

ORDINANCE 2016-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MINNEOLA, FLORIDA, AMENDING CHAPTER 42 OF THE CITY OF MINNEOLA CODE OF ORDINANCES; SPECIFICALLY AMENDING CHAPTER 42 TO INCREASE THE FIRE PROTECTION IMPACT FEE IN THE CITY OF MINNEOLA; PROVIDING FINDINGS AND DECLARATIONS OF THE CITY COUNCIL; PROVIDING FOR NOTICE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Minneola has determined that fire protection impact fees are necessary to help pay for a portion of the costs of new or expanded fire, rescue, and prevention and suppression capital facilities and equipment attributable to new construction within the City limits; and

WHEREAS, the City of Minneola accordingly adopted a fire protection impact fee pursuant to Ordinance 2005-36; and

WHEREAS, the City of Minneola has obtained an impact fee study prepared by Raftelis Financial Consultants, Inc. and dated April 13, 2016, which found that the fire protection impact fee should be increased as set forth herein; and

WHEREAS, the City Council of the City of Minneola finds and determines that the calculation of the impact fee set forth in the study is based on the most recent and localized data; and

WHEREAS, the City of Minneola desires to increase the fire protection impact fee as set forth in the Study and provided herein; and

WHEREAS, the City of Minneola has provided notice in accordance with Section 163.31801 of the Florida Statutes; and

WHEREAS, the City of Minneola desires to adopt this Ordinance 2016-07.

NOW THEREFORE, be it ordained by the City Council of the City of Minneola, Florida:

Section 1. The study regarding fire protection impact fees prepared by Raftelis Financial Consultants, Inc. dated April 13, 2016 (the "Study") has been submitted to the City Council and discussed at public meetings and sets forth a reasonable methodology and analysis for the determination of the impact of new development on the need for and costs of additional fire protection facilities and equipment within the City of Minneola. City of Minneola City Council hereby adopts those findings set forth in the Study relating to the City of Minneola's fire protection impact fee.

Section 2. Section 42-138 of the City of Minneola Code of Ordinances is hereby amended to read as follows:

Sec. 42-138. Fee Schedule.

| <u>Description</u> | <u>Unit</u> | <u>ERU Factor</u> | <u>Fire Impact Fee</u> | <u>Land Use</u> | <u>Cost</u> | <u>per</u> |
|----------------------------|-------------|-------------------|------------------------|-----------------|-------------|------------|
| <u>Unit of Development</u> | | | | | | |
| Single Family | Dwelling | 1.00 | \$539.40 | | | |
| Multifamily | Dwelling | .75 | \$404.55 | | | |

Nonresidential

| | | | |
|---------------|--------------|------|----------|
| Office | 1,000 sq.ft. | .56 | \$301.30 |
| Retail | 1,000 sq.ft. | 1.37 | \$740.93 |
| Institutional | 1,000 sq.ft. | .74 | \$396.81 |
| Industrial | 1,000 sq.ft. | .33 | \$179.05 |

| | |
|----------------------------------|----------|
| Single Family | \$257.57 |
| Multi-Family | \$139.03 |
| Mobile Home | \$105.56 |
| Nonresidential (per square foot) | |
| Commercial/Industrial | .23 |
| Institutional | .25 |


Section 3. The City has published notice of the impact fees provided for in this Ordinance in a newspaper of general circulation no less than ninety (90) days before the effective date of this Ordinance pursuant to Florida Statute section 163.31801.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

Section 5. This Ordinance shall be codified and included in the Municipal Code by the appropriate party. The section of this ordinance may be renumbered or relettered, and the word "ordinance" may be changed to "section," "article," or other appropriate designation.

Section 6. This Ordinance shall become effective as of September 5, 2016 pursuant to F.S. 163.31801.

PASSED AND ORDAINED this 21st day of June, 2016, by the City Council of the City of Minneola, Florida.

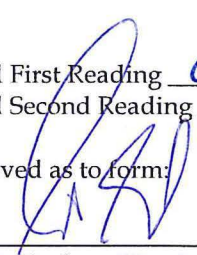

PAT KELLEY, MAYOR

Attest:


Christina Stidham, City Clerk

Passed First Reading 6/7/16
Passed Second Reading 6/21/16

Approved as to form:


Scott A. Gerken, City Attorney