

**ORDINANCE NO. 2011- 16**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE NO. 99-17, AS AMENDED, KNOWN AS THE NASSAU COUNTY ROADWAY AND DRAINAGE STANDARDS; SPECIFICALLY AMENDING SECTION 11.7, SIDEWALKS; ADDING A NEW SECTION 11.7.7, SIDEWALK INSPECTION FEES; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Nassau County, Florida, has found it to be in the best interest of the citizens of Nassau County, Florida, to amend Section 11.7, Sidewalks, of Ordinance No. 99-17, as amended, in order to include an inspection fee for the inspection by County staff of sidewalks.

**NOW, THEREFORE, BE IT ORDAINED** BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA that Section 11.7 of Ordinance No. 99-17, as amended, known as the Nassau County Roadway and Drainage Standards, shall be further amended as follows:

1. Section 11.7 Sidewalks

11.7.1 Sidewalks shall be required on all roads that are classified as major or minor collectors and on state highways. Sidewalks shall be required on all commercial developments and in subdivisions containing lots one (1) acre or less. Sidewalks shall be constructed on each side of the roadway to be developed unless otherwise provided through an approved pedestrian circulation plan.

11.7.2 Sidewalks shall be designed and constructed in accordance with F.D.O.T. Standards except as modified herein and meet requirements set forth in the Florida Accessibility Code.

11.7.3 The minimum sidewalk width shall be five (5) feet on major and minor collectors, with six (6) feet provided in area of high pedestrian travel such as near schools, parking facilities, shopping center, and transportation facilities. Sidewalks provided on local roads shall be a minimum of four (4) feet in width. Handicap ramps are required on all curb and gutter

sections. If an objection is unavoidable, the sidewalk shall be widened to compensate for the obstruction.

11.7.4 Sidewalks should be placed as far as possible from the roadway travel lane as practical. If right-of-way constraints require the sidewalk to abut curb and gutter, the minimum sidewalk width shall be six (6) feet. Utility strips should be considered in determining the location of the sidewalk to better serve the needs of the pedestrian traffic as well as the utility companies and to increase roadway safety. Location of roadway signs and signal poles should also be a consideration in establishing sidewalk location.

11.7.5 Sidewalks, bicycle paths, or multipurpose trails shall be provided at the time of construction or reconstruction along roads which provide access from neighborhoods to county parks.

11.7.6 In residential subdivisions, sidewalks shown on the approved engineering plans or otherwise required to be constructed within or adjacent to the common areas shall be installed by the developer and approved by the County prior to recording the subdivision plat. Alternatively, construction of these sidewalks may be deferred until the County inspects the subdivision for final approval. In that event, the construction of said sidewalks shall be included in the construction bond for the plat. The bond shall include an amount equal to one hundred fifteen (115) percent of the costs of constructing uninstalled sidewalks lying in or adjacent to common areas.

In residential subdivisions where lots have an area of one (1) acre or less, construction of sidewalks across individual residential lots, as shown on the approved engineering plans, may be deferred until the house on the individual lot is installed. However, the sidewalk across an individual lot shall be constructed prior to the issuing of a certificate of occupancy for the house on the particular lot when the engineering plans show a sidewalk is required for that lot. This requirement shall be stated in the Declaration of Covenants and Restrictions of the subdivision, or by other instrument of record which

runs with title to the particular lot or lots. Nothing in the ordinance shall be construed to create an obligation on the part of the County to construct any sidewalk.

11.7.7 Fees for the inspection of sidewalks by the County shall be established by separate resolution of the Board of County Commissioners.

2. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

3. Effective Date.

This ordinance shall become effective upon its being filed with the Office of the Secretary of State.

DULY ADOPTED this 22nd day of August, 2011.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
WALTER J. BOATRIGHT  
Its: Chairman

Attest as to Chairman's signature:

  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk *EBK 8/22/11*

Approved as to form by the  
Nassau County Attorney:

  
DAVID A. HALLMAN