

**Ordinance
2005-96**

An Ordinance Amending the Walton County Land Development Code to Allow Owners of Property to Enter into Negotiations and Contracts to Sell Lots and Condominium Units Prior to the Platting Thereof; Providing for Severability, and Providing for an Effective Date

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, F.S. delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, Sections 163.3201 and 163.3202, Florida Statutes, require local governments to implement the provisions of their comprehensive plans through the adoption of land development regulations; and

WHEREAS, Walton County has adopted a Land Development Code in accordance with these statutes to ensure the County's orderly growth and development; and

WHEREAS, Walton County, to ensure the County's continued orderly growth and development, finds it prudent to amend its Land Development Code to respond to the changing needs and conditions within said county;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, that the Walton County Land Development Code be amended as follows:

Section 1: Section 11.03.06 of the Walton County Land Development Code is amended as follows:

11.03.06. Sales of Lots Without Proper Plat Approval & Recording is Prohibited.

It shall be unlawful for anyone who is the owner or agent of the owner of any land to transfer; - ~~or sell, agree to sell or negotiate to sell~~ such land by reference to or exhibition of or by other use of a plat or subdivision of such land without having submitted a plan and plat of such subdivision for approval as required by these regulations and having recorded the approved subdivision plat as required. If such unlawful use be made of a plat before it is properly approved and recorded, the owner or agent of the owner of such land shall be deemed guilty of a misdemeanor and shall be punishable as provided by law. This provision shall not be construed to prohibit an owner of land or agent of the

owner of land from contracting to sell a lot or condominium unit according to a preliminary site plan or plat.

Section 2. Severability

Should any word, phrase, sentence, or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this ordinance, and the remainder of the ordinance shall remain in full force and effect.

Section 3. Effective Date

This ordinance shall take effect as provided by law.

Duly enacted, by the Board of County Commissioners of Walton County, Florida, at a regular meeting on the 13th day of December, 2005

**BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA**

Attest:

for Doni Cordle
Martha Ingle
Clerk of Court

By: Scott A. Brannon
Scott Brannon, Chair