

ORDINANCE NO. 2013-54

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 172, ENVIRONMENTAL REGULATIONS, SUBCHAPTER 'ENVIRONMENTAL FEES', BY PROVIDING FOR THE ESTABLISHMENT OF THE FEE TO BE HEREAFTER BY RESOLUTION; DELETING THE PROVISION FOR THE ANNUAL FEE ADJUSTMENT; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

WHEREAS, the City of Palm Bay desires to be consistent in the adoption of certain fees, rates, and charges by resolution.

SECTION 1. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 172, Environmental Regulations, Subchapter 'Environmental Fees', Section 172.02, Establishment of Fee, is hereby amended and shall henceforth read as follows:

"Section 172.02 ESTABLISHMENT OF FEE.

Upon issuance of a city-wide Incidental Take Permit and approval of a city-wide Habitat Conservation Plan by the United States Fish and Wildlife Service, a minimum fee, as established by City Council by resolution, ~~of one hundred twenty-five dollars (\$125.00) per one-quarter (1/4) acre~~ will be affixed to each building permit issued by the Palm Bay Building Division for any new structure on previously unimproved land. ~~This fee shall be pro-rated for each property which is more than one-quarter (1/4) acre in size such that the fee equates to one hundred twenty-five dollars (\$125.00) per one-quarter (1/4) acre of property. Properties smaller than one-quarter (1/4) acre shall pay a minimum fee of one hundred twenty-five dollars (\$125.00). This fee shall be adjusted annually, each October 1st, by a rate equivalent to the percent change in assessed valuation, less net new construction, for all taxable property in the City of Palm Bay on January 1st of the current year from the valuation of the prior year.~~"

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.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 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. 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 Palm Bay 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 5. The provisions within this ordinance shall take effect on October 1, 2013.

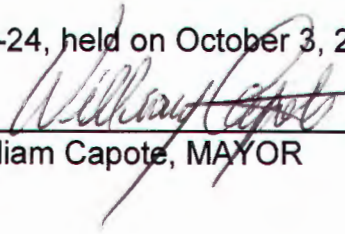
Read in title only at Meeting No. 2013-22, held on September 19, 2013; and read in title only and duly enacted at Meeting No. 2013-24, held on October 3, 2013.

ATTEST:



Alice Passmore, CITY CLERK

Reviewed by CAO: 



William Capote, MAYOR

City of Palm Bay, Florida
Ordinance No. 2013-54

Applicant: City of Palm Bay
Case No.: T-13-2013

cc: 10-04-13 Case File

Words ~~stricken~~ through shall be deleted; underscored words shall be included. Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.