending over the planned paved parking area, perimeter or interior landscaped areas shall be eligible for credit against the number of protected trees required to be preserved on the site. The following schedule may be applies for preserving existing trees on-site:

Diameter of Existing Crown Spread of Preserved Tree	or	Diameter of Tree Trunk of Preserved	=	Number of Trees
90' or greater		36" or greater		7
60-89'		30-35"		6
50-59'		26-29"		5
40-49'		20-25"		4
30-30'		13-19"		3
20-29'		8-12"		2
16-19'		4-7"		1

Crown spread measurements shall be rounded to the nearest whole foot, and tree trunk diameter measurement shall be rounded off to the nearest whole inch. Diameter of a tree shall be measured at a height of four (4) feet above the natural grade.

The Town Council may allow a reduction in the number of required parking spaces for a particular type structure when the reduction would result in the preservation of a protected tree with a trunk of twelve (12) inches in diameter or greater. The following reduction schedule shall apply:

Number of Required Parking Spaces	Reduction of Required Parking Spaces Allowable
1-4	0
5-9	1
10-19	2
20 or above	10% of total number of spaces (total reduction regardless of number of trees preserved)

(b) Relocation, removal and replacement of protected trees. Where a proposed site plan cannot be designed to accommodate existing protected trees on the site, a permit shall be required to remove any such protected tree as specified in Section 8.

Where practical, when proposed improvements necessitate removal of protected trees, said trees shall be relocated on the site in the required perimeter or interior landscaped areas. If the relocation of said trees is impractical, the owner or his agent shall replace the removed protected tree with a protected tree species or a species identified on the "tree replant list" in Appendix B. The replacement tree shall measure a minimum of three (3) inches in diameter, four (4) feet above grade in order to comply with Section 7 (1) above. A replacement ratio of 1:1 shall be applied. Trees identified as diseased or dead shall not be required to be replaced.

(c) New planting of protected trees. On sites proposed for development where no existing protected trees are identified, the owner or his agent shall be required to plant one new tree species identified in the protected tree list (Appendix A) or the tree replant list (Appendix B), a minimum of three (3) inches in diameter measured four (4) feet above grade for each three thousand, six hundred (3,600) square feet of impervious surface area. New trees or replacement trees shall be planted within a time appropriate to the growing season of the species in question, not to exceed one year.

(2) For new residential single family dwellings, the property owner of each lot shall plant one tree in the front yard within ten (10) feet of the right-of-way, provided there is no existing tree in the front yard.

(a) Where a protected or replant tree species is required to be replanted, such tree shall be a minimum of three (3) inches in diameter, measuring four (4) feet above the grade.

(b) The location of an existing protected tree on the lot or the proposed location of a new protected or replant species, when required in Section 7 (2), shall be identified on the landscape plan and the plat submitted as part of the information required for the approval of a building permit.

(3) No person or agency shall cut, remove, trim or in any way damage any protected tree in any street right-of-way or create any condition injurious to any such tree without first obtaining a permit.

(a) An annual permit may be issued to public utility companies exempting them from the provisions of this subsection concerning tree preservation. In the event of flagrant or repeated disregard for the intent and purpose of the Ordinance, the permit may be revoked. The offender will be provided a written notice stating the reason for the revocation.

(b) In no case shall the utility company be permitted to prune more than thirty (30) percent of the existing tree canopy.

(4) All lands within ten (10) feet of the right-of-way of the following described roads are hereby declared to be canopy tree protection zones:

1. Opp Boulevard.
2. Troy Street - from Yacht Club Drive south to Kelly Avenue.
3. Yacht Club Drive - from Eglin Parkway east to the Town limits.

4. Kidd Street - from Lucile Street to Frances Park.

No person or agency shall cut, remove, trim or in any way damage any protected tree in any canopy tree protection zone or create any condition injurious to any such tree without first obtaining a permit, except as provided for in Section 8 of this Ordinance. The exemption for utility companies noted in Section 7(3)(a) of this Ordinance shall also apply to the canopy tree protection zone.

SECTION 8 - Tree Removal Permit

Unless exempt from the provisions of this Ordinance, no person shall cut, remove, trim, or in any way damage any protected tree within the applicable zones identified in Section 3, the road right-of-way, and canopy road tree protection zone identified in Section 7, without first obtaining a permit. In addition to the information required for the permit, a written statement shall be included noting the reason why tree removal is requested.

(1) The following information shall be provided to the Town Council before a tree removal permit shall be issued:

(a) Prior to commencing any residential or commercial development or activity, including removal of any vegetation for site preparation in any residential or commercial zone identified in Section 3 herein, the owner, developer or agent shall submit an accurately scaled drawing by a registered land surveyor, landscape architect, engineer, architect or landscaper that includes the following information:

1. Location of all protected trees noting species, general condition and size.

2. Location of proposed structures, driveways, parking areas, required perimeter and interior landscaped areas, and other improvements to be constructed or installed.

