

ORDINANCE 2021-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE FEES AND COLLECTIONS PROCEDURES MANUAL THAT WAS AMENDED BY ORDINANCE 2020-04, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Commission finds it appropriate to regularly review and amend the amount and type of fees collected in order to reflect the cost of service and facility provision city-wide.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THAT:

SECTION 1. The Fees and Collections Procedures Manual be amended as attached in Exhibit A – FEES AND COLLECTION PROCEDURES MANUAL

SECTION 2. That the provision of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 3. That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same effect this Ordinance.

SECTION 4. That this Ordinance shall be in full force and effect upon adoption in the manner provided by law.

PASSED AND ADOPTED this 9th day of June, 2021 by the Board of Commissioners of the City of Madeira Beach, Florida.


Mayor

ATTEST:


Clara VanBlargan, MMC, MSM, City Clerk



NOTICE OF PUBLIC HEARING CITY OF MADEIRA BEACH

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach City Charter, and Florida Statutes §166.041(3)(a):

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct a **Second Reading and Public Hearing for the adoption of proposed Ordinance No. 2021-11 and Ordinance No. 2021-12 at 6:00 p.m. on Wednesday, June 9, 2021.** The meeting will be held in the Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708. The title of said Ordinance is as follows:

ORDINANCE NO. 2021-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 14-31 OF CHAPTER 14 – BUILDINGS AND BUILDING REGULATIONS AND CERTAIN SECTIONS OF CHAPTER 38 – FIRE PREVENTION AND PROTECTION OF THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO UPDATE THE EDITION REFERENCES OF THE UNIFORM FIRE CODE AND LIFE SAFETY CODE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

ORDINANCE 2021-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE FEES AND COLLECTIONS PROCEDURES MANUAL THAT WAS AMENDED BY ORDINANCE 2020-04, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

Copies of the proposed Ordinances are available for inspection in the City Clerk's Office between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you would like more information regarding the proposed Ordinances, please contact the City Clerk at 727-391-9951, ext. 231.

Social distancing and the wearing of masks are required at the meeting. The meeting will be aired on Public Access TV Spectrum Channel 640 and through the City's website.

Public comments can be submitted by email through the Public Comment form located on the front page of the City of Madeira Beach website. Comments are accepted up to three hours prior to the start of the meeting and will be read aloud during the meeting. *Please limit your comments to 400 words as the comments are limited to three minutes.*

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. It is the responsibility of the person making the appeal to bear the cost of hiring a private court reporter or private court recording firm to make the verbatim record.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 48 hours prior to the meeting: (727) 391-9951, Ext. 231 or 223 or fax a written request to (727) 399-1131.

Clara VanBlargan, MMC, MSM, City Clerk



FEES & COLLECTION PROCEDURE MANUAL

(Updated Through Ordinance 2021-12)

**Office of the City Clerk
Adopted: June 9, 2021**

FEES & COLLECTION PROCEDURE MANUAL

(UPDATED THROUGH ORDINANCE 2021-12)

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ARTICLE I. CITY CLERK'S OFFICE- FEES FOR INSPECTING AND COPYING PUBLIC RECORDS

(Res. 2016-24, 07/12/2016; Res. 2013-50, 10/08/2013; Res. 09.10, 09/21/2009; Res. 04.02, 01/27/2004; ORD. 2018-03; 06/12/2018; Ord. 2019-06; Ord. 2020-04; Ord. 2021-12 05/12/21

SECTION A. What is a public record?

Section 119.11 (12), F.S., defines "public records" to include:

"all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge. *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633, 640 (Fla. 1980). All such materials, regardless of whether they are in final form are open for public inspection unless the Legislature has exempted them from disclosure.

Wait v. Florida Power & Light Company, 372 So. 2d 420 (Fla. 1979)

SECTION B. Right of access to public records under reasonable conditions, F.S., Sec. 119.07(1)(a):

"Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time under reasonable conditions and under supervision by the custodian of the public records."

The term "reasonable conditions" as used in Sec. 119.07(1)(a), F.S., "refers not to conditions which must be fulfilled before review is permitted but to reasonable regulations that would permit the custodian of the records to protect them from alteration damage, or destruction and also to ensure that the person reviewing the records is not subjected to physical constraints designed to preclude review." *Wait v. Florida Power & light Company*, 372 So. 2d 420. 425 (Fla. 1979). See also *Chandler v. City of Greenacres*, 140 So. 3d 1080, 1084 (Fla. 4th DCA 2014) (noting the narrow interpretation of the phrase "reasonable conditions"): and *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), *appeal dismissed sub nom.*, *DePerte v. Tribune Company*, 105 S.Ct. 2315 (1985) (the sole purpose of custodial supervision is to protect the records from alteration, damage, or destruction).

Accordingly, the "reasonable conditions" do not include a rule or condition of inspection which operates to restrict or circumvent a person's right of access. AGO 75-50. "The courts of this state have invalidated measures which seek to impose any additional burden on those seeking to exercise their rights to obtain records" under Ch. 119, F.S. inf. op. to Cook, May 27. 2011. And see *State v. Webb*, 786 so. 2d 602 (Fla. 1st DCA 2001) (requirement that persons with custody of the public records allow records to be examined "at any reasonable time, under reasonable conditions" is not unconstitutional as applied to public records

custodian who was dilatory in responding to public records requests).

A public records request "shall provide sufficient specificity to enable the custodian to identify the requested records. The reason for the request is not required to be disclosed." Fla. R. Jud. Admin. 2.420(m)(l). The custodian "is required to provide access to or copies of records but is not required either to provide information from records or to create new records in response to a request." *Commentary, In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002). The custodian having custody of the records shall determine whether the requested records are subject to the rule, whether there are any exemptions, and the form in which the record is provided. Fla. R. Jud. Adm in. 2.420(m)(2). If the request is denied, the custodian shall state in writing the basis for the denial. *Id.*

SECTION C. Extensive requests pursuant to F.S. §199.07.(4).

Sec. 119.07(4)(d), F.S., provides, "[i]f the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required or both."

If a public records request requires an extensive use of the City's resources, a special service charge may be imposed. Special service charges will be calculated based upon the City's actual cost of burden, (wages, taxes, insurance and benefits), for the lowest paid personnel capable of fulfilling the request. The City will provide the first 30 minutes for free and then impose the special service charge if it requires more resources.

Large volume of records requested. Deposits are based upon an actual estimate of the cost of production, with a minimum of 50% due before production of the records begins.

SECTION D. Fees for inspecting and copying public records pursuant to F.S. §119.07(1)(a).

