

ORDINANCE NO. 2021 - 14

AN ORDINANCE OF THE CITY OF KEY COLONY BEACH FLORIDA, ESTABLISHING A SCHEDULE OF FEES AND CHARGES, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key Colony Beach is charged with a administration of a wide variety of municipal issues, such as the review of privately-initiated development applications, processing of public records requests, and enforcement of the Florida Building Code, that range in complexity and staff review time; and

WHEREAS, the City of Key Colony Beach is authorized by Florida law to levy fees and charges that are a true and accurate reflection of the actual cost of providing such services to its residents; and

WHEREAS, the City of Key Colony Beach Commission wishes to provide a schedule of all fees that may be charged by the City to its residents for various municipal services, and to have the flexibility to update such fees as needed to provide for full cost recovery based on the amount of time required by City staff to fully and appropriately review and process resident requests;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEY COLONY BEACH, FLORIDA, AS FOLLOWS:

Section 1: Recitals

The above recitals are true and correct.

Section 2: Effective Date

This Ordinance shall become effective upon approval by the City Commission.

Section 3: Amendment

Section 1-11 of the City of Key Colony Beach Code of Ordinances shall be amended to read as follows:

Sec. 1-11 - Fee Schedule.

- (a) Establishment of Fee Schedule. All fees and charges established by the city commission shall be set forth in a ‘Fee Schedule,’ which shall be adopted, and may be amended from time to time, by resolution of the City Commission. All fees or charges in the Fee Schedule are adopted as a reflection of the actual cost of providing the applicable services, and are intended to recoup only the City’s actual costs involved with the administration and enforcement of such services.

- (b) Conflicting Provisions. In the event of a conflict between a fee or charge set forth in the Code of Ordinances and those set forth in the Fee Schedule, the fee or charge set forth in the Fee Schedule shall govern, regardless of the date of enactment of the conflicting provision of Code.

Section 4: Severability and Conflict

If any portion of this ordinance is declared by a Court of competent jurisdiction to be invalid or unenforceable, such declaration shall not be deemed to affect the remaining portions of this ordinance. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: Inclusion in the Code of Ordinances

The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Key Colony Beach, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the code:

FIRST READING by the City of Key Colony Beach City Commission this 24 day of September 2021.

Mayor Ron Sutton	NO _____	YES <u>✓</u>
Vice Mayor Patti Trefry	NO _____	YES <u>PAT</u>
Commissioner Kathryn McCullough	NO _____	YES <u>KMCC</u>
Commissioner John Deneale	NO _____	YES <u>JD</u>
Commissioner Tom Harding	NO _____	YES <u>TH</u>

SECOND READING AND DULY ADOPTED by the City of Key Colony Beach City Commission on this 24 day of September, 2021.

Mayor Ron Sutton	NO _____	YES <u>✓</u>
Vice Mayor Patti Trefry	NO _____	YES <u>PAT</u>
Commissioner Kathryn McCullough	NO _____	YES <u>KMCC</u>
Commissioner John Deneale	NO _____	YES <u>JD</u>
Commissioner Tom Harding	NO _____	YES <u>TH</u>

Ron Sutton
_____, Mayor Ron Sutton

Jane Glatton
_____, City Clerk *Executive Assistant*

(SEAL)

