RESOLUTION 06-2020

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 A 25% REDUCTION TO THE PLAN REVIEW AND INSPECTION FEES ON A BUILDING PERMIT WHEN SUCH SERVICES ARE PROVIDED BY A PRIVATE PROVIDER WHO HAS MET ALL REQUIREMENTS IN FLORIDA STATUTES 553; 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:

<u>SECTION 1.</u> <u>ADMINISTRATIVE FEES</u>. 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.

<u>A.</u>

Building Permit Plan Review & Inspections by Private

Provider per F.S. 553

Conditional Use Permit Application \$175.00 plus site plan review fee

Contractor Registration Fee: \$40.00

Culvert Permit: \$100.00 plus actual engineering

Development Agreement: \$500.00

Dist Book Construction Application:

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

Final Plat S/D Review: \$1,200.00

Future Land Use Map Designation Change: \$300.00 plus rezoning fee

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Golf Cart Registration	One-time fee and no renewal fee		
Land Clearing:	\$100.00 for the 1st acre plus \$10.00 per		
	additional acre or portion thereof		
Planned Unit Development (PUD) review:	\$900.00 plus \$40.00 per acre		
Planned Unit Development (PUD) final:	\$900.00 plus \$40.00 per acre		
Pond Permit:	Engineering costs only for ponds <1/4		
	acre; \$25.00 per 1000 sq. ft. of pond		
	area for ponds over 1/4 acre in size plus		
	engineering costs		
Pre-Construction Conference for S/D or Commercial			
Development	\$300.00		
Preliminary Plat S/D Review	\$1,500.00		
Request for Council Action on an Item not specifically			
provided for in the administrative fee schedule			
regarding matters of land development	\$300.00		
Residential lot fill permits:	\$100.00		
Rezoning Request: Commercial	\$1,500.00 for the 1st acre plus \$10.00		
	per each additional acre or portion		
	thereof		
Rezoning Request: Residential	\$625.00 for the 1st acre plus \$10.00 per		
	each additional acre or portion thereof		
Road Improvement Waiver Application - Commercial			
Purposes	\$1,500.00		
Road Improvement Waiver Application - Residential			
Purposes	\$300.00		
Road Naming / Renaming Requests:	\$50.00		
Road Vacate and Abandonment Requests:	\$425.00		
Site Plan minor modification	\$150.00		
Site Plan Pre-Application Conference (mandatory):			
except SFR	\$500.00		
Site Plan Review:	\$900.00 for 1st acre plus \$50 for each		
	additional acre or portion of acre		
Special Exception:	\$175.00 plus site plan review fee		
Subdivision S/D or Commercial Development Pre-Ap			
Conference (mandatory)	\$1,500.00		
Tree Removal – Multiple	\$150.00 plus mitigation		
Tree Removal - Type IV Permit - dead, diseased or in			
fire buffer	No Charge		
Variance Request to Board of Adjustment:			
Commercial	\$1,750.00		
Variance Request to Board of Adjustment: Residential	\$800.00		
Written zoning verification or for the availability of			
Town Services	\$50.00		

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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.

	moved for adoption by y Council Member			Rivet	The was
	Council Member Grant	Ball	Ay	9	
	Council Member Brian		Ay		
	Council Member Steve		Ay		
	Council Member David		•		
	Council Member Danny		Ay		
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This Resolution was the	en declared to be duly p	TOWN O	•	ed this 1st day June 2020.	
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		Ву:			
ATTEST:		ori	iginal si	aned	
ATTEST.			-	Reilly, Council Chair	
		wayor r	atrick i.	rtelliy, Couriell Criali	
Debby Franklin, C.M.C.					
Town Clerk/Treasurer					
(seal)					
(Seal)					
Approved as to Form ar	nd Content:				
Karl W. Bohne, Jr.,					
Town Attorney					