

ORDINANCE NO. 1292

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, RELATING TO ESTABLISHING A LIEN SEARCH FEE; AMENDING CHAPTER 5, ARTICLE VI, SECTION 5-11, "SPECIAL FEES," PROVIDING FOR THE GENERAL REGULATION CHARGING A FEE TO PERFORM OPEN PERMIT SEARCHES AND ACTIVE LIEN SEARCHES; PROVIDING FOR DUTIES AND RESPONSIBILITIES OF ADMINISTRATIVE PERSONNEL; PROVIDING FOR FEES; PROVIDING FOR DEFINITIONS; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, establishing specific fees for identifiable costs of the City should be paid by the recipient of said service; and

WHEREAS, the Finance Department analyzed the amount of staff time involved in facilitating lien requests which come into the City and obtained an survey from surrounding municipalities to compare said fee; and

WHEREAS, the City Council recognizes that significant time and labor is required by City staff in following up with utility liens, utility billing collections, code enforcement liens, open building permits, and or open fire cases; and

WHEREAS, the City Council for the City of Maitland has determined it to be in the best interest of the City to adopt an Open Permit Search and Active Lien Search Fee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAITLAND, FLORIDA THAT:

NOTE: Underlined words constitute the additions to the existing text of the Maitland Code of Ordinances, strikethroughs constitute deletions to the existing text, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

SECTION 1. Chapter. 5 – Building and Construction Regulations, Article II, "Fees," is hereby amended as follows:

Sec. 5-11 (c) Open Permit and Active Lien Search Fee - the City Council shall establish, by resolution, a schedule of fees, charges and expenses for administering this section. These fees shall be reviewed periodically and shall be adjusted based on available data such as current cost.

SECTION 2. CODIFICATION. It is the intent of the City Council of the City of Maitland that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

SECTION 3. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 4. CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED by the City Council of the City of Maitland, Florida, this 28th day of September, 2015.

CITY OF MAITLAND, FLORIDA


A. DALE MCDONALD
MAYOR

ATTEST:


CITY CLERK