

5 **PARK IMPACT FEE ORDINANCE**
6

7 AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND
8 DEVELOPMENT OF LAND IN THE UNINCORPORATED AND
9 INCORPORATED AREAS OF GLADES COUNTY, FLORIDA; IMPOSING
10 AN IMPACT FEE ON LAND DEVELOPMENT IN GLADES COUNTY FOR
11 PROVIDING ADDITIONAL PARKS AND RELATED FACILITIES
12 NECESSITATED BY SUCH NEW DEVELOPMENT; STATING THE
13 AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING
14 DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE
15 BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR THE
16 PAYMENT AND TIME OF PAYMENT OF A PARK IMPACT FEE; PRO-
17 VIDING FOR REVIEW AND ADJUSTMENT OF PARK IMPACT FEES AND
18 THE FEE SCHEDULES; PROVIDING FOR THE ESTABLISHMENT OF
19 PARK IMPACT FEE DISTRICTS; PROVIDING FOR THE PLACEMENT OF
20 REVENUE COLLECTED FROM PARK IMPACT FEES INTO PARK IMPACT
21 FEE TRUST FUNDS ESTABLISHED FOR THAT PURPOSE; PROVIDING
22 FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEX-
23 PENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM
24 PARK IMPACT FEES; PROVIDING THAT PARK IMPACT FEES MAY BE
25 PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT
26 INSTRUMENTS; PROVIDING FOR CREDITS AGAINST IMPACT FEES
27 FOR DONATIONS; PROVIDING FOR AUTOMATIC ADJUSTMENT OF
28 IMPACT FEES; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS
29 ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFEC-
30 TIVE DATE.

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32 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GLADES
33 COUNTY, FLORIDA:

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36 **Section One: Legislative Findings**

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38 The Board of County Commissioners of the Glades County finds, determines and declares that:

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- 40 A. Glades County must expand its park system in order to maintain current
41 levels of service if new development is to be accommodated without
42 decreasing current levels of service. This must be done in order to promote

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1 and protect the health, safety and welfare of both existing and new
2 residents and businesses;

- 3
- 4 B. The Florida Legislature, through the enactment of Florida Statutes Chapter
5 163.3202 (3), has sought to encourage Glades County to enact impact
6 fees;
- 7
- 8 C. The imposition of impact fees is one of the preferred methods of ensuring
9 that development bears a proportionate share of the cost of capital
10 facilities necessary to accommodate such development. This must be
11 done in order to promote and protect the public health, safety and welfare;
- 12
- 13 D. Each of the types of land development described in Section Seven hereof,
14 will create the need for the acquisition of land and park improvements;
- 15
- 16 E. The fees established by Section Seven are derived from, are based upon,
17 and do not exceed a pro rata share of the costs of providing park
18 improvements necessitated by the new land developments for which the
19 fees are levied; and
- 20
- 21 F. The report entitled "Technical Memorandum on the Methods of
22 Calculating Roads, Parks and Emergency Medical Impact Fees" Prepared
23 for Glades County, Florida", dated March 14, 2006, sets forth a reasonable
24 methodology and analysis for the determination of the impact of new
25 development on the need for and costs for additional park improvements
26 in Glades County.
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29 **Section Two: Short Title, Authority and Applicability.**

- 30
- 31 A. This ordinance shall be known and may be cited as the "Glades County
32 Park Impact Fee Ordinance."
- 33
- 34 B. The Board of County Commissioners of Glades County has the authority
35 to adopt this ordinance pursuant to Article VII of the Constitution of the
36 State of Florida, and Chapters 125 and 163.3202 (3), of the Florida
37 Statutes.
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40 **Section Three: Intent and Purposes**

- 41
- 42 A. This ordinance is intended to assist in the implementation of the Glades

1 County Comprehensive Plan.

- 2
- 3 B. The purpose of this ordinance is to regulate the use and development of land so
- 4 as to assure that new development is provided with needed expansions of park
- 5 capacity and that new development bears a proportionate share of the cost of
- 6 capital expenditures necessary to provide that expansion of park capacity.
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9 **Section Four: Rules of Construction**

- 10
- 11 A. The provisions of this ordinance shall be liberally construed so as to
- 12 effectively carry out its purpose in the interest of the public health, safety
- 13 and welfare.