Public records held by the City are open to inspection by any person, during reasonable times and under reasonable circumstances. Although Florida law makes some records exempt or confidential, the City wishes to make all non-exempt records available to the public at no cost provided the request to inspect or copy records does not involve an extensive use of City personnel or other resources. For purposes of the City's public records policy, any public records request that requires more than thirty minutes to fulfill may be subject to the fee provisions of §119.07(4), Fla. Stat. including a special service charge as provided by §119.07(4)(d), Fla. Stat.

- | | |
|-------------------------------------|--------|
| (1) One-sided copy, each page | \$0.15 |
| (2) Two-sided copy, each page | \$0.20 |
| (3) Certified copy, each page | \$1.00 |
| (4) Notary Public Fee | \$5.00 |
- Pursuant to F.S. §117.05(2a); the fee of a notary public may not exceed \$10.00 for any one notarial act, except provided in Sec. 117.045.)

****For all other requests, the fee prescribed for duplication of public records shall represent the actual cost of duplication.***

For purposes of this sections, "Duplicating" means the process of reproducing an image or images from an original to a final substrate through the electrophotographic, xerographic, LED, inkjet or dye sublimation, laser, or offset process or any combination of these processes, by which an operator can make more than one copy without rehandling the original.

SECTION E. Custodian of Public Records and Designated Custodians of Public Records

CUSTODIAN OF PUBLIC RECORDS

Clara VanBlargan, MMC, MSM, City Clerk
cvanblargan@madeirabeachfl.gov
Phone (727) 391-9951, ext. 231

RECORDS CUSTODIANS

The Records Custodian of each department are designated by the City Clerk. The records custodian of their department shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time under reasonable conditions and under supervision by the custodian (supervisor) of those public records to be inspected or copied. Although, the custodian "is required to provide access to or copies of records they are not required either to provide information from records or to create new records in response to a request." *Commentary, In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002), and shall determine if the requested records are subject to the rule, whether there are any exemptions, and the form in which the record is provided. Fla. R. Jud. Adm in. 2.420(m)(2). If the request is denied, the custodian shall state in writing the basis for the denial. *Id.*

A list of designated department Records Custodians is posted in each department and on the City's website.

ARTICLE II. DEVELOPMENT SERVICES

A. General Development Services Fee Structure:

It is the intent of the City that all development review costs be borne by the beneficiaries. The initial nonrefundable fee will be required at the time an application is submitted. Costs for review services including personnel, consulting or material will be charged against the account of each application. At such time as costs meet the value of the submitted fee, all review activities will be suspended until the applicant submits an additional fee in an amount equal to the initial fee. Unused fee amounts beyond the initial nonrefundable fee will be reimbursed at issuance of the Certificate of Occupancy (CO). The cost of required advertising and mailing for major site plans, land use or zoning amendments will be charged separately and paid prior to the scheduling, advertising or preparation of mailed notice for public hearings and/or meetings. These fees do not include costs associated with the developer's conduct of neighborhood/community meetings which will be the financial responsibility of the developer. This policy applies to all the fees of this section.

B. *Special Magistrate Hearings.* Fees for Special Magistrate Hearings shall be as follows:

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 05.20, 09/14/2005; res. 04.08, 06/22/2004, Ord. 936, §1, 02/20/2001; Ord. 953, §2, 11/13/2001; Code 1983, §19-502)

- (1) Zoning variances for residential dwelling units (per variance, up to three units) \$1,730.00
- (2) Zoning variances for multifamily, tourist dwellings, or commercial..... \$1,735.00
- (3) Special exception use..... \$1,560.00
- (4) Appeal of decision (appeal is refundable if decision is overruled) \$1,420.00
- (5) After-the-fact variance (double fee) \$3,460.00
(Ordinance 2016-06)

C. *Alcoholic Beverage Permit Application Fee*\$500.00
(Res. 2012-14, 09/05/2012)

D. *Platting.*

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- (1) Review of construction drawings\$400.00
- (2) Replat\$400.00
- (3) Final\$400.00
- (4) Amendment to a plat.....\$500.00
- (5) Minor subdivision\$200.00
- (6) Lot line adjustments\$150.00
- (7) Unity of title\$85.00
- (8) Rescission of unity of title\$225.00

E. *Vacation.* (Not including costs associated with referendum)

(Res. 2016-24, 07/12/2016, Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- Right-of-way (as approved by referendum).....\$1,000.00
- Easement (as approved by referendum when required).....\$1,000.00

F. *Site Plan*

Level of site plan review to be determined in accordance with city land development ordinance and interpreted by development review staff.

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- (1) Minor Site Plan Review\$300.00
- (2) Intermediate Site Plan Review
 - a. Preliminary Site Plan\$300.00
 - b. First Review Site Plan Submittal\$1,000.00
 - c. Each Additional Submittal.....\$500.00
- (3) Major Site Plan Review
 - a. Preliminary Site Plan\$500.00
 - b. First Review Site Plan Submittal\$1,500.00
 - c. Each Additional Submittal.....\$500.00
- (4) Administrative Waiver\$500.00
- (5) Encroachment Extension\$850.00

G. Zoning/Land Development Regulation Interpretations and Meetings – Base Fee.....\$85.00

Interpretation of land development regulations such as number of legal units existing on a property, nonconforming provisions, subdivision regulations, and/or Planning, Zoning or Predevelopment review meetings. Such services would include up to one hour of meeting and or research of the Planner and can include the preparation of a written interpretation. Time required above an hour or requiring the participation of additional staff, shall be charged at the employees' hourly rate plus benefits on a time for time basis. On-site consultation with planner or Certified Flood Plain Manager (as needed; by request) requires an additional fee of \$100.00.

H. Zoning Verification Letter\$50.00

(Res. 2016-24, 07/12/2016)

Verification in writing (formal letter on City stationary) as to the property's zoning. This includes a copy of the related district regulations. Such letters are often requested by realtors for property closings.

I. Land Development Regulations Amendment\$1,500.00

(Res. 2016-24, 07/12/2016)

J. Land Use Amendment\$2,000.00

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

K. Rezoning\$1,500.00

(Res. 07.14, 06/26/2007)

L. Planned Development (PD) and Planned Development Amendments.

(Res. 07.14, 06/26/2007)

- (1) Development Meetings-Charged as Plan Review Meetings at the combined hourly rate of all staff assigned by the Planning Director.
 - a. Preliminary Plan and Standards Review\$1,500.00
 - b. First Plan and Standards Plan Review.....\$2,500.00
 - c. Each Subsequent Submittal\$500.00
- (2) Minor modifications not requiring full site plan, neighborhood/community meetings or zoning map amendment or amendment of the planned development agreement.....\$1,000.00
- (3) Major modifications.....To be charged by the full rate for a new Planned Development.
- (4) Development Agreements.....Charges will include all staff and consulting time at hourly rates plus benefits and will be paid prior execution of the Development Agreement Ordinance.

