



Town of Ponce Inlet
 Planning & Development Dept.
 4300 S. Atlantic Avenue
 Ponce Inlet, FL 32127
 386-236-2181 (voice)
 386-322-6717 (fax)

**CERTIFICATE TO EXCAVATE
 APPLICATION**
 Pursuant to Article III, Section 3.8.8 of the
 Code of Ordinances

Submittal Receipt # and Date: _____

Application #: _____

FEE PAID: _____

Authority to approve a certificate to excavate is given to the Historic and Archaeological Preservation Board and pursuant to Article III, Section 3.8.8(B)(a) of the Code of Ordinances following a review by the planning and zoning department.

ALL APPLICATIONS MUST BE **DEEMED COMPLETE** BY THE PLANNING & DEVELOPMENT STAFF, PURSUANT TO SECTION 3.8.8(B)(a) **PRIOR** TO THE ITEM BEING SCHEDULED FOR HEARING BEFORE THE HISTORIC AND ARCHAEOLOGICAL PRESERVATION BOARD. Please Note: Failure to *fully complete* all the applicable items will result in the application being deemed incomplete and no further action will be taken.

SECTION 1: PROPERTY INFORMATION

| | |
|----------------------|--|
| Property Address | |
| Tax Parcel Number(s) | |
| Legal Description | |

SECTION 2: PROPERTY OWNER INFORMATION

| | | | |
|--------------|--|-----------------|--|
| Owner's Name | | Mailing Address | |
| Phone | | Fax | |
| Email | | | |

Proof of Ownership provided:

SECTION 3: APPLICANT/AGENT INFORMATION (if not property owner)

| | | | |
|------------------|--|-----------------|--|
| Applicant Name | | Mailing Address | |
| Phone | | Fax | |
| Agent Name/Title | | Mailing Address | |
| Phone | | Fax | |

SECTION 4: EXCAVATION INFORMATION

| | |
|---|--|
| Description of the land to be considered for excavation | |
|---|--|

Note: Work activities shall be stopped in the immediate vicinity of the place of discovery of previously unknown paleontological, archaeological or historic remains, with the city and the Florida Department of State, Division of Historic Resources, being immediately notified of the discovery and arrangements made to evaluate and appropriately treat those resources considered to be significant. If human remains are discovered, then the provisions of F.S. § 872.05, shall be followed.

SECTION 5: SCOPE

Pursuant to Section 3.8.8.A., "A certificate to excavate, issued by the board, shall be required for any of the following activities:

1. Any proposed earth-disturbing activities that will potentially have an adverse impact on any historical, archaeological, and paleontological resources listed on or eligible for listing on the Florida Master Site File, the local landmark list or the National Register of Historic Places.
 - a. Development activities shall be implemented in a manner sufficient to protect and ensure the protection and preservation of historical, archaeological and paleontological resources.
2. A certificate to excavate shall be in addition to any other building permits required by law. The issuance of a certificate to excavate from the board shall not relieve the property owner of the duty to comply with other state and local laws and regulations.

SECTION 6: REQUIRED EXHIBITS

Pursuant to Section 3.8.8.B., "*Application procedures for certificates to excavate*

1. Each application for a certificate to excavate shall be accompanied by the required fee. The town manager or his or her designee shall forward to the board each application for a permit that would authorize earth-disturbing activities
 - a. The applicant shall complete an application form provided by the town manager or his or her designee based on recommendations of the Florida Department of State, Division of Historic Resources Staff, and/or the town manager or his or her designee, including but not necessarily limited to special field surveys of historic, archaeological and paleontological resources required to identify the extent of potential endangerment resulting from proposed projects.
 - b. The design and procedures of such surveys and mitigative measures shall be developed in consultation with the Florida Department of State, Division of Historic Resources staff and the town manager or his or her designee.
 - c. New information on previously unrecorded historic resources shall be transmitted to the Florida Division of Historic Resources.

Without all required surveys and design plans, this application shall not be considered complete.

2. *Application completeness.* The town manager or his or her designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete."

SECTION 7: PUBLIC HEARING REQUIRED

3.8.8 (B)(3) *Public hearings for certificates to excavate.* The board shall hold a public hearing on each certificate to excavate within 30 days after receipt of a completed application. The board shall approve, approve with conditions, or disapprove each application, based on the criteria contained in this section. The board shall act within 60 days after the close of the public hearing. If the board fails to decide an application within the specified time period, the application shall be deemed approved.

SECTION 8: APPEALS

3.8.8 (A)(3) *Appeals to town council.* Within 15 days of the board decision, any person may appeal to the town council any decision of the board on an application for a certificate to excavate. The town council shall approve, approve with modifications, or disapprove the application within 60 days after receiving the appeal.

- a. No certificate to excavate shall be effective for a period of 15 days subsequent to the board's decision. If during that 15-day period an appeal is made to the town council, the decision of the board shall automatically be stayed pending town review.
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I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant or Agent

Date

STATE OF FLORIDA
COUNTY OF VOLUSIA

Affirmed and subscribed before me this _____ day of _____, 20____ by
_____, who is personally known to me or who has produced
_____ (type of ID) as identification.

Notary Public

My commission expires: