

AN ORDINANCE PROHIBITING THE CREATION, CONSTRUCTION  
OR MAINTENANCE OF A BORROW PIT IN THE CITY.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SPRINGFIELD IN BAY  
COUNTY, FLORIDA:

PREAMBLE: This Ordinance is an emergency ordinance  
for the immediate protection and preservation of the safety  
and health of the inhabitants of the City, and the emergency  
requiring its passage is the continued and threatened creation,  
construction or maintenance of borrow pits in the City which  
presently constitute or by their existence will constitute a  
clear and present danger to the health, safety and lives of  
the inhabitants of the City.

SECTION 1. It shall be unlawful to create, construct  
or maintain any borrow pit in this City, or to aid or abet in  
any creation, construction or maintenance of any such borrow  
pit, and for the purposes of this Ordinance, any owner of any  
right, title or interest in the land wherein a borrow pit is  
created, constructed or maintained shall be deemed as an active  
participant in the creation, construction or maintenance of any  
such borrow pit; and any person who in any way participates in  
the removal of sand, dirt or other minerals so as to contribute  
to the creation, construction or maintenance of such a borrow  
pit shall be deemed to be one who aids or abets in the creation,  
construction or maintenance of any such borrow pit.

SECTION 2. This Ordinance shall not be applicable  
to excavations conducted in accordance with plans and specifi-  
cations providing for the construction of foundations, basements  
or other landscaping necessary for the construction of buildings  
or improvements covered by said plans and specifications. Any  
such excavations shall be made in a careful and prudent manner  
and shall at all times be protected by substantial enclosures  
of sufficient strength and design to preclude any person or  
animal from exposure to the dangers of said excavation. The

abandonment of any construction contemplated by this section for a period in excess of 30 days shall automatically preclude said excavation from the exemption of this section.

SECTION 3. The penalty for violating this Ordinance shall be as prescribed by the general penalty provision of the Code of this City.

SECTION 4. This Ordinance is an emergency ordinance, and shall take effect immediately.

PASSED IN Regular Session by the City Commission of the City of Springfield in Bay County, Florida, at 6:40 P..m. this 3rd day of March, 1975.

B. H. McEwen  
Mayor

ATTEST:  
M. S. D. [Signature]  
City Clerk

EXAMINED AND APPROVED by me this 3rd day of March, 1975.

B. H. McEwen  
Mayor

POSTED AT:

City Hall

DATE:

March 3rd, 1975