- 14
- 15 B. For the purposes of administration and enforcement of this ordinance,
- 16 unless otherwise stated in this ordinance, the following rules of
- 17 construction shall apply to the text of this ordinance:

- 18
- 19 (1) In case of any difference of meaning or implication between the text of
- 20 this ordinance and any caption, illustration, summary table, or illustrative
- 21 table, the text shall control.
- 22
- 23 (2) The word "shall" is always mandatory and not discretionary; the word
- 24 "may" is permissive.
- 25
- 26 (3) Words used in the present tense shall include the future; and words used in
- 27 the singular number shall include the plural, and the plural the singular,
- 28 unless the context clearly indicates the contrary.
- 29
- 30 (4) Words expressed in the feminine gender shall include the masculine and
- 31 words expressed in the masculine gender shall include the feminine.
- 32
- 33 (5) The phrase "used for" includes "arranged for", "designed for", "maintained
- 34 for", or "occupied for".
- 35
- 36 (6) The word "person" includes an individual, a corporation, a partnership, an
- 37 incorporated association, or any other similar entity.
- 38
- 39 (7) Unless the context clearly indicates the contrary, where a regulation
- 40 involves two (2) or more items, conditions, provisions, or events
- 41 connected by the conjunction "and", "or" or "either...or", the conjunction
- 42 shall be interpreted as follows:

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- (a) "And" indicates that all the connected terms, conditions, provisions or events shall apply.
 - (b) "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - (c) "Either...or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- (8) The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- (9) "Impact Fee Administrator" means the County Manager or any county or municipal officials he/she may designate to carry out the administration of this ordinance.
- (10) All terms relating to types of development shall have the same meaning as established in the Glades County Land Development Code.

22 **Section Five: Definitions**

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- A. A “feepayer” is a person commencing a land development activity within Glades County which generates traffic and which requires the issuance of a building permit by Glades County or a municipality within Glades County.
- B. “Building permit” is the approval issued by Glades County or any municipality within Glades County that authorizes the construction or placement of a building, dwelling, mobile home, recreational vehicle or other structure on a site.
- C. A “capital improvement” includes planning, engineering and design studies, land surveys, land acquisition, engineering, permitting and construction of all the necessary features for any park project within Glades County.
- D. “Expansion” of a park applies to the addition of land, improvements to land and the acquisition and installation of recreational equipment and facilities to an existing park
- E. “Land Development Requiring Park Improvements” means any change in land use or any construction of buildings or structures or any change in the use

1 of any structure that results in the occupancy of human beings.

2
3 F. "Park" shall have the same meaning as set forth in the Florida Statutes.

4
5 (1) "Site-related Improvements" are park improvements and park land
6 dedications within the development in question.

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8 G. "Independent Fee Calculation Study" means the documentation prepared by a
9 feepayer or on behalf of a feepayer to allow the determination of the impact
10 fee other than by the use of the table in Section Seven (A) of this ordinance.

11
12 H. "Level of Service" shall have the same meaning as set forth in Rule 9J-5,
13 F.A.C., and the Glades County Comprehensive Plan.

14
15 I. "Development Order" means a regulatory approval for the development or
16 land by issued by Glades County or any municipality within Glades County.

17
18 J. "Mandatory or Required land dedications and/or park improvements" means
19 such non-compensated dedications and/or park improvements required by
20 Glades County or by any municipality within Glades County.

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23 **Section Six: Imposition of Park Impact Fee**

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25 A. Any person who, after the effective date of this Ordinance, seeks to
26 develop land within Glades County, Florida, by applying for a building
27 permit or an the extension of a building permit to make an improvement to
28 land which will generate additional traffic is hereby required to pay a park
29 impact fee in the manner and amount set forth in this ordinance.

30
31 B. No new building permit for any activity requiring payment of an impact
32 fee pursuant to Section Seven of this ordinance shall be issued by Glades
33 County or any municipality within Glades County unless and until the
34 park impact fee hereby required has been paid.

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36 C. No extension of a building permit shall be granted unless and until the park
37 impact fee hereby required has been paid.