3. Identification of trees to be preserved, trees to be removed, including dead trees, and trees to be replanted.

4. Proposed grade changes which might adversely affect or endanger trees with specifications on how to maintain trees.

(a) Prior to cutting, removing, trimming or in any way damaging a protected tree in the canopy road tree protection zone or in the road right-of-way tree protection zone, an owner, developer or agent must submit a copy of an accurately scaled drawing prepared by a registered land surveyor, landscape architect, engineer, architect or landscaper that included the following information:

1. Location of the subject protected tree, noting species, size and general condition.

2. An annual permit may be issued to public utilities exempting them from this requirement as specified in Section 7.

3. Private property owners shall be exempt from this provision for normal pruning activities, with the condition that such pruning shall not remove more than thirty (30) percent of the existing tree material.

(2) Prior to the issuance of a tree removal permit, an on-site inspection must be conducted.

(3) A permit may be approved if one or more of the following conditions is present:

(a) Safety Hazard - Necessity to remove trees which pose a safety hazard to pedestrians or vehicular traffic or threaten to cause a disruption of public services; or which pose a safety hazard to persons or buildings.

(b) Diseased or weakened trees - Necessity to remove diseased trees, or trees weakened by age, storm, fire, or other injury.

(c) Good forestry practices - Necessity to observe good forestry practices.

(d) Necessity to remove trees in order to construct proposed improvements as a result of:

1. Need for access immediately around the proposed structure for construction equipment.

2. Need for access to the building site for construction equipment.

3. Essential grade changes.

4. Surface water drainage and utility installations.

5. Location of driveways, buildings or other permanent improvements.

(e) Necessity for compliance with other Town of Cinco Bayou codes, e.g., building, health provisions, zoning, etc.

(4) The Town Council shall have thirty (30) days after receipt of a completed application filed pursuant to this Ordinance in which to approve or deny the requested permit. In the event an application is denied, the reason shall be specified in writing. If no action with respect to a completed application is taken within the required thirty (30) days, the application shall be deemed to have been approved.

SECTION 9 - Enforcement

(1) Whenever it is determined that a violation of this Ordinance has occurred, the following actions shall be initiated:

(a) A written notice will be hand carried or sent by certified mail to the person violating the Ordinance. The notice will state the nature and location of the violation and specify the remedial steps necessary to bring the project into compliance. Such person shall immediately, conditions permitting, commence the recommended remedial actions and shall have ten (10) working days after receipt of said notice, or such longer time as may be allowed, to complete the remedial action set forth in such notice.

(b) If a subsequent violation occurs during the ten (10) working days referred to in (A)(1) above, or if remedial work specified in the notice of the violation is not completed within the time allowed, or if clearing and development of the land is occurring without a permit, then a stop work order shall be issued immediately. Said stop work order shall contain the grounds for its issuance, and shall set forth the nature of the violation. The stop work order shall be directed not only to the person owning the land on which the clearing and/or developing is occurring, but also a separate stop work order shall be directed to the person or firm actually performing the physical labors of the development activity or the persons responsible for

the development activity, directing him forthwith to cease and desist all or any portion of the work upon all or any geographical portion of the project, except such remedial work as is deemed necessary to bring the project into compliance. If such person fails to complete the recommended action after the issuance of such stop work order, then a stop work order may be issued on all or any portion of the entire project.

(2) Penalties.

(a) The fine for removing a tree without a permit shall be based on the size of the tree removed and is established at fifty dollars (\$50.00) per diameter inch. The measurement to establish said fine shall be based on the remaining tree material left intact on the site. Each protected tree removed without a permit or in violation of a permit shall be considered a separate offense.

(b) Fines for violation of a stop work order will be in accordance with the fines stated in Section 1-8, General Penalty, of the Town's Code of Ordinances. Each day a violation of a stop work order continues shall constitute a separate offense.

SECTION 10 - Severability

If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or word shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 11 - REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS

All ordinances and resolutions of the governing body in conflict herewith are repealed.

SECTION 12 - EFFECTIVE DATE.

This ordinance shall become effective immediately upon its final passage and adoption.

Adopted this ____ day of ____ . 1988.

