

HB 0403

2004

1 A bill to be entitled

2 An act relating to the Southern Manatee Fire and Rescue  
3 District, Manatee County; amending chapter 2000-402, Laws  
4 of Florida; conforming the district's charter to ch. 191,  
5 F.S., relating to impact fees; providing an effective  
6 date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Section 7 of section 3 of chapter 2000-402,  
11 Laws of Florida, is amended to read:

12 Section 7. Impact fees.--

13 (1)(a) It is hereby found and determined that the district  
14 is located in one of the fastest growing areas of Manatee  
15 County, which is itself experiencing one of the highest growth  
16 rates in the nation. New construction and resulting population  
17 growth have placed a strain upon the capabilities of the  
18 district to continue providing the high level of professional  
19 fire protection and emergency service for which the residents of  
20 the district pay and which they deserve.

21 (b) It is hereby declared that the cost of new facilities  
22 for fire protection and emergency service should be borne by new  
23 users of the district services to the extent new construction  
24 requires new facilities, but only to that extent. It is the  
25 legislative intent of this section to transfer to the new users  
26 of the district's fire protection and emergency services a fair  
27 share of the costs that new users impose on the district for new  
28 facilities.

29 (c) It is hereby declared that the amount of the impact

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30 fees provided for in this section are just, reasonable, and  
 31 equitable.

32 (d) On September 10, 2002, the district's electors  
 33 approved a referendum authorizing the district to increase  
 34 impact fees on new construction.

35 (2) No person may issue or obtain a building permit for  
 36 new residential dwelling units or new commercial or industrial  
 37 structures within the district, or issue or obtain construction  
 38 plan approval for new mobile home or recreational or travel  
 39 trailer park developments located within the district, until the  
 40 developer thereof has paid the applicable impact fee to the  
 41 district according to a schedule determined annually by the  
 42 board in accordance with chapter 191, Florida Statutes, as  
 43 amended from time to time as follows: ~~each new residential~~  
 44 ~~dwelling unit, \$150; new commercial or industrial structures,~~  
 45 ~~\$310 up to 5,000 square feet, and \$310 plus \$0.08 per square~~  
 46 ~~foot above 5,000 square feet for structures 5,000 square feet or~~  
 47 ~~over; new recreational or travel trailer park developments, \$40~~  
 48 ~~per lot or permitted space.~~

49 (3) The impact fees collected by the district pursuant to  
 50 this section shall be kept as a separate fund from other  
 51 revenues of the district and shall be used exclusively for the  
 52 acquisition, purchase, or construction of new facilities or  
 53 portions thereof required to provide fire protection and  
 54 emergency service to new construction. "New facilities" means  
 55 land, buildings, and capital equipment, including, but not  
 56 limited to, fire and emergency vehicles and radio-telemetry  
 57 equipment. The fees may not be used for the acquisition,  
 58 purchase, or construction of facilities which must be obtained

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59 | in any event, regardless of growth within the district. The  
60 | board of fire commissioners shall maintain adequate records to  
61 | ensure that impact fees are expended only for permissible new  
62 | facilities.

63 |       Section 2. This act shall take effect upon becoming a law.