M. Special Agreements

(Res. 10.12, 07/20/2010; 07.14, 06/26/2007)

- (1) For Board of Commissioner's Approval\$500.00

**Plus City Attorney's legal and recording fees; i.e. encroachment(s); use of City parking area, etc.*

- (2) For Administrative Review and Approval..... *All staff hourly rates, legal and recoding fees*

N. Unaddressed Research Requests – Base Fee.....\$100.00

Request for Community Development Department information and records relating but not limited to building permits, business tax records, alcoholic beverage approvals, Planning Commission records, Special Magistrate and Board of Adjustment records, Code Enforcement records, and any other records under the responsibility of the Community Development Department. Such request would cover up to one hour of research and/or data collection. Additional research/data collection time shall be charged at a rate of \$100 per hour. Photocopy charges for such records are additional and are based on the City's Fees and Collections Procedure Manual.

O. FEMA/Floodplain Ordinance Interpretations and Reviews– Interpretation Base Fee.....\$100.00

Interpretation of the City's Floodplain Ordinance beyond the verification of the specific flood zone and the basic requirements related to that zone. Such request would include up to one hour of research and include the preparation of a written interpretation. Additional research time shall be charged at the rate of \$100 per hour.

Building Plan Review Base Fee of \$50 or 10% of any building permit fee of over \$1,000, whichever is greater plus \$100 additional fee for any revisions to signed and sealed plans or for site changes.

P. FEMA Verification Letter \$100.00

Verification of FEMA flood zone in writing (formal letter on city stationery).

(Res. 2016-24; 07/12/2016)

Q. FEMA Application Fees

(Res. 07.22, 10/23/2007; Res. 07.17, 08/28/2007; Res. 06.29, 11/28/2006; Res. 05.20, 09/14/2005; Res. 04.08, 06/22/2004)

- (1) Flood Mitigation Assistance Grant Application\$1,500.00*
*NON-REFUNDABLE. The fee covers the preparation and submittal of application.
- (2) Severe Repetitive Loss Grant Application.....\$800.00*
*NON-REFUNDABLE. The fee covers the preparation and submittal of application.
- (3) Board of Commissioner Review of FMA Agreement\$1,000.00*
* The BOC Review fee is an additional fee due prior to the approval of the Flood Mitigation Assistance Agreement and the Flood Mitigation Assistance Project Agreement. Fee does not include outside consulting or legal review which will be charged separately.

R. Solicitor's Permit

(Res. 07.23, 12/11/2007)

- (1) Permit for any business with current Local Business Tax Receipt (BTR)\$10.00
- (2) Permit for any business without current BTR.....\$100.00
 - a. For each additional person participating without a BTR\$20.00
- S. Short-term/Vacation Rental Certification \$300.00

T. Specific Site plan Applications

- (1) Dog Dining Request.....\$75.00

A fee of \$75.00 shall be required for both the initial application and subsequent annual renewals requesting to allow dogs in specified outdoor area(s) of a food service establishment during operating hours. This fee shall offset the City's cost to administer, review and inspect such request. This fee shall apply only to pet dogs, service animals are already permitted within business establishments by law.

- (2) Sign, Murals, Banners\$75.00

- (3) Tanks, driveways, patios, pools, ISR, landscaping (when review is separate from those include in another application under review at the time of application) (review requiring scheduled meetings will be charged and additional \$80 per scheduled meeting).....\$160.00

U. Building Permit Fee Schedule.

The following building permit fee schedule shall be used when issuing a permit for any type of construction including, but not limited to, the following: Commercial, Residential, Single Family or Multi-Family for Building, Mechanical, Plumbing, Gas, Fire Roofing, Swimming Pools, Aluminum Structures, Interior or Exterior remodeling, Accessory Structures, Additions, Fuel Tanks, Alarms, Sprinklers, Driveways, Signs, Docks, Seawalls, Walls and Fences, Sheds, Infrastructure or Excavation, or any other type of construction under the Florida Building Code.

(Res. 2016-24, 07/12/2016; Res. 2016-03, 02/09/2016)

- (1) Residential and Commercial (NON-REFUNDABLE) permit plan review deposit fee
 - a. Value of \$2,499 or less\$50.00
 - b. Value of \$2,500 or more 25% of total permit value (minimum \$50)

The application plan review fee shall be collected at the time of the submitted permit application. This shall be a non-refundable plan review application fee in addition to any other applicable fees listed in Article II, Section I (Building Permit Fee Schedule).

Definitions of "residential" and "commercial" are based on the ~~2017~~ 2020 Florida Building Code:

"Residential building" shall mean any "one- and two-family dwelling" or portion thereof, including "townhouses", that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include accessory structures thereto.

"Commercial": for this code, all buildings that are not included in the definition of "residential buildings."

- (2) EXPRESS Permit – issued same day (plus any additional applicable fees)\$50.00
- (3) Valuation Fee: Two percent (2%) of the Total Project Value, which includes both materials and labor and other related fees).
- (4) Florida Surcharge Fee: The Building Permit fee as required by Florida Law, a total of two and one-half (2½%) percent per permit. A minimum of four dollars of the Building Permit Fees.
- (5) Pre-Permit Plan Review Fee: All plan review fees for large "commercial and residential" building permits including one-and-two family dwellings, townhouses, multifamily units and all commercial projects shall be;
 - a. One-and-two family dwellings & townhouses.....\$250.00
 - b. Multifamily units & commercial projects\$500.00
 - c. FEMA - SI/SD projects\$250.00
 - d. Minimum fee\$100.00
- (6) Re-examination of plans due to corrections, changes or alterations, prior to or after permit issuance.
 - a. Plan revisions (Minor, 2,499 sq. ft. or less).....\$100.00
 - b. Plan revisions (Large) greater than (>) 2500 sq. ft.....\$250.00
- (7) Miscellaneous Fees:
 - a. Certificate of Occupancy and/or Certificate of Completion\$50.00
 - b. Letters of Determination (e.g. flood, building, etc.)\$50.00
 - c. Change of contractor (all trades)\$50.00
 - d. Change of use or occupancy\$50.00
 - e. Demolition of structure:

i. Demolition base fee (up to 5,000 sq. ft.)	\$100.00
ii. Structures over 5,000 sq. ft.	\$250.00
f. Early release of power (<i>before electrical final</i>)	\$50.00
g. Moving of structure	\$100.00
h. Permit extension (<i>per extension</i>)	\$50.00
i. Transfer of Permit	\$50.00
j. Permit fee for applications performed by an outside entity: <i>The permit fee for an application when the Building Official has approved the request of the applicant to have an outside entity, contracted by the applicant, perform the required inspections shall be:</i>	
i. Fee per sq. ft. of the proposed structure	\$1.00
ii. Minimum fee, (plus any applicable fees)	\$50.00
k. Red tags and/or failed inspection(s) (<i>per each tag/inspection</i>)	\$50.00
l. Replacement of placard card (<i>per placard card</i>)	\$25.00
m. Special consultation with Building Official (<i>as needed; by request</i>)	\$100.00
n. FEMA or damage pre-permit inspection, Fire or Structural (<i>Includes Trades</i>)...	\$100.00
o. Building Code, Life & Health Safety inspection	\$100.00
p. After hours inspection (<i>beyond normal business hours</i>)	\$250.00
q. Stop-work order (<i>per order</i>)	\$50.00
r. Temporary power pole	\$50.00
s. Tent permit	\$25.00
t. Tree removal permit	\$50.00
u. Well/Test boring application	\$100.00
i. Each additional boring on same site	\$20.00