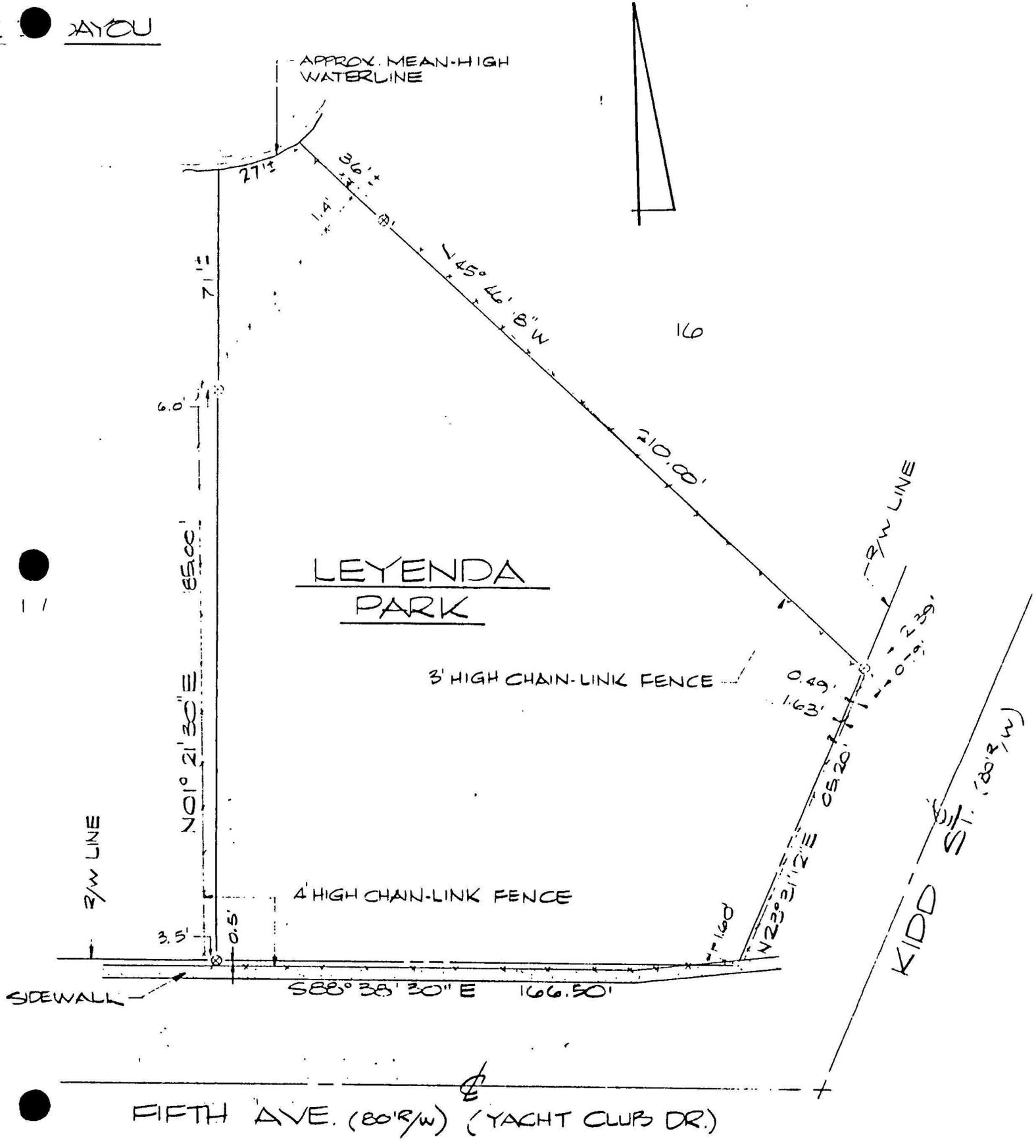
APPROVED:

Mayor

ATTEST:

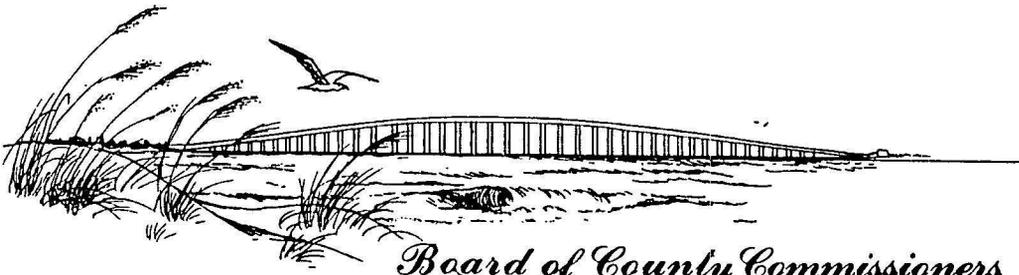
Town Manager/Clerk

11 JAYOU



11 (80)

RECEIVED
5/31/88 ASB



Board of County Commissioners

County Seat
Crestview, Florida 32536
Tel. (904) 682 2711

Okaloosa County
Florida

Annex
Petaluma, Florida 32579
Tel. (904) 651-3710

May 27, 1988

Albert S. Borchik, Jr., Town Manager
Town of Cinco Bayou
35 Kelly Avenue (Cinco Bayou)
Fort Walton Beach, Florida 32548-4412

Dear Mr. Borchik:

I am writing in response to your written request of May 11, 1988 for an inspection of three (3) buildings on Opp Boulevard to determine if they do or do not comply with your Ordinance No. 121. Also, for written findings.

