

ORDINANCE 2019-16

AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING VARIOUS PROVISIONS IN CHAPTER 125 OF THE GROVELAND CODE OF ORDINANCES TO ALLOW FOR DEFERRAL OF PAYMENT OF IMPACT FEES FOR RESIDENTIAL DEVELOPMENT; PROVIDING FOR CONFLICTS, CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Groveland imposes impact fees for law enforcement, fire prevention, parks and recreation, water, wastewater and administrative services; and

WHEREAS, City Code requires water and wastewater impact fees to be paid in full at the time of issuance of a zoning clearance, plumbing permit or building permit, and where a building permit or plumbing permit is not required, then payment is due in full prior to connection to the City's system; and

WHEREAS, City Code requires fire prevention impact fees, law enforcement impact fees, parks and recreation impact fees and administrative facilities impact fees to be paid in full at the time of issuance of a building permit or mobile home tie-down; and

WHEREAS, the City desires to allow for a deferral of payment of City imposed impact fees for residential development; and

WHEREAS, City Council is authorized by Ch. 166, Florida Statutes, to enact legislation and the City Council finds allowing deferment of impact fees for residential development serves a municipal purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:

SECTION 1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

SECTION 2. Section 125-2 of the Code of Ordinances, City of Groveland, Florida, is hereby amended to read as follows:

Sec. 125-2. –Payment of impact fees.

Impact fees for commercial, industrial and residential land uses shall be paid at the time of issuance of a building permit, or if no building permit is required, at the time of approval of the final development order, or for water and wastewater prior to connection to the city utility system(s). City imposed impact fees for residential land uses only may be deferred until the issuance of the certificate of occupancy, or until twelve (12) months of the date of issuance of the building permit, whichever occurs first, if requested by the licensed contractor or owner-builder who has obtained the permit for the improvements. For projects requiring a certificate of

occupancy, if impact fees for which payment has been deferred have not been paid as required herein, then the City shall not issue a certificate of occupancy. Nothing herein shall prohibit the city council from entering into impact fee deferral agreements so long as appropriate security for the payment of the impact fees is provided. Appropriate security may include, but not limited to a first-priority lien on the property or an irrevocable letter of credit.

SECTION 3. Section 125-25 of the Code of Ordinances, City of Groveland, Florida, is hereby REPEALED.

~~Full payment of initial water and wastewater impact charges shall be made at the time of issuance of the zoning clearance, plumbing permit or building permit. In instances where a building permit or plumbing permit is not involved, full payment shall be made prior to connection to the city's system.~~

SECTION 4. Section 125-56 of the Code of Ordinances, City of Groveland, Florida, is hereby REPEALED.

~~Fire prevention impact fees shall be due and payable at the time of issuance by the city building department of a building permit or mobile home tie down permit and shall not be refundable once such permit has been issued. No building permit or mobile home tie down permit shall be issued until all applicable fire prevention impact fees have been received by the city.~~

SECTION 5. Section 125-91 of the Code of Ordinances, City of Groveland, Florida, is hereby REPEALED.

~~Law enforcement impact fees shall be due and payable at the time of issuance by the city building department of a building permit or mobile home tie down permit and shall not be refundable once such permit has been issued. No building permit or mobile home tie down permit shall be issued until all applicable law enforcement impact fees have been received by the city.~~

SECTION 6. Section 125-116 of the Code of Ordinances, City of Groveland, Florida, is hereby REPEALED.

~~Parks and recreation impact fees shall be due and payable at the time of issuance by the city building department of a building permit or mobile home tie down permit and shall not be refundable once such permit has been issued. No building permit or mobile home tie down permit shall be issued until all applicable parks and recreation impact fees have been received by the city.~~

SECTION 7. Section 125-151 of the Code of Ordinances, City of Groveland, Florida, is hereby REPEALED.

~~Administrative facilities impact fees shall be due and payable at the time of issuance by the city building department of a building permit or mobile home tie down permit and shall not be refundable once such permit has been issued. No building permit or mobile home tie down~~

~~permit shall be issued until all applicable administrative facilities impact fees have been received by the city.~~

SECTION 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 9. It is the intent of the City Council of the City of Groveland that the provisions of this chapter shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 10. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 11. The provisions within this ordinance shall take effect immediately upon adoption.

PASSED AND ORDAINED in regular session of the City Council of the City of Groveland, Lake County, Florida, this 1ST day of April, 2019.



Evelyn Wilson, Mayor
City of Groveland, Florida




Virginia Wright
City Clerk



Approved as to Form:

Anita Geraci-Carver
Anita Geraci-Carver
City Attorney

Passed First Reading 3-18-2019
Passed Second Reading 4-1-2019

Council Member Smith moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member Shoobridge and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik	✓	
Jeff Shoobridge	✓	
Mike Smith	✓	
Dina Sweatt	✓	
Evelyn Wilson	✓	