(8) "After the Fact" permit fee:

- a. Shall be **(5)** times the face value of the permit valuation fees.
- b. Any subsequent "After-the-fact" permit issued to the same Contractor, Property Owner and/or Homeowner within the following (12) months shall be **(10)** times the normal fees.

(9) Refunds. NO refunds on permits unless such permit was issued in error on part of the City. There shall be no refund of fees if work commences or of the permit is 90 days or older.

(10) Miscellaneous items. At the discretion of the Building Official, all construction related activities that do not qualify under one of the trades (Building, Mechanical, Electrical, Plumbing, and others) may be classified as miscellaneous. A permit for such activity may or may not be required at the discretion of the Building Official. An appropriate related fee shall be set by the Building Official for such miscellaneous permit.

(11) Rental inspection fees (4 units or less)

- a. Initial application
- b. Biennial license renewal
- c. Initial inspection (*per unit*)
- d. Biennial inspection (*per unit*)

e. Re-inspection fee (*per inspection*)\$100.00

Re-inspection fee for every inspection after second if failure to correct violation(s) is due to owner/manager negligence.

f. Penalties: Ten percent (10%) penalty for failure to submit a timely renewal fee during first month of delinquency; an additional five percent (5%) penalty for each month of delinquency thereafter.

ARTICLE III. FINANCE DEPARTMENT

A. Credit Card Transaction Convince Fee\$3.00

B. Indebtedness Search\$50.00

C. Recording of Documents:

(1) First Page.....\$10.00

(2) Each Additional Page\$8.50

D. *Parking permit.* Parking permits may be purchased on a weekly or monthly basis, for up to 50% of the metered parking spaces in the following City parking lots at the fees listed below:
(*Res. 05.10, 03/22/2005; Code 1983, §19-153*)

129th Avenue West & Gulf Boulevard

134th Avenue West & Gulf Boulevard

130th Avenue West & Gulf Boulevard

135th Avenue West & Gulf Boulevard

131st Avenue West & Gulf Boulevard

136th Avenue West & Gulf Boulevard

132nd Avenue West & Gulf Boulevard

Johns Pass Park

133rd Avenue West & Gulf Boulevard

(1) Weekly.....\$60.00

(2) Monthly.....\$120.00

E. *Parking fines and penalties.* Parking fines and penalties shall be as follows:
(*Res. 06.29, 11/28/2006; Res. 04.09, 08/10/2004; Code 1983, §5-19*)

(1) Overtime Parking\$40.00

(2) Double Parking \$50.00

- (3) Parking in a "NO PARKING" Zone \$80.00
- (4) Other Improper Parking \$80.00
- (5) Delinquency Fee (After 15 Days) \$30.00
- (6) Disabled Parking Permit.....*Sec. 66-52(c), Code of Ordinances*

F. *Special event parking permit.* Special event parking permits and road closure fees established for specified events listed below with additional events authorized by the City Manager at the fees listed below:

(Res. 2014-20, 05/13/2014)

Johns Pass Seafood Festival

The Fourth of July

Memorial Day

Additional event days as authorized by
the BOCC by resolution

- (1) Daily Permit.....\$35.00

G. *Returned/unfunded/worthless checks-**Pursuant to F.S. §68.065(2)*

H. *Parking meters city-wide*.....\$2.50/hr*

I. *Festival Parking-The City Manager maintains the right to designate festival parking rates for designated special events at his/her discretion. Each special event is subject to review.*

J. *Parking Fee Amendment Resolution.* In order to adjust parking fees as may be needed due to environmental, economic or other conditions that may occur during the fiscal year, parking fees can be waived, decreased or increased at any time during the fiscal year by Resolution of the Board of City Commissioners.

**Note/Clarification: Due to the parking meter fee increasing from \$2.00 to \$2.50 per hour, the minimum charge for credit cards for half the time or thirty minutes is now \$1.25.*

(Res. 04.09, 08/10/2004; Res. 04.02, 01/27/2004)

ARTICLE IV. FIRE DEPARTMENT

A. *Fire & Life Safety Inspection*

(1) Places of Assembly (Posted Occupant Load):

- a. Up to 49 People\$50.00
- b. 50 – 149 People\$100.00
- c. 150 People or More\$150.00

- (2) Residential structures, hotel/motel, timeshare, rentals/resort rentals (5 units or greater):
 - a. 5 to 10 Units.....\$100.00
 - b. 11 – 20 Units\$150.00
 - c. 21 – 49 Units\$200.00
 - d. 50 or More Units.....\$350.00
- (3) Automotive and/or Marine Service or Storage Facilities.....\$200.00
- (4) Automotive and/or Marine Fueling Facilities\$200.00
- (5) Standalone Single Business:
 - a. Up to 2,499 sq. ft.\$50.00
 - b. 2,000 or more sq. ft.\$100.00
- (6) Multiple Commercial/Businesses:
 - a. Unoccupied, per suite\$25.00
 - b. Occupied, per suite\$50.00
- (7) Storage Facilities
 - a. Up to 4,999 sq. ft.\$100.00
 - b. 5,000 or more sq. ft\$200.00
- (8) Subsequent Fee for Each Return Inspection for Compliance\$30.00
- (9) Fire Department Red Tag/Stop Work Order\$50.00
- B. *Fire Plan Review and Correlated Inspection(s)*
 - (1) For Site Plans and Building Plans\$0.05/sq.ft
 - (2) Other fire pans review (fire alarm, fire suppression, etc)\$250.00
 - (3) Failed inspections(s) (per each inspection)\$50.00
- C. *CPR Classes.*
 - (1) Resident.....\$25.00
 - (2) Non-resident.....\$50.00
- D. *Fire Engine Rental for Fire System Testing and/or Certification.*
 - (1) First 4 Hours\$1,000.00
 - (2) Each Additional Hour\$250.00
(Res. 08.10, 09/23/2008)
- E. *Special Event Fee*
 - (1) Fire Rescue Special Event (per Hour)\$125.00
 - (2) Equipment Service Fee; Fuel, Oil, Maintenance, etc. (per unit per day)\$50.00
 - (3) Special Event Inspection; Cooking Tents, Food Trucks, etc. (per event)\$100.00