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40 **Section Seven: Computation of the Amount of Park Impact Fee**

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42 A. At the option of the feepayer, the amount of the park impact fee may be

1determined by the following fee schedule. The amounts shown include a 3% charge to cover the
 2costs of administering the Parks Impact Fee program.

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LAND USE TYPE (UNIT)	Fee
RESIDENTIAL:	
Single Family Detached Unit	\$365.86
Multi-Family Unit	\$387.55
Mobile Home in a Mobile Home Park	\$233.77
Recreational Vehicle	\$365.86
Motel or Hotel per Room	\$109.00

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(1) If a building permit is requested for mixed uses, then the fee shall be determined through using the applicable impact fee schedule by apportioning the development committed to uses specified on the applicable impact fee schedule.

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(2) For applications for an extension of a building permit, the amount of the fee is the difference between that fee then applicable or paid when the permit was originally issued and the fee due pursuant to this ordinance.

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(3) If the type of development activity that a building permit is applied for is not specified on the applicable fee schedule, the Impact Fee Administrator shall use the fee applicable to the most nearly comparable type of land use on the impact fee schedule. The Impact Fee Administrator shall be guided in the selection of a comparable type by the report titled Trip Generation (latest edition) prepared by Institute of Transportation Engineers.

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(4) If the Impact Fee Administrator determines that there is no comparable type of land use on the applicable impact fee schedule then the Impact Fee Administrator shall determine the fee by:

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(a) applying the formula set forth in Section Seven (B) hereof; and

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26

(b) making any appropriate adjustments to the fee pursuant to Section Fourteen of this Ordinance.

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(5) In the case of change of use, redevelopment, or expansion or modification of an existing use which requires the issuance of a building permit, the impact fee shall be based upon the net positive increase in the impact fee for the new use as compared to the previous use. The Impact Fee Administrator shall be guided in this determination by the Parks, Recreation and Open Space Element of the Glades County Comprehensive Plan.

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2 B. If a feepayer opts not to have the impact fee determined according to paragraph
3(A) of this section, then the feepayer shall prepare and submit to the Impact Fee Administrator an
4independent fee calculation study for the land development activity for which a building permit -
5is sought. The documentation submitted shall show the basis upon which the independent fee
6calculation was made. Independent fee calculation studies shall be prepared and presented by
7professionals qualified in their respective fields and employ methods recognized within those
8respective fields. The Impact Fee Administrator shall consider the documentation submitted by
9the feepayer but is not required to accept such documentation as he/she shall reasonably deem to
10be inaccurate or not reliable and may, in the alternative, require the feepayer to submit additional
11or different documentation for consideration. If an acceptable independent fee calculation study
12is not presented, the feepayer shall pay park impact fees based upon the schedules shown in
13paragraph (A) of this section. Determinations made by the Impact Fee Administrator pursuant to
14this paragraph may be appealed to the Board of County Commissioners by filing a written
15request with the County Manager within ten (10) days of the Impact Fee Administrator's
16determination.

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18Section Eight: Payment of Fee

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20 A. The feepayer shall pay the park impact fee required by this ordinance to
21 the Impact Fee Administrator or his/her designee prior to the issuance of a
22 building permit.

23

24 B. All funds collected shall be properly identified by park impact fee district
25 and promptly transferred for deposit in the appropriate Park Impact Fee
26 Trust Fund to be held in separate accounts as determined in Section Ten of
27 this ordinance and used solely for the purposes specified in this ordinance.

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29 C. The collecting governmental entity shall be entitled to retain three (3)
30 percent of all impact fee funds it collects to offset the costs of
31 administering and enforcing this ordinance.

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34Section Nine: Park Impact Fee Districts

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36There are hereby established two (2) park impact fee districts. The districts are separated by the
37railroad line/track leaving Highlands/Glades County Line in the North of the county and along
38the railroad line to the Caloosahatchee River in Moore Haven. The East District is East of this
39railroad; the West District is South and West of this railroad.

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41Section Ten: Park Impact Fee Trust Funds Established

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26Glades County Park Impact Fee Ordinance

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1 A. There are hereby established two(2) separate Park Impact Fee Trust
2 Funds, one for each park impact fee district established by Section Nine of
3 this Ordinance.

