

INSTALLATION OF DECORATIVE PLANTINGS AND LANDSCAPE MAINTENANCE POLICY

POLICY NO. 19-12

PURPOSE:

The rights-of-way on County- maintained roadways are governed by Section 24-3 of the Hernando County Code of Ordinances which establishes procedures for rights-of-way utilization in Hernando County.

To meet its obligation to maintain public property and to encourage cooperative efforts to enhance the beauty of Hernando County rights-of-way.

It is the intent of the Board of County Commissioners to establish a policy regarding the permitting of decorative landscapes as approved by the Department of Public Works within the County right-of-way of the local road network. The county has recognized the need to allow property owners to install and maintain decorative plantings and landscape to allow for lower maintenance costs to the County, provided the property owners accept responsibility for the maintenance of the decorative plantings and landscape.

DEFINITIONS:

- A. Rights-of-way – As used in this Policy, rights-of-way means any non-paved area next to a County roadway or publicly owned property.
- B. Decorative Landscaping – As used in this Policy, decorative landscaping shall mean plantings or landscaping which transcends the normal range of trees, bushes, etc. normally found in county-rights-of –way and which meets the Florida Department of Transportation’s Rule 14-40 and Roadway Design Standards, Index No. 546, and Hernando County Landscaping Guidelines.
- B. Right-of-way maintenance – As used in this Policy, right-of-way maintenance means the ordinary mowing, bush-hogging, removal of dead trees, fertilizing, watering, trimming, edging, litter removal, sodding, seeding or other

activity to keep County property neat in appearance and free from obstructions and/or safety hazards.

- C. Applicant – As used in this Policy, Applicant means any property owner who has applied and been approved as having responsibility for the installation, planting, and maintenance of decorative landscaping in a County right-of-way.

POLICY: It will be the responsibility of the Department of Public Works to administer and execute this policy in permitting of decorative plantings and landscape within the right-of-way on local roads within the County. Permitting of decorative planting and landscape as approved by the County engineer in the County's right-of-way will be permitted, subject to the following conditions:

Conditions:

1. Landscaping shall be installed and maintained in accordance with the Florida Department of Transportation's Rule 14-40 and Roadway and Traffic Design Standards, Index No. 546, and Hernando County Landscaping Guidelines.
2. The Applicant shall facilitate the development of healthy vegetation and an aesthetically pleasing site, while at the same time pruning and/or trimming parts thereof which could present a visual and/or physical hazard for those utilizing the road and right-of-way.
3. While performing maintenance or construction activities, basic principles and minimum standards for all traffic maintenance activities will be in accordance with the current edition of the Index of Roadway and Traffic Design Standards and the Manual of Uniform Traffic Control Devices.
4. The applicant or applicant's contractor shall notify the County Engineer twenty-four (24) hours in advance of any landscape construction.
5. Applicant understands that landscaping may have to be removed, relocated, etc., during roadway construction or modifications, and that such relocation or replacement of landscaping will be done at applicant's expense. The County agrees to notify the Applicant sixty (60) days in advance of such modifications.

6. Applicants are free to approach local business firms and solicit a fair price for the landscaping (as needed) and maintenance of each median and/or right-of-way.
7. Applicant agrees to undertake a standardized written Agreement for Decorative Plantings and Landscape Maintenance between Hernando County and the Applicant for maintenance of rights-of-way. Said standardized agreement may be revised by the Hernando County Legal Department on an as-needed basis. Said agreements shall be executed by the County Engineer.
8. Applicant agrees the County Engineer shall decide any disagreements and/or disputes regarding any aspect of the decorative plantings and landscaping maintenance agreement, with his/her decision on any such matters to be binding and final.
9. The decorative plantings and landscaping maintenance agreement may be terminated by either party with thirty (30) days notification.

Adopted: December 17, 2013