ARTICLE V. PARKS & RECREATION

(Res. 2016-24, 07/12/2016; Res. 2016-03, 02/09/2016; Res. 2015-21, 08/11/2015; Res. 2015-09,03/10/2015; Res. 2014-53, 12/10/2014; Res. 10.05, 03/23/2010; Res. 09.09, 09/21/2009; Res. 07.14,06/26/2007; Res. 05.20, 09/14/2005; Res. 06.23, 09/13/2005; Code 1983 §19-508)

A. Recreation.

(1) Adult Sports Registration:

- a. Rate determined by sport, competitive analysis, and cost recovery.
 - i. Resident/Non-Resident Pricing model will be utilized.

(2) Youth Sports

- a. Rate determined by sport, competitive analysis, and cost recovery.
 - i. Resident/Non-Resident Pricing model will be utilized.
 - ii. 10% Sibling Discount

(3) After-School Program (will take effect August 1, 2020):

- a. Resident (*daily*) \$9.00
- b. Non-Resident (*daily*) \$12.00
- c. City Employee (*daily*) \$9.00
- d. Sibling Discount (*daily*) \$3.00

(4) Summer Camp Program:

- a. Resident Rate by Session:
 - i. Session 1 \$375.00
 - ii. Session 2 \$375.00
 - iii. Full Summer Session \$750.00
 - iv. Individual Weekly Rate \$120.00
- b. Non-Resident Rate by Session:
 - i. Session 1 \$500.00
 - ii. Session 2 \$500.00
 - iii. Full summer session \$1,000.00
 - iv. Individual weekly rate..... \$150.00
- c. Deposit to hold child's place* \$25.00
**Deposits to hold child's place will be applied to current balance*
- d. City Employee..... Free

(5) Sibling discounts

- a. Discount for Session 1 or Session 2 10%
- b. Discount for full summer session 10%

(6) Fitness Classes

- a. Contracted Recreation Instructors will agree to a 75% and 25% contract split with the City for their services.

- b. Recreation Director may negotiate class rate based upon needs/uses of recreation facilities as well as class supply requirements.

B. Recreation Center and City Hall Rentals.

(Res. 2016-24, 07/12/2016; Res. 2015-21, 08/11/2-15; Res. 2014-53, 12/20/2014)

- (1) Monday – Thursday rental period. Rental hours must include set-up and breakdown for all vendors and guests. Rental includes use of contracted space, set-up/breakdown of tables and chairs, banquet kitchen (if applicable), and cleaning fee. The 6.8% sales tax is included in hourly rates. Deposits may be refunded within thirty (30) days of an event.

- a. Recreation Center Rooms

- i. Full Recreation Center (*all rooms*)-*Refundable security deposit \$400.00*-.....\$300.00/hr.
- ii. Boca View Hall-*Refundable security deposit \$200.00*.....\$100.00/hr.
- iii. Ocean Walk Room-*Refundable security deposit \$200.00*.....\$50.00/hr.
- iv. Starboard Room-*Refundable security deposit \$200.00*.....\$50.00/hr.
- v. Outside Deck-*Refundable security deposit \$400.00*.....\$100.00/hr.
- vi. Boca View Hall & Outside Deck-*Refundable security deposit \$400.00*.....\$150.00/hr.
- vii. Setup/breakdown Fee- *Up to 2 hours before and 2 hours after*.....\$50.00/hr.

- b. City Hall Rooms

- i. City Centre Room (*includes use of outside deck & restrooms*)- *Refundable security deposit \$400.00*.....\$200.00/hr.
- ii. Commission Chambers* -*Refundable security deposit \$200.00*.....\$200.00/hr.

****ONLY as a backup space for outside reservations negatively impacted by weather.***

- c. Resident Discount- applied to hourly rental rates.....20% discount

- (2) Friday – Sunday rental period. Rental includes use of contracted space, set-up/breakdown of tables and chairs, banquet kitchen (if applicable), and cleaning fee. The 6.8% sales tax is not included in hourly rates. Security deposit may be refunded within thirty (30) days following an event.

- a. Recreation Center Rooms (security deposits are refundable)

- i. Full Recreation Center (*all rooms*)- (*security deposit \$400.00*).....\$350.00/hr.
- ii. Boca View Hall- (*security deposit \$200.00*).....\$150.00/hr.
- iii. Ocean Walk Room-(*security deposit \$200.00*)\$75.00/hr.
- iv. Starboard Room-(*security deposit \$200.00*).....\$75.00/hr.
- v. Outside Deck-(*security deposit \$200.00*).....\$125.00/hr.
- vi. Boca View Hall & Outside Deck-(*security deposit \$400.00*)\$250.00/hr.
- vii. Setup/breakdown Fee – Up to 2 hours before and 2 hours after\$50.00/hr.

- b. City Hall Rooms (security deposits are refundable):

- i. City Centre Room (*includes use of outside deck & restrooms*)- (*security deposit \$400.00*).....\$250.00/hr.
- ii. Commission Chambers* (*security deposit \$200.00*).....\$250.00/hr.

****ONLY as a backup space for outside reservations negatively impacted by weather.***

- c. Resident discount on hourly rates.
- (3) Set-up and Cleaning Fees (*per location*):
 - a. Less than 50 attendees\$100.00
 - b. 50+ attendees\$200.00

C. *Park Pavilion Rentals*

(Res. 2016-24, 07/12/2016; Res. 2015-09,03/10/2015)

1) Archibald Park

- a. Pavilion rental for four (4) hours (each additional hour is \$25.00/hour):
 - i. Resident.....\$50.00
 - ii. Non-Resident.....\$100.00
- b. Sand Volleyball Court Rental for four (4) hours (each additional hour is \$25.00/hour):
 - i. Resident No Fee
 - ii. Non-Resident \$20.00

2) John's Pass Park:

- a. Pavilion rental for four (4) hours (each additional hour is \$25.00/hour):
 - i. Resident.....\$50.00
 - ii. Non-Resident.....\$100.00

3) Splash Pads Rentals

(1) Resident Rates

- (a) Splash Pad (2 Hours) \$75.00
- (b) Splash Pad w/ Tables & Chairs on Patio (2 Hours) \$150.00

