

House Bill No. 725

An act relating to the Cedar Hammock Fire Control District, Manatee County; amending chapter 2000-391, Laws of Florida; conforming the district charter to chapter 191, Florida Statutes, relating to impact fees; providing an effective date.

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

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

Section 6. 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 upon fire protection and emergency service should be borne by new users of the district's 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 amounts of the impact fees provided for in this section are just, reasonable, and equitable.

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

(2) No person shall 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 recreational or travel trailer park developments located within the district, until the developer thereof shall have paid the applicable impact fee to the district according to a schedule established by the board in accordance with chapter 191, Florida Statutes, as amended from time to time as follows: each new residential dwelling unit, \$100 per unit; new commercial or industrial structures, \$200 for the first 5,000 square feet of gross floor area and \$0.05 per square foot thereafter; new recreational or travel trailer park developments, \$25 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 radiotelemetry equipment. The fees shall 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 10, 2005.

Filed in Office Secretary of State June 10, 2005.