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5 B. Funds withdrawn from these accounts must be used in accordance with the
6 provisions of Section Eleven of this ordinance.
7

8**Section Eleven: Use of Funds**

9
10 A. Funds collected from park impact fees shall be used for the purpose of
11 capital improvements to and expansion of the park and recreational
12 facilities of Glades County, any municipality within Glades County, the
13 Glades County School Board and the State of Florida.

14
15 B. No funds shall be used for periodic or routine maintenance.

16
17 C. Funds shall be used exclusively for capital improvements or expansion
18 within the park impact fee district as identified in Appendix I, hereof, from
19 which the funds were collected or for projects in other park impact
20 districts which are of benefit to the park impact district from which the
21 funds were collected.
22

23 D. Funds shall be expended in the order in which they are collected.
24

25 E. In the event that bonds or similar debt instruments are issued for advanced
26 provision of capital facilities for which park impact fees may be expended,
27 impact fees may be used to pay debt service on such bonds or similar debt
28 instruments to the extent that the facilities provided are described in
29 paragraph A of this section and are located within the appropriate impact
30 fee districts created by Section Nine of this ordinance or as provided in
31 paragraph C of this section.
32

33 F. Impact fees may be rebated to any person when that person donates any
34 improvement shown in A. above if the reasonable value of that donation is
35 greater than the impact fees available for credit for the donation.
36

37 G. At least once each fiscal period the County Manager shall, after
38 consultation with the municipalities, present to the Board of County
39 Commissioners a proposed capital improvement program for parks,
40 assigning funds, including any accrued interest, from the several Park
41 Impact Fee Trust Funds to specific park improvement projects and related
42 expenses. Monies, including any accrued interest, not assigned in any

1 fiscal period shall be retained in the same Park Impact Fee Trust Funds
2 until the next fiscal period except as provided by the refund provisions of
3 this ordinance.

4
5 H. Funds may be used to provide refunds as described in Section Twelve.
6
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8 **Section Twelve: Refund of Fees Paid**
9

10 A. If a building permit expires without commencement of construction, then
11 the feepayer shall be entitled to a refund, without interest, of the impact
12 fee paid as a condition for its issuance except that the County shall retain
13 five percent (5%) of the fee to offset a portion of the costs of collection
14 and refund. The feepayer must submit an application for such a refund
15 within 30 days of the expiration of the permit.
16

17 B. Any funds not expended or encumbered by the end of the calendar quarter
18 immediately following six (6) years from the date the park impact fee was
19 paid shall, upon application of the then current landowner, be returned to
20 such landowner with interest at the rate of six percent (6%) per annum,
21 provided that the landowner submits an application to the Clerk of the
22 Court of Glades County for a refund within 180 days of the expiration of
23 the six year period.
24
25

26 **Section Thirteen: Exemptions From Payment of Impact Fees**
27

28 The following shall be exempted from payment of the impact fee:
29

30 A. Alterations or expansion of an existing building where no additional units
31 are created, where the use is not changed, or expanded building over and
32 above those of the existing use.
33

34 B. The construction of accessory buildings or structures which will not be
35 occupied by human beings for permanent or temporary residential
36 purposes.
37

38 C. The replacement of a destroyed or partially destroyed building or structure
39 with a new building or structure of the same size and use provided that no
40 additional units will exist over and above those at the original use of the
41 land. In the event that a destroyed or partially destroyed building or
42 structure is replaced with a building or structure with additional units, the
33

1 amount of the impact fee due is the positive difference between the impact
2 fee for the new use as compared to the previous use.

- 3
4 D. The installation of a replacement mobile home or recreational vehicle on a
5 lot or other such site when a park impact fee for such mobile home or
6 recreational vehicle site has previously been paid pursuant to this
7 ordinance or where a mobile home or recreational vehicle legally existed
8 on such site on or prior to the effective date of this ordinance.
9

10 Any claim of exemption must be made no later than the time of application for a building permit.

11 Any claim not so made shall be deemed waived.

12

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14 **Section Fourteen: Credits Against Payment of Impact Fees**

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- 16 A. An applicant may apply for credit against park impact fees otherwise due for private park
17 or recreation improvements. In no circumstance shall credit for private park or recreation
18 improvements exceed 50% of the park impact fees otherwise due. In order to receive
19 credits for private park or recreation improvements, the following conditions must be
20 met:

21 **1.** The private park or recreation facilities for which credit is sought must serve a
22 public recreational need and,

23 **2.** The private park or recreation facilities for which credit is sought must be
24 consistent with the Park, Recreation and Open Space Element of the Glades
25 County Comprehensive Plan.

