

ORDINANCE NO. 025-2018

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 6-110, MONROE COUNTY CODE; PROVIDING FOR A WAIVER OF AFTER- THE-FACT DEMOLITION PERMIT FEES AS A RESULT OF HURRICANE IRMA; PROVIDING FOR A REFUND OF AFTER THE FACT BUILDING PERMIT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the legislative body of Monroe County; and

WHEREAS, Hurricane Irma struck Monroe County on September 10, 2017; and

WHEREAS, Hurricane Irma caused extensive damage to all forms of property in Monroe County; and

WHEREAS, there was confusion in the public as to what permits were necessary for which purposes and at what time in the immediate aftermath of the hurricane; and

WHEREAS, both property owners and the County government have discovered after the storm that demolition permits were required to be obtained in many instances by property owners and were not obtained; and

WHEREAS, the current County permitting schedule calls for an after-the-fact permit to carry a penalty fee of 100% above the applicable fee for the work, along with another fee which shall be a minimum \$500 and is based upon the value of the already completed construction work; and

WHEREAS, the County does not seek to impose either the penalty fees or the additional minimum value-based fees due to any issues caused by the natural disaster Hurricane Irma; and

WHEREAS, the County wishes to waive any and all after-the-fact demolition permit fees imposed after Hurricane Irma, along with the minimum \$500 fee charged with the after the fact fee, for a period of approximately 15 months following Hurricane Irma.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Section 6-110, Monroe County Code is hereby amended to read as follows:

- (g) *Hurricane Irma Waiver.* After-the-fact demolition permits having an issued date from the date of Hurricane Irma, September 10, 2017, until April 30, 2019, shall have all after-the-

fact fees waived. During this waiver period the penalty fee of 100% above the applicable fee for the work and any additional fees related to completed construction work shall not be imposed. If the fee(s) has already been paid, then the County shall reimburse the party making the payment. On May 1, 2019, this subsection shall expire by its own terms and all after the fact fees, including after the fact permit fees shall revert to the established fee amount.

Section 2. If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances in the County of Monroe, Florida, as additions or amendments thereto.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 17th day of October, 2018.

Mayor David Rice	<u>Yes</u>
Mayor <i>Pro Tem</i> Sylvia J. Murphy	<u>Yes</u>
Commissioner Danny L. Kolhage	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner Heather Carruthers	<u>Yes</u>


BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY


Mayor David Rice

ATTEST: KEVIN MADOK, CLERK


DEPUTY CLERK

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

STEVEN T. WILLIAMS
ASSISTANT COUNTY ATTORNEY
Date 11/28/18



Marathon-Sunshine Key-Big Pine Key-No Name Key-Little, Middle & Big Torch Key-Ramrod Key-Summerland Key-Cudjoe Key-Sugarloaf Key

News-Barometer

30330 Overseas Highway

P.O. Box 431639

Big Pine Key, FL 33043

Phone: 305-872-0106 Fax: 305-515-2939

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared Steve Estes, who on oath says that he is the Publisher for the News-Barometer, a weekly newspaper published each Friday in Big Pine Key, Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of:

LEGAL NOTICE: ADOPTION OF COUNTY ORDINANCE: BUILDING DEPARTMENT, MARATHON GOVERNMENT CENTER, 2798 OVERSEAS HIGHWAY, SUITE 300, MARATHON, FL 33050.

was published in said newspaper in the issue(s) of:
October 5, 2018

Affiant further says that the News-Barometer is a weekly newspaper published in Big Pine Key, in said Monroe County, Florida and that said newspaper has heretofore been continuously published in said Monroe County, Florida each week and has been entered as first-class mail matter at the post office in Big Pine Key, in said Monroe County, Florida, for a period of 1 year next preceeding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signature of Affiant

Sworn and subscribed before me this 10 day of October 2018

Signature of Notary

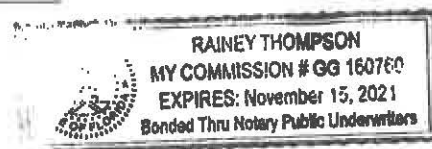
Printed Name of Notary

Expires November 15, 2021

Personally Known

Produced Identification

Type of Identification Produced



**NOTICE OF INTENTION TO CONSIDER
ADOPTION OF COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on October 17, 2018 at 3:00 P.M., or as soon thereafter as may be heard, at the Marathon Government Center, 2798 Overseas Highway, Marathon, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 6-110, MONROE COUNTY CODE; PROVIDING FOR A WAIVER OF AFTER THE FACT DEMOLITION PERMIT FEES AS A RESULT OF HURRICANE IRMA; PROVIDING FOR A REFUND OF AFTER THE FACT BUILDING PERMIT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 3:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711". Live Closed Captioning is available via our web portal @ <http://monroecountyfl.gov> for meetings of the Monroe County Board of County Commissioners.

Dated at Key West, Florida, this 27th day of September, 2018.