



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

May 31, 2019

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is an electronic copy of Ordinance No. 013-2019 amending Section 6-110, Monroe County Code; extending the timeframe 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 for an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on May 22, 2019. Should you have any questions, please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners

by: Pamela G. Hancock, D.C.

cc: Building Department
County Attorney
Municode
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040
305-294-4641

MARATHON
3117 Overseas Highway
Marathon, Florida 33050
305-289-6027

PLANTATION KEY
88820 Overseas Highway
Plantation Key, Florida 33070
305-852-7145

PK/ROTH BUILDING
50 High Point Road
Plantation Key, Florida 33070
305-852-7145

ORDINANCE NO. 013 -2019

AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 6-110, MONROE COUNTY CODE; EXTENDING THE TIMEFRAME 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 County adopted Ordinance No. 025-2018 which provided a waiver for certain after-the-fact demolition fees provided that the necessary permits were issued no later than April 30, 2019; and

WHEREAS, the County also adopted Ordinance No. 009-2019 which allows accessory structures to remain in certain circumstances after the associated principal use or structure has been discontinued or removed due to disaster-related damage and Ordinance No. 009-2019 is expected to become effective on or about July 15, 2019; and

WHEREAS, the County, in an effort to provide adequate time for applicants to apply for and receive the necessary after-the-fact demolition permits, wishes to extend the timeframe provided for the waiver of 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 issuance of said permits from April 30, 2019 to December 31, 2019.

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

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

48 Proposed Amendment (deletions are ~~stricken through~~; additions are shown in underline.)

49
50 (g) **Hurricane Irma Waiver.** After-the-fact demolition permits having an issued date from the
51 date of Hurricane Irma, September 10, 2017, until ~~April 30, 2019~~ December 31, 2019,
52 shall have all after-the-fact fees waived. During this waiver period the penalty fee of
53 100% above the applicable fee for the work and any additional fees related to completed
54 construction work shall not be imposed. If the fee(s) has already been paid, then the
55 County shall reimburse the party making the payment. On ~~May 1, 2019~~ January 1, 2020,
56 this subsection shall expire by its own terms and all after the fact fees, including after the
57 fact permit fees shall revert to the established fee amount.

58
59 **Section 2.** If any section, subsection, sentence, clause, or provision of this ordinance is
60 held invalid, the remainder of this ordinance shall not be affected such invalidity.

61
62 **Section 3.** All ordinances or parts of ordinances in conflict with this ordinance are hereby
63 repealed to the extent of the conflict.

64
65 **Section 4.** The provisions of this ordinance shall be included and incorporated in the
66 Code of Ordinances in the County of Monroe, Florida, as additions or amendments thereto.

67
68 **Section 5.** This ordinance shall take effect immediately upon receipt of official notice
69 from the Office of the Secretary of State of the State of Florida that this ordinance has been filed
70 with said Office.

71
72 **PASSED AND ADOPTED** by the Board of County Commissioners of Monroe
73 County, Florida, at a regular meeting of said Board held on the 22nd day of May, 2019.

74
75 Mayor Sylvia Murphy Yes
76 Mayor *Pro Tem* Danny L. Kolhage Yes
77 Commissioner Heather Carruthers Absent
78 Commissioner Michelle Coldiron Yes
79 Commissioner David Rice Yes

80
81 BOARD OF COUNTY COMMISSIONERS
82 OF MONROE COUNTY, FLORIDA

83
84 BY

Sylvia J. Murphy

Mayor Sylvia Murphy



85
86
87
88 ATTEST: KEVIN MADOK, CLERK

Kevin Madok

DEPUTY CLERK

89
90
91
MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Steven T. Williams

STEVEN T. WILLIAMS
ASSISTANT COUNTY ATTORNEY
Date 5/29/19

FILED FOR RECORD
2019 MAY 31 PM 1:00
CLERK CIR. CT.
MONROE COUNTY, FL.

THE CITIZEN

KEY WEST

The Florida Keys Only Daily Newspaper, Est. 1876

PO Box 1800, Key West FL 33041
P: (305) 292-7777 ext. 219 F: (305) 295-8025
legals@keysnews.com

MONROE CO BUILDING DEPT
MARATHON GOVERNMENT CENTER
2798 OVERSEAS HWY SUITE 300
MARATHON FL 33050

Account: 138367

Ticket: 292629

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared

Misty Graves, who on oath says that he or she is

an employee of the Key West Citizen, a daily newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of AMENDING SECTION 6-110 was published in said newspaper in the issues of:

Wednesday, May 8, 2019 ✓

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspapers has heretofore been continuously published in said Monroe County, Florida every day, and has been entered as periodicals matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or 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 the said newspaper.

[Signature]
(Signature of Affiant)

Affirmed and subscribed before me this 8th day of May 2019

[Signature]
(Notary Public Signature)

SUEYNN STAMPER
(Notary Public Printed Name)

My commission expires 06/27/22

Personally Known X Produced Identification

Type of Identification Produced

(Notary Seal)
Sueynn Stamper
COMMISSION # 66232802
EXPIRES: June 27, 2022
Bonded thru Astron Notary

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on May 22, 2019 at 3:00 P.M., or as soon thereafter as may be heard, at the Harvey Government Center, 1200 Truman Avenue, Key West, 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; EXTENDING THE TIME FRAME 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.-5:00p.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 1st day of May, 2019.

KEVIN MADOK, Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida
05/08/19 Key West Citizen