

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY: Development/Planning/Zoning	CODE NUMBER: AC-13-14
TITLE: Bonding Requirements for the Lee County Wellfield Protection Ordinance	ADOPTED: 05/15/91
	AMENDED: 02/10/93; 01/04/95; 08/09/05
	ORIGINATING DEPARTMENT Public Works/Natural Resources

PURPOSE/SCOPE:

The purpose of this Administrative Code is to supplement the Lee County Wellfield Protection component of the Land Development Code, Chapter 14, Article III, as amended, by providing the bonding requirements necessary for the issuance of a permit.

POLICY/PROCEDURE:

I. BONDING REQUIREMENTS

Chapter 14, Article III of the Lee County Land Development Code requires that the owners of certain land uses lying adjacent to the County’s potable water wellfields post a bond in the amount specified in Section II of this administrative code. In addition to the requirements found within the Ordinance, the following provisions shall apply to the posting of the bond:

- A. Surety or Cash Performance Bond. Security in the form of a surety or cash performance bond shall be posted with the Board made payable to the county in an amount specified in Section II of this administrative code. The amounts reflected in Section II are for each operating and closure permit issued and may be adjusted by the Division of Natural Resources Management (DNRM).
- B. The surety or cash performance bond required by the section shall e kept in full force and effect for the term of the permit and for one year after voluntary cessation of activities permitted hereunder, expiration, or revocation of the permit. The Bond shall be reviewed by the Wellfield Protection Officer who will determine whether the bond complies with the geological requirements and conditions of the Ordinance. Upon acceptance by the Wellfield Protection Officer, the bond shall be submitted to the County Attorney’s Office.

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- C. Bonds shall be reviewed and approved as to form by the County Attorney's Office prior to acceptance by the County Manager on behalf of the Board.
- D. Other Types of Security. The County Manager may accept letters of credit, escrow account agreements or other forms of security provided that the reasons for not obtaining a bond are stated and the County Attorney approved the document.

II. OPERATING AND CLOSURE PERMIT BONDS

- A. Zone 1. A cash bond, permit bond with corporate surety or letter of credit shall be required in the amount of \$20,000 for each operating and closure permit issued, unless adjusted by DNRM.
- B. Zone 2. A cash bond, permit bond with corporate surety or letter of credit in the amount of \$15,000 shall be required for each operating and closure permit, unless adjusted by DNRM.
- C. Zone 3. A cash bond, permit bond with corporate surety or letter of credit in the amount of \$10,000 shall be required for each operating and closure permit, unless adjusted by DNRM.
- D. Zone 4. A cash bond, permit bond with corporate surety or letter of credit in the amount of \$5,000 shall be required for each operating and closure permit, unless adjusted by DNRM.

III. EXTERNAL FEE SCHEDULE

The Lee County Wellfield Protection Ordinance external fees and charges are established in the External Fees and Charges Manual, Lee County Administrative Code 3-10, as amended.