(2) Non-Resident Rates

- (a) Splash Pad (2 Hours) \$100.00
- (b) Splash Pad w/ Tables & Chairs on Patio (2 Hours) \$200.00

D. *Athletic Field Rentals*

(Res. 2016-24, 07/12/2016; Res. 2014-53, 12/10/2014)

(1) Hourly resident rates by facility (6.8% Sales Tax NOT included)

- a. Softball Field.....\$20.00
- b. Soccer Field\$20.00
- c. Basketball Court\$3.00
- d. Tennis Court\$3.00
- e. Field Preparation and Lining (softball)\$40.00
- f. Field Preparation and Lining (football/soccer).....\$20.00
- g. Attendant Fee (per staff member)\$20.00
- h. Rental Cleaning Fee\$20.00
- i. Light Fee\$10.00

(2) Hourly non-resident rates by facility (6.8% Sales Tax NOT included)

- a. Softball Field.....\$25.00
- b. Soccer Field\$25.00

c. Basketball Court	\$4.00
d. Tennis Court	\$4.00
e. Field Preparation and Lining (softball)	\$45.00
f. Field Preparation and Lining (football/soccer).....	\$25.00
g. Attendant Fee (per staff member)	\$25.00
h. Rental Cleaning Fee	\$25.00
i. Light Fee	\$15.00

(3) Multi-tournament discounts. Tournaments receive resident pricing rates. Tournaments booked within one year receive multi-tournament discounts.

- a. Two (2) to four (4) tournaments/year.....10% discount
- b. Five (5) to eight (8) tournaments/year.....15% discount
- c. Nine (9) or more tournaments/year.....20% discount

E. Wedding Permits.

(1) Small wedding permit application fee.....\$50.00*

- a. **A gathering of less than 50 persons with minimal decor as determined by staff; additional fees may apply.*

(2) Wedding permit application fee\$100.00*

- a. **A gathering of more than 50 persons with minimal decor as determined by staff; additional fees may apply.*

F. Special Events.

(1) Event Application Fee (*less than 1,000 attendees*)\$100.00

(2) Event Application Fee (*more than 1,000 attendees*).....\$250.00

A fee of \$100.00 payable to the City as reasonable cost for processing, evaluating and issuing the permit is required. The BOC may waive the application fee by resolution at annual special event review when determined in the best interest of the community and upon demonstration of non-profit status.

(3) Deposit. *Deposits shall be determined upon the estimated number of attendants at the time of application.*

- a. Less than 75 attendees (*per day*)\$50.00
- b. 75 – 200 attendees (*per day*)\$250.00
- c. 201 – 500 attendees (*per day*)\$275.00
- d. 501 – 1,000 attendees (*per day*)\$350.00
- e. 1,001 – 5,000 attendees (*per day*)\$500.00
- f. 5,001 and more (*per day*).....\$1,000.00

A refundable deposit shall be payable to the City in advance of the event for damage to public property or City services incurred in direct association with the event and not identified in the original special event application approval. The BOCC may waive the deposit by resolution at annual special event review when determined in the best interest of the community, and upon. The City reserves the sole right to determine which portion, if any, of the deposit shall be returned to the applicant within 30 days

after the event. The City Manager may wave special event fees to the amount of no more than \$500 upon his/her determination that it will be a benefit to the community.

(4) Fees

- a. Large Event (1,000+ Attendees)
 - i. Facility Rental Per Event-*Includes use of stage and event field....*
\$3,000.00
 - ii. Facility Fee-*Added to the price of every ticket either paid or comp.....*\$1.50
- b. Small Event (Less than 1,000 attendees)
 - i. Stage Fee.....\$50.00/hr. for resident - \$100.00/hr. for non-resident
 - ii. Field Usage Fee.....\$50.00/hr. for resident - \$100.00/hr. for non-resident
 - iii. Facility Fee (added to the price of every ticket either paid or complimentary)..... \$1.50
- c. City Event Fees
 - i. Trash Can Fee (*per trash can*).....\$5.00
 - ii. Dumpster fee with single pick-up 3 Yard Dumpster \$100/Six Yard Dumpster\$200.00
 - iii. Other fees including but not limited to additional City personnel staff, such as EMT support through Madeira Beach Fire Department, etc. Five times the rental fee for receptacles will be withheld from deposit for those not returned within 48 hours of event.
- d. Mandatory Non-City Fees. The required use of Pinellas County Sheriff's Deputies, as defined within the special events section of ordinances, will be negotiated directly with the Pinellas County Sheriff's Office. It is the **sole responsibility of the applicant** to secure the appropriate number of deputies as required by the Sheriff's Department.
- e. Other Non-City Fees. Other fees included but not limited to Madeira Beach City Centre and field clean-up, additional civilian security, and vehicle parking professionals shall be the **sole responsibility of the applicant**.
- f. Table games (Canasta, Bridge, etc.)
 - i. Resident: \$1.00
 - ii. Non-resident: \$2.00
- g. Table game Lessons
 - i. Residents: Free
 - ii. Non-Resident: Free

ARTICLE VI. PUBLIC WORKS

A. *Trash, Recycling, and Garbage*

(1) Removal service fees-

All residents, occupants, or owners of premises in the city shall be required to have accumulations of garbage, trash, garden trash, recyclable items, and noncombustible refuse removed and disposed of by the sanitation division of the city Public Works Department. For the purpose of this section a unit shall be defined as a living unit for human habitation containing kitchen facilities. Rooms in hotels, motels, motor lodges, or other transient living accommodations not having kitchen facilities shall be charged on the basis of one unit for each four rooms, or portion thereof (i.e., a facility having three rooms will be charged for one unit; a facility having five rooms will be charged for two units). The charges for garbage, recycling, and trash removal services shall be as follows:

- a. Single-family dwelling (*per month*)\$21.83
- b. Multiple-family dwelling (*per month/per unit*):
 - i. Multiple-Family Dwelling using Cans.....\$21.83
 - ii. All Others\$10.91
- c. Condominiums (*per month/per unit, in addition to bulk container*).....\$2.50
- d. Commercial. All offices and business establishments required to have a local business tax receipt are hereby classified commercial. A commercial rate for the collection of garbage and trash is hereby established to be in accordance with the following for non-compacting containers:
 - i. Service twice per week, per month
 - (a) One cubic yard.....\$90.00
 - (b) Two cubic yard.....\$140.00
 - (c) Three cubic yard\$190.00
 - ii. Each additional service per week, per month:
 - (a) One cubic yard\$50.00
 - (b) Two cubic yard\$75.00
 - (c) Three cubic yard\$100.00
- e. Bulk item removal. Any item identified in section 54-33 regarding the removal of other waste and noncombustible refuse will be collected by the city, for a minimum disposal fee of \$10.00 plus \$5.00 for each item picked up.
 - i. Service twice per week, per month:
 - (a) Two Cans.....\$25.00
 - (b) Three Cans\$37.00
 - (c) Four Cans\$50.00
 - ii. Each additional service per week, per month:
 - (a) Two Cans.....\$12.50
 - (b) Three Cans\$18.50
 - (c) Four Cans\$25.00
 - iii. Sunday collections are double the additional service rate.

