

House Bill No. 403

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

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

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

Section 7. Impact fees.—

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

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

(c) It is hereby declared that the amount of the impact fees provided for in this section are just, reasonable, and equitable.

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

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

(3) The impact fees collected by the district pursuant to this section shall be kept as a separate fund from other revenues of the district and shall be used exclusively for the acquisition, purchase, or construction of new facilities or portions thereof required to provide fire protection and emergency

service to new construction. "New facilities" means land, buildings, and capital equipment, including, but not limited to, fire and emergency vehicles and radio-telemetry equipment. The fees may not be used for the acquisition, purchase, or construction of facilities which must be obtained in any event, regardless of growth within the district. The board of fire commissioners shall maintain adequate records to ensure that impact fees are expended only for permissible new facilities.

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

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.