26 Upon application for a private park or recreation credit, the Impact Fee
27 Administrator shall consult with the County Manager or his/her designee
28 on the application for credit. The decision of the Impact Fee Administrator
29 may be appealed as set out in this Section.

30
31 If the Impact Fee Administrator decides to grant a credit, he/she shall provide the
32 applicant with a letter or certificate setting forth the dollar amount of the credit, the
33 reason for the credit, and the legal description or other adequate description of the project
34 or development to which the credit may be applied. The applicant must sign and date a
35 duplicate copy of such letter or certificate indicating his/her agreement to the terms of the
36 letter or certificate and return such signed document to the Impact Fee Administrator
37 before credit will be given. The failure of the applicant to sign, date, and return such
38 document within 60 days shall nullify the credit.
39

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38 Glades County Park Impact Fee Ordinance

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2 **B.** All mandatory or required land dedications and/or park improvements made by a
3 feepayer or the predecessor in interest to the feepayer, subsequent to the effective date of
4 this ordinance shall be credited on a pro rata basis against park impact fees otherwise due
5 or to become due for the development that prompted the County or the municipality
6 within Glades County to require such dedications or park improvements. Such credits
7 shall be determined and provided as set forth in this Section.
8

9 **C.** A feepayer may obtain credit against all or a portion of park impact fees otherwise due or
10 to become due by offering to dedicate land for public parks or to construct public park
11 and recreational improvements. This offer must specifically request or provide for a park
12 impact fee credit. Such construction must be in accordance with County, City, School
13 Board or State design standards, which ever is applicable. If the Impact Fee
14 Administrator accepts such an offer, whether the acceptance is before or after the
15 effective date of this ordinance, the credit shall be determined and provided in the
16 following manner:
17

18 (1) Credit for the dedication of land shall be valued at (i) 115% of the most
19 recent assessed value by the Property Appraiser, or (ii) by such other
20 appropriate method as the Board of County Commissioners may have
21 accepted prior to the effective date of this ordinance for particular land
22 dedications and/or park or recreational improvements, or (iii) at the option
23 of the feepayer, by fair market value established by private appraisers
24 acceptable to the County. Credit for the dedication of land shall be pro-
25 vided when the property has been conveyed at no charge to, and accepted
26 by, the County in a manner satisfactory to the Board of County
27 Commissioners or by another appropriate entity.
28

29 (2) Applicants for credit for construction of public park or recreational
30 improvements shall submit acceptable engineering drawings and
31 specifications, and construction cost estimates to the Impact Fee
32 Administrator. The Impact Fee Administrator shall determine credit for
33 construction based upon either these cost estimates or upon alternative
34 engineering criteria and construction cost estimates if the Impact Fee
35 Administrator determines that such estimates submitted by the applicant
36 are either unreliable or inaccurate. The Impact Fee Administrator shall
37 provide the applicant with a letter or certificate setting forth the dollar
38 amount of the credit, the reason for the credit, and the legal description or
39 other adequate description of the project or development to which the cre-
40 dit may be applied. The applicant must sign and date a duplicate copy of
41 such letter or certificate indicating his/her agreement to the terms of the
42 letter or certificate and return such signed document to the Impact Fee
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1 Administrator before credit will be given. The failure of the applicant to
2 sign, date, and return such document within 60 days shall nullify the
3 credit.
4

5 (3) Except as provided in subparagraph (4), Credit against impact fees
6 otherwise due will not be provided until:
7

8 (a) the construction is completed and accepted by the County , a
9 municipality within Glades County, the Glades County School
10 Board or the State, whichever is applicable;
11

12 (b) a suitable maintenance and warranty bond is received and
13 approved by Glades County, when applicable.
14