- iv. Charges for use of more than four cans will consist of multiples of the two, three or four can rates. Ultimate charges to the customer or property owner shall be based on the frequency of collection and the amount of garbage and trash generated as set forth above for each establishment. Accounts classified as multifamily dwelling, or hotel, motel or motor lodge may elect to be charged for garbage and trash removal services in conformity with the commercial rates defined in this section but in no case shall less than one can per unit be elected. It is the burden of the property owner to notify the city of such election. Those establishments electing the commercial or bulk rate shall have the option of changing the type of service by giving 30 days' notice. Requests for changes in service shall be in writing and addressed to the city. The city reserves the right to determine the number of cans, the number and size of containers and/or frequency of disposal, with applicable charges, during any period of the year, for commercial containers.
- f. **Reserved**
- g. Extra service fees. Business establishments and other establishments requiring the pickup and disposal of garbage and/or trash of an average amount greater than 80 gallons per week of garbage and one cubic yard per week of trash, must make arrangements with the city and pay proportionately greater fees required for the greater services estimated and furnished, in the same ratio and proportion.
- h. Bulk waste. Noncombustible refuse in excess of normal weekly limits, by either residential or commercial establishments shall be picked up at the rate of \$15.00 per hour per collection day, based on elapsed time of collection, plus allowances for disposal run and dump charges. Such charges shall also be made to homes having more than normal trash collection.

(2) Recycling service fees

- a. Condominium properties shall be billed based on direct costs incurred by the City to provide recycling service through its contractual service provider.

(3) Billing.

It is the property owner's responsibility to pay charges against the property. It shall be at the discretion of the city to determine the appropriate billing party. Upon request, the city will attempt to bill tenants, but only if the owner signs a statement acknowledging his responsibility for the charges generated, along with the information necessary so that they may be contacted at the point wherever a delinquency occurs. The city reserves the right to bill the property owner, if it so chooses, regardless of circumstances surrounding the account.

(4) Commercial- Minimum charge (base) for unoccupied (dormant) businesses.

(Res. 07.14, 06/26/2007)

If there is a commercial property with no current occupant, upon written notification by the property owner, the property will be charged a minimum fee, based on the twice per week

collection service rate for two cans (the least expensive bulk rate). Upon leasing the property, the normal charges will apply as per this schedule. No Madeira Beach local business tax receipt for the tenant or property owner will be granted until the account is made current by the property owner. It is the responsibility of the property owner to notify the city, in writing, anytime a vacancy occurs, if they hope to receive the adjustment downward to the minimum charge. No retroactive adjustments will be made. The minimum charge will begin once the city has been notified and proof is provided that the property has no occupant.

(5) Owner's liability.

If the premises are sold, any remaining claims by the city for garbage and trash services not settled at time of transfer of ownership of the property shall become the responsibility of the new owner. This applies equally to the sale or foreclosure of any property and represents charges for service presently or previously provided. On all premises, the owner of such premises shall be liable for all garbage and trash service charges against the property irrespective of whether such premises is occupied by owner, tenant, or vacant. The occupation of fully constructed premises shall be irrelevant to the liability of the owner and/or occupant for the charges as provided for in this section. The schedule of charges shall be imposed on all fully constructed premises, whether occupied or not, and regardless of volume of garbage or trash generated. Liability for payment shall begin on the date of ownership of property.

(6) Payment, penalties, delinquency constitutes lien against property.

(Code 1983, §19-511)

All garbage and trash fees are due and payable upon receipt. Bills not paid within 30 days of the billing date will be considered delinquent and shall constitute grounds for filing a lien against the property with the clerk of the circuit court. Bills that arrive after the 30-day deadline will be assessed penalty interest on the next bill. It is the owner's responsibility to see that the payment arrives within the 30-day billing period. Bills not paid within 30 days shall have penalty interest added at the rate of 1½ percent per month beyond the delinquency date (30 days).

B. Stormwater Utility Management

(1) Created.

A stormwater management utility fee, also referred to in this section as "fee" was created and imposed on all developed property within the city for services and facilities provided by the stormwater management program. For the purposes of imposing the fee, all developed property within the city shall be classified into the following three classes:

- a. Residential Property
- b. Non-Residential Property
- c. Mixed Use Property

The Public Works Director will, from time to time, prepare a list of property within the City and assign a classification of residential or nonresidential property.

(2) Schedule of Rates

(Res. 05.20, 09/14/2005)

- (1) The EDU rate shall be \$10.00 per month for each EDU.
- (2) The stormwater management utility fee shall be calculated for each developed property as follows:

- i. The fee for property consisting solely of dwelling units is the rate of one EDU multiplied by the number of dwelling units existing on the property. That is:

Fee = (EDU rate) X (Number of dwelling units)

- ii. The fee of a property with no dwelling units is the rate of one EDU multiplied by the numerical factor. The numerical factor is obtained by dividing the total impervious area in square feet of the nonresidential property by 1,249 square feet. The resulting calculation is:

Fee = (EDU rate) X (Impervious area expressed in square feet) / 1,249 square feet, but not less than the rate for one EDU)

****Fractional remainders***

- iii. The fee for mixed use property (dwelling units and commercial) is the rate of one EDU multiplied by the number of dwelling units existing on the property. The total on-site impervious is then compared to the impervious area allocated to dwelling units by multiplying the number of dwelling units X 1,249 square feet per dwelling unit and subtracting the resulting square footage of impervious area from the total impervious area. If the remaining impervious area is zero or negative, the fee is the EDU rate multiplied by the number of dwelling units.

If the remaining impervious area is greater than zero, then the additional fee for the remaining impervious area is calculated under subsection (2)(b) of this section.

- (3) The minimum fee for developed property, whether residential or nonresidential, within the city is equal to the rate of one EDU subject to reduction as set forth in subsection (4) of this section.

- (4) On-site stormwater quality management facilities reduction shall be allowed and calculated as follows:

- i. In order to encourage the improvement of the quality of stormwater runoff, a reduction in the stormwater management utility fee is authorized for those developed properties which are addressed by a stormwater management facility designed and constructed for the purpose of stormwater pollution reduction.

