

ORDINANCE NO. 23-438

AN ORDINANCE OF THE CITY OF BONIFAY, FLORIDA, APPROVING THE ADOPTION OF A CAPITAL IMPROVEMENT PLAN FOR THE FISCAL YEAR OF 2023 AND 2024; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute 163.3177(3)(a) requires Comprehensive Plans to contain a Capital Improvements Element, and a schedule of capital improvements for a 5-year period; and

WHEREAS, Florida Statutes Section 163.3177(3)(b) states that the Capital Improvements Element must be reviewed on an annual basis, and further that modifications to update the 5-year Capital Improvements Element schedule may be accomplished by ordinance and may not be deemed an amendment to the Comprehensive Plan; and

WHEREAS, the City of Bonifay adopted its first Capital Improvements Element, including its 5-year Capital Improvements Element Schedule by Ordinance 193 on April 27th, 1981; and

WHEREAS, the City reviewed and adopted its most recent Capital Improvement Program by Ordinance 358 on July 14th, 2008 pursuant to City Charter Section 8(7)(b) and now desires to update the Capital Improvements Element Schedule pursuant to Florida Statutes Section 163.3177(3)(b).

NOW, THEREFORE, be it ordained by the City Council of the City of Bonifay, Florida:

Section 1. Purpose.

The purpose of this Ordinance is to update the Capital Improvements Program schedule that is now a part of the Comprehensive Plan. This amending ordinance may be referred to as the "Capital Improvement Element Schedule Update 2023".

Section 2. Adoption of the Capital Improvements Element Schedule Update 2023.

The City Council hereby amends its Capital Improvement Element Schedule to reflect the latest adopted Capital Improvement Projects for the City attached hereto as Exhibit A.

Section 3. Conflict.

All ordinances, resolutions, official determinations, or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are hereby repealed to the extent inconsistent herewith.

Section 4. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading this 23rd day of October, 2023.

PASSED AND ADOPTED by the City Council of the City of Bonifay, Florida this 13th day of November, 2023.

ATTEST:

CITY OF BONIFAY, FLORIDA

By Rickey Callahan, City Clerk

By its Interim Mayor, Larry Cook

APPROVED AS TO FORM:

Michelle Blankenship Jordan
City Attorney