Our Ordinance #121, Article I, Section 4-1 references an interlocal agreement with the Board of County Commissioners of Okaloosa County, Florida. At this time, we have been unable to locate this interlocal agreement. Please furnish our department with a copy of this agreement so that we may determine the extent of our duties and responsibilities to your request.

Thank you for your assistance in this matter.

Sincerely,

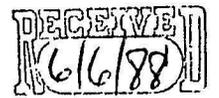
ZONING AND INSPECTION

William P. Zell
William P. Zell
Director

pir

CC: John Dowd, County Attorney
Bill Peebles, BCC Chairman
Don Ware, BCC
Dale Whitney, Ordinance Inspector

Please Address Reply To: 10 First Avenue, Fort Walton Beach, Florida 32548
PHONE: 862 1141



FLORIDA LEAGUE OF CITIES, INC.

Memorandum

TO: City Managers/Clerks
Local and Regional Leagues

FROM: Priscilla Dawson, Publications Assistant

DATE: June 6, 1988

We are pleased to announce that the 62nd Annual Convention of the Florida League of Cities will be held October 13, 14, and 15, 1988, at the Hyatt Orlando in Kissimmee. On Thursday, October 13 the Annual Golf and Tennis Tournaments will be held.

As in previous years, we are extending to all Florida cities an invitation to advertise in the 90-page-plus special convention issue of *Quality Cities '88*. This offers an excellent opportunity to extend best wishes for a successful convention to our host, the Tri-County League of Cities. Advertising space reservations should be made by August 1, 1988 with a copy deadline of August 12, 1988.

For your information, we are enclosing a sample copy of ad sizes and costs. Also, we have attached a form that must be signed and returned for ad placement.

We look forward to your continued cooperation and support in our efforts to make this convention the best ever.

Enclosures

TOWN OF CINCO BAYOU

congratulates the
Florida League of Cities
on its
61st
Annual Convention
and salutes the host city
Miami

Mayor – Charles R. Laginess

Mayor Pro Tem – Richard K. Gage

Councilmembers – Dot Buchanan
Winfield H. Davis
Joyce V. Dumka
Joseph P. Skelly

Town Attorney – C. Jeffery McInnis

Town Clerk – Albert S. Borchik, Jr.



The City of Lake Worth Salutes The Florida League of Cities

City Official

Mayor
Ralph F. Schenck

City Attorney
Alan Fallik

City Clerk
Barbara Forsythe

Commissioners
Jim Jones
Larry L. Langlais
Charles Wright
Roy D. Strohacker

City Manager
John A. Kelly

1/8 page – \$75.00

1/4 page – \$144.00

The
City of Lakeland
and the Lakeland
City Commission
Salute the
Florida League
of Cities
and extends best
wishes
for a successful
61st Convention
in beautiful Miami



Back Row: Commissioners Carl Dicks, Peggy Brown, Tom Shaw, Willie Williams.
Front Row: Larry Turnipseed, Mayor Pro Tem, Frank J. O'Reilly, Mayor,
Commissioner J. Larry Durrence



1/2 page – \$215.00

RECEIVED
MAY 23 1988

12242 Spiney Ridge Dr. S.
Jacksonville, Fla. 32225
May 17, 1988

Albert S. Borchik, Jr.
Town of Cinco Bayou
35 Kelly Avenue
Ft. Walton Beach, Fla.
32548-4412

Dear Mr. Borchik,

I was very surprised by the contents of your formal letter to my mother at her Cinco Bayou address which she received here on May 12, 1988. It has been common knowledge in the neighborhood that she has been staying with me while she recovered her health following the events of last summer. Too, I had anticipated that her friends and neighbors would, in their frequent correspondence wherein they commented on the beauty of her flowering plants, inform her of any problem situations regarding her properties.

My sons and I, with my mother, stayed in the house at 197 Opp Blvd. during the week of April 4 - 8th, 1988 and inspected the property at 205 Opp Blvd. at that time. We did not find any evidence of the "rubbish and trash" to which you refer.

In order for me to make the necessary arrangements to engage someone to carry out the provisions of section 8-1 of the Code of Ordinances, I require that you furnish a description including location of the "rubbish and trash" to be removed. I will have the necessary work done as soon as its necessity is confirmed.

I hope that until such time my mother can return to her home in safety you will consider writing to her in an informal manner whenever you have information or require action on her part. Cinco has been her home for 35 years and she has been a good neighbor and friend to all who know her. She deserves your compassion at this difficult time and should be spared the upset of receiving this kind of correspondence.

Sincerely,



Lassie Lee

cc: Mayor Laginess
Council Members