- ii. A reduction in fee is allowed for a particular developed property only if the stormwater runoff from the property is treated by a stormwater management facility that has been designed, constructed and is maintained properly for the purpose of stormwater pollution reduction and adheres to the drainage

requirements of the ten-year frequency, 60-minute storm event. If it is determined by the Director of Community Services that the stormwater management facility has not been, nor is currently being, properly maintained as designed, the Director of Community Services may disallow the on-site stormwater management facility credit.

- iii. Specific stormwater treatment facilities that qualify for this reduction include, but are not limited to, retention or filtration ponds; front, rear and side lot swales; mechanical treatment or separation facilities; or extensive improvement in the amount of pervious surfaces by the use of turf-block for parking areas, driveways, patios and sidewalks.
- iv. For applicable properties, the fee shall be reduced by 25 percent. The reduced fee will, therefore, be calculated as the fee determined in this subsection multiplied by the factor of 0.75 (Fee X 0.75).

(3) Billing, Collecting, Delinquency, and Penalty

- a. Bills for stormwater service shall be rendered bimonthly by the county water system as agent for the city. The fixed monthly charge shall be payable in advance.
- b. If any bill shall not be paid within seven days after the date it has been declared delinquent, water service to the premises shall be disconnected until such delinquent account is paid in full, including all applicable disconnection and reconnection charges.
- c. Statements for the stormwater management utility fee shall be payable at the same time and in the same manner and subject to the same penalties as they are otherwise set forth for other utility fees administered by the city. The property owner or fee payer will be notified of any delinquency in the payment of the stormwater management utility fee in the same manner that delinquent water, garbage and sewer bills are notified and the failure to pay such fee as is otherwise provided in the statement rendered to the payer shall subject the property to the discontinuance of water, garbage and sewer services and shall subject the fee payer to all other penalties and charges provided relative to the discontinuance of such utility services.
- d. The administrative appeal and hearing procedure applicable to the discontinuance of utility services shall be applicable to the discontinuance of such services for the nonpayment of the stormwater management utility fee.

(4) Adjustments of fees.

(Code 1983, §19-512)

- a. Any owner, tenant or occupant who has paid the rendered fee and who believes that the fee is in error may, subject to the limitations set forth in this division, submit an adjustment request to the Public Works Director.

- i. Adjustment requests shall be made in writing and shall set forth in detail the grounds upon which the belief is based.
 - ii. The Public Works Director shall review the adjustment request within 90 days of the submittal of the request and shall respond in writing to the requesting fee payer, either denying or granting the request with the reason therefore stated in such response.
 - iii. The rate adjustment, if granted, will apply retroactively to the date at which the erroneous information was applied to the fee payer's fee, but will not exceed one year prior to the adjustment request.
 - iv. Upon denial of the adjustment request, the owner, tenant or occupant making the original adjustment request may, within 30 days of the receipt of denial, petition for a review of the adjustment request by the board of adjustment. The board of adjustment shall review the adjustment request in accordance with the provisions set forth in the City Code, Chapter 2, as well as the documented evidence provided in the original adjustment request and supplemental evidence requested by the Director of Community Services or provided by the fee payer prior to the decision made by the Director of Community Services. Within 60 days of the petition the board of adjustment shall in writing, either grant or deny the petition. If the petition is granted, the Public Works Director will apply the adjustment to the fee for the requesting customer for the retroactive period identified by the board of adjustment.
- b. The Public Works Director, upon discovering an error or oversight in the calculation of the fee, may initiate an adjustment request. The request must be made in writing documenting the reasons for the adjustment. In the event that the adjustment would require the increase in fee for a fee payer, the Public Works/Marina Director must provide the adjustment request to the affected fee payer 30 days prior to adjusting the fee and offer the fee payer an opportunity within the stated 30 days to provide reasons why the adjustment should not be made. An increase or decrease in fee shall not be retroactively effective more than one year from the date of adjustment.

ARTICLE VII. MADEIRA BEACH MUNICIPAL MARINA

A. Vessel inspection.

(Code 1983, Chapter 19, Article VII)

Live-aboard vessels desiring to stay beyond ten days will be required to obtain a no- fee annual permit and pay a vessel inspection fee of \$25.00

B. Madeira Beach Municipal Marina fees

(Res 2016-03, 02/10/2016)

The marina maintains the ability to adjust the rates below to account for changes in the sales tax Rates during the fiscal year; allowing for payments to stay consistent until this manual is updated and approved by the Commission. Employees receive the same rates as residents.

Fees for the Madeira Beach Municipal Marina shall be as follows (each of these fees are subject to all applicable sales taxes):

- (1) Transient Wet Slip per day \$2.10/foot/day
- (2) Transient Wet Slip per week.....\$11.00/foot/week
- (3) Transient Dry Storage per day \$18.74/day
 - a. Holidays and/or weekends per day \$28.04/day
- (4) Transient Dry Storage per month \$164.32/month
- (5) Wet Slip non-Live-aboard \$10.33/foot/month
- (6) Boat Lift \$14.06/ foot/month
- (7) Commercial non live-aboard wet slip \$11.25/foot/month
- (8) Wet Slip Live – aboard \$15.92/foot/month
- (9) Dry Storage \$140.45/month
- (10)Resident Dry Storage (*Limited to Madeira Beach Residents Only*) \$112.70/month
- (11)Dry storage for non-motorized boat* \$23.43/month
 - a. **Kayaks, canoes, and small boat that can be carried by one (1) person.*
- (12)Boat Ramp Fees
 - a. Launch \$1.87/day
 - b. Launch and Park \$9.35/day
 - c. Holiday Launch and Park \$15.00/day
- (13) Late Fee \$30.00
- (14)Residents with recreational vehicles and motor homes and boat displaced by City Road and/or Stormwater construction will be provided free storage space for those vehicles.
- (15)Fuel Discounts -Maximum discount per gallon \$0.30/gal
 - a. Commercial \$0.20/gal

- b. Gulf of Mexico Commercial Fishing Fleet Discount \$0.30/gal
- c. 50+ Gallon \$0.05/gal
- d. Boat US/ Sea Tow \$0.05/gal
- e. Madeira Beach Resident \$0.05/gal
- f. City Co-sponsored / Community events \$0.20/gal
 - i. Great American Grunt Hunt
 - ii. King of the Beach fishing tournament (Spring and Fall)
 - iii. Veterans Boat Parade
 - iv. Wild West Kingfish Tournament (*Spring and Fall*)
 - v. Sun Coast Kingfish Classic (*Spring and Fall*)
 - vi. Christmas Boat Parade
 - vii. Any other City Co-sponsored events as approved by the City Manager

(16) Surveillance camera optional fee \$25.00/month

(17) Live-aboard permits \$5.00 (72 hours)

(Res 2019-18, 12/17/2019)