

HB 0725

2005

1 A bill to be entitled
 2 An act relating to the Cedar Hammock Fire Control
 3 District, Manatee County; amending chapter 2000-391, Laws
 4 of Florida; conforming the district charter to chapter
 5 191, Florida Statutes, relating to impact fees; providing
 6 an effective date.

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

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 10 Section 1. Section 6 of section 3 of chapter 2000-391,
 11 Laws of Florida, is amended to read:

12 Section 6. 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 County
 15 which is itself experiencing one of the highest growth rates in
 16 the nation. New construction and resulting population growth
 17 have placed a strain upon the capabilities of the district to
 18 continue providing the high level of professional fire
 19 protection and emergency service for which the residents of the
 20 district pay and which they deserve.

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

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

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

32 (d) On August 31, 2004, the district's electors approved a
 33 referendum authorizing the district to increase impact fees on
 34 new construction.

35 (2) No person shall 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 recreational or travel trailer park
 39 developments located within the district, until the developer
 40 thereof shall have paid the applicable impact fee to the
 41 district according to a schedule established by the board in
 42 accordance with chapter 191, Florida Statutes, as amended from
 43 time to time as follows: each new residential dwelling unit,
 44 ~~\$100 per unit; new commercial or industrial structures, \$200 for~~
 45 ~~the first 5,000 square feet of gross floor area and \$0.05 per~~
 46 ~~square foot thereafter; new recreational or travel trailer park~~
 47 ~~developments, \$25 per lot or permitted space.~~

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

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59 | board of fire commissioners shall maintain adequate records to
60 | ensure that impact fees are expended only for permissible new
61 | facilities.

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