

RESOLUTION 02-2019

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO THE AMENDMENT OF ADMINISTRATIVE AND PERMIT FEES REQUIRED TO BE ESTABLISHED BY VARIOUS ORDINANCES OF THE TOWN OF MALABAR; PROVIDING FOR REPEAL OF RESOLUTION 4-2014; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Malabar's Code of Ordinances requires assessment of various administrative and permit fees; and

WHEREAS, the Town of Malabar's Ordinances and Land Development Code require that the Town Council for the Town of Malabar impose said administrative fees; and

WHEREAS, the Town Council of the Town of Malabar has determined that a revision to the administrative fee schedule is appropriate to update fees to cover the actual costs of professional review, administrative time, legal advertising and mailing costs for notices.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. ADMINISTRATIVE FEES. The Town of Malabar does hereby revise administrative fees in accordance with the Town of Malabar's Code of Ordinance and Land Development Code to more accurately reflect the actual costs in 2019.

A.

Planned Unit Development (PUD) review:	\$900.00 plus \$40.00 per acre
Planned Unit Development (PUD) final:	\$900.00 plus \$40.00 per acre
Site Plan Pre-Application Conference (mandatory): except SFR	\$500.00
Site Plan Review:	\$900.00 for 1 st acre plus \$50 for each additional acre or portion of acre
Subdivision S/D or Commercial Development Pre-ap Conference (mandatory)	\$1,500.00
Preliminary Plat S/D Review:	\$1,500.00
Final Plat S/D Review:	\$1,200.00
Pre-Construction Conference for S/D or Commercial Development:	\$ 300.00
Variance Request to Board of Adjustment: Residential	\$800.00
Variance Request to Board of Adjustment: <u>Commercial</u>	\$1,750.00
Special Exception:	\$175.00 plus site plan review fee
Conditional Use Permit Application:	\$175.00 plus site plan review fee
Rezoning Request: Residential per additional acre or portion thereof.	\$625.00 for the first acre plus \$10.00
Rezoning Request: Commercial per additional acre or portion thereof.	\$1,500.00 for the first acre plus \$10.00
Future Land Use Map Designation Change:	\$300.00 plus the rezoning fee
Land clearing:	\$100.00 for the first acre plus \$10.00 per additional acre or portion thereof

Residential lot fill permits	\$ 100.00
Tree removal – Type IV Permit – dead, diseased or in fire buffer – no charge	
Multiple Tree Removal:	\$150.00 plus mitigation
Pond permit: Engineering costs only for ponds < ¼ acre; \$25.00 per 1000 sq. ft. of pond area for ponds over ¼ acre in size plus engineering costs.	
Road Vacate and Abandonment request:	\$425.00
Written zoning verification or for the availability of town services.	\$50.00
Development agreement:	\$500.00
Culvert permit: \$100.00 plus actual engineering.	
Contractor registration fee	\$40.00
Dirt Road Construction Application:	
Street Length up to 200 feet	\$800.00
Street Length up to 400 feet	\$825.00
Street Length up to 600 feet	\$890.00
Street Length up to 800 feet	\$930.00
Street Length up to 1000 feet	\$1010.00
Street Length up to 1200 feet	\$1080.00
Street Length up to 1400 feet	\$1120.00
Site Plan minor modification	\$150.00
Golf Cart Registration – one-time fee and no renewal fee	\$ 50.00

B. No permit, certificate, or other related document, and no inspections, public notice, or other action shall be instituted until such fees, costs, and charges have been paid. When in accordance with Town codes, a fee is paid, and registration submitted, there shall be no return or rebate of any funds so received, regardless of the Town’s determination in the subject matter. All fees, costs, and charges shall be, upon collection, deposited in the appropriate fund of the Town.

SECTION 2. CONFLICTS. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict with this resolution.

SECTION 3. SEVERABILITY. In the event a court of competent jurisdiction shall hold or determine that any part of this resolution is invalid or unconstitutional, the remainder of the resolution shall not be affected, and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this resolution without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