15 (4) Credit may be provided before completion of specified park improvements
16 if adequate assurances are given by the applicant that the standards set out
17 in Subparagraph (c) will be met and if the feepayer posts security as
18 provided below for the costs of such construction. Security in the form of
19 a performance bond, irrevocable letter of credit or escrow agreement shall
20 be posted with and approved by Glades County in an amount determined
21 by the Impact Fee Administrator consistent with the then current city or
22 county ordinances. If the park construction project will not be constructed
23 within one (1) year of the acceptance of the offer by the Impact Fee
24 Administrator, the amount of the security shall be increased by ten percent
25 (10%) compounded, for each year of the life of the security. The security
26 shall be reviewed and approved by the Board of County Commissioners
27 prior to acceptance of the security. If the park construction project is not
28 to be completed within 5 years of the date of the feepayer's offer, the
29 Board of County Commissioners must approve the park construction
30 project and its scheduled completion date prior to the acceptance of the
31 offer by the Impact Fee Administrator.
32

33 (5) No credit will be provided for any improvement within a municipality
34 without first obtaining the recommendation of that municipality.
35

36 (6) No credit will be provided for any improvement on property owned by the
37 Glades County School Board without first obtaining the recommendation
38 of the School Board.
39

40 (7) A successor in interest may claim credit for dedication if that successor
41 can show adequate documentation that such credit is appropriately due to
42 the feepayer making the application for credit against impact fees

1 otherwise due.

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3 **D.** Any claim for credit must be made no later than the time of application for a building
4 permit. Any claim not so made shall be deemed waived.

5
6 **E.** Credits shall not be transferable from one project or development to another without the
7 approval of the Board of County Commissioners and may only be transferred to a
8 development in a different impact fee district upon a finding by the Board of County
9 Commissioners that the land dedication or park construction for which the credit was
10 given benefits such different impact fee district.

11
12 **F.** Determinations made by the Impact Fee Administrator pursuant to the credit provisions
13 of this section may be appealed to the Board of County Commissioners by filing a written
14 request with the County Manager with ten (10) days of the Impact Fee Administrator's
15 determination.
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20 **Section Fifteen: Automatic Update of Fee Schedule**

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22 **A.** The impact fee schedules shown in Section Seven A above shall be adjusted by the
23 County Manager in April of each calendar year. Unless otherwise directed by the
24 Board of County Commissioners, any adjustments to the impact fee schedules, made
25 pursuant to this section, shall be effective the first Monday in October of each
26 calendar year. All adjustments to the impact fees shall be based on the methodology
27 described in paragraph B of this section.
28

29 **B.** The base for computing any adjustment is the January Consumer Price Index - All
30 Urban Consumers for the United States, published by the United States Department
31 of Labor, Bureau of Labor Statistics. For the purpose of this Section the initial index
32 to be referenced is January of the last year when the impact fees were updated with
33 cost or demographic data.
34

35 **C.** If the index is changed so that the base year is different, the index shall be converted
36 in accordance with the conversion factor published by the United States Department
37 of Labor, Bureau of Labor Statistics. If the index is discontinued or revised, such
38 other government index or computation with which it is replaced shall be used in
39 order to obtain substantially the same result as would be obtained if the index had not
40 been discontinued or revised.
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42 **Section Sixteen: Review**

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50 Glades County Park Impact Fee Ordinance

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The fees specified in Section Seven (A) shall be reviewed by the Board of County Commissioners at least once each fiscal biennium.

Section Seventeen: Penalty Provision

A violation of this ordinance shall be a misdemeanor punishable according to law; however, in addition to or in lieu of any criminal prosecution, Glades County, or any parks impact feepayer, shall have the power to sue for relief in civil court to enforce the provisions of this ordinance. Knowingly furnishing false information to the Impact Fee Administrator, his/her designee, the Building Official or any municipal official who is charged with the administration of this ordinance on any matter relating to the administration of this ordinance shall constitute a violation thereof.

Section Eighteen: Severability

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section Nineteen: Effective Date

This ordinance shall become effective on _____, 2006.

PASSED AND DULY ADOPTED THIS _____ DAY OF _____, 2006, BY THE BOARD OF COUNTY COMMISSIONERS OF GLADES COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
OF GLADES COUNTY, FLORIDA

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BY:

K.S. (BUTCH) JONES, CHAIRMAN

ATTEST: _____
JOE FLINT, CLERK