

ORDINANCE 2010-70

AN ORDINANCE OF THE CITY OF OCALA, FLORIDA, CONCERNING FEES; AMENDING SECTION 82-42 PROVIDING FOR PERMITS, INSPECTIONS AND RELATED FEES AND PROVIDING FOR SUCH FEES TO BE ESTABLISHED BY RESOLUTION; REPEALING 82-43 CONCERNING PLUMBING PERMIT FEES; REPEALING SECTION 82-44 CONCERNING MECHANICAL PERMIT FEES; REPEALING SECTION 82-45 CONCERNING GAS PERMIT FEES; REPEALING SECTION 82-46 CONCERNING ELECTRICAL PERMIT FEES; REPEALING SECTION 82-47 CONCERNING REINSPECTION FEE; AMENDING SECTION 114-10 PROVIDING FOR SUBDIVISION FEES BY REVISING SUBDIVISION FEES AND DELETING OTHER FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session as follows:

Section 1. That Section 82-42 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:

Sec. 82-42. Permits, inspections and related fees

(a). City council shall establish by separate resolution a minimum fee schedule for the following permits and inspections and all other permits and reinspections set forth on such schedule; the fee schedule shall be maintained by the building department.

- (1). Building permits.
- (2). Change of occupancy inspections.
- (3). Commercial building plan review.
- (4). Residential plan review, new single-family and duplex dwelling.
- (5). Plan reviews and related services by fire department.
- (6). New construction inspections and related services by fire department.
- (7). Plumbing permits.
- (8). Mechanical permits.
- (9). Gas permits.
- (10). Electrical permits.
- (11). Reinspections.

Section 2. That Section 82-43 of the Code of Ordinances, City of Ocala, Florida, is hereby repealed.

Section 3. That Section 82-44 of the Code of Ordinances, City of Ocala, Florida, is hereby repealed.

Section 4. That Section 82-45 of the Code of Ordinances, City of Ocala, Florida, is hereby repealed.

Section 5. That Section 82-46 of the Code of Ordinances, City of Ocala, Florida, is hereby repealed.

Section 6. That Section 82-47 of the Code of Ordinances, City of Ocala, Florida, is hereby repealed.

Section 7. That Section 114-10 of the Code of Ordinances, City of Ocala, Florida, is hereby amended to read as follows:.

Sec. 114-10. Subdivision Fees.

(a). City council shall establish by separate resolution a minimum fee schedule for all subdivision charges. All fees shall be deposited in the general fund of the city. No such fees shall be refunded except upon a showing of mistake upon the part of the city. The city council shall have the authority to authorize the refunding of a fee pertaining to this chapter. In case of hardship, the city council may waive the fee.

(b). No building permit shall be issued nor shall any action be taken on proceedings before the planning and zoning commission and the city council unless and until the required costs, charges, fees or expenses have been paid in full.

(c). The subdivision fee schedule shall be maintained by city engineering and building departments.

(d). Where the city attorney has to either review a proposed plat more than twice, or review a proposed developer's agreement more than twice, the developer shall reimburse the city for the reasonable cost incurred by the city for the additional reviews of such documents.

(e). Where city staff is required to review the Conceptual Plan (Step 2) or the Improvement Plan (Step 3) more than two times an additional fee shall be required. The additional fee shall be equal to the original base fee for the appropriate step and apply to each additional review starting with the third review that results in additional comments to be addressed.

(f). In addition to the fees adopted by resolution, the developer shall reimburse the city for extraordinary legal fees incurred by the city in reviewing the plat and other materials required to be submitted hereunder, and in preparing the developer's agreement. Such reimbursement shall be in the amount of the reasonable costs incurred by the city for such reviews. City shall notify the developer, prior to incurring such extraordinary fees, that it intends to seek reimbursement for such fees; such notice may result in delaying such review.

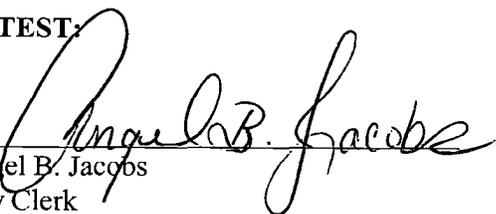
(g). Condominiums shall be reviewed as site plans with fees charged accordingly.

Section 8. Severability Clause: Should any provision or section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. This ordinance shall take effect upon approval by the Mayor, or becoming law without such approval.

ATTEST:

By: 
Angel B. Jacobs
City Clerk

CITY OF OCALA

By: 
Reuben Kent Guinn
President, Ocala City Council

~~Approved~~ Denied by me as Mayor of the City of Ocala, Florida, on September 24th, 2010.

By: *Randall Ewers*
Randall Ewers
Mayor

Approved as to form and legality:

By: *P. Gifford*
~~Patrick G. Gilligan~~ **P. Gifford**
~~City Attorney~~ **Assistant City Attorney**

Ordinance No: 2010-70
Introduced: September 7, 2010
Adopted: September 21, 2010
Legal Ad No: SF06467792 September 10, 2010