

CITY COUNCIL ORDINANCE NO.: 2020-2175

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, TO PROVIDE FOR THE WAIVING AND SUSPENSION OF WATER AND SEWER IMPACT FEES FOR A PERIOD OF TWELVE (12) MONTHS AS AN INDUCEMENT FOR ECONOMIC DEVELOPMENT; REQUIRING ANY APPLICANT SEEKING TO TAKE ADVANTAGE OF THE DEVELOPMENT INCENTIVE TO APPLY FOR AND ACQUIRE A BUILDING PERMIT AND COMMENCE CONSTRUCTION OF THE DEVELOPMENT PRIOR TO THE EXPIRATION OF THE DEVELOPMENT PERIOD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 102, Article II, of the City Code of the City of Lake City, Florida (“City”) provides for the payment of a water and sewer impact fee to the City on each new residential and nonresidential development and certain remodels and renovations of existing structures, to defray the cost of constructing new additions to the production and treatment facilities for water and sewer service provided by the City as a result of growth out of and from new and existing developments; and

WHEREAS, the City Council finds that putting its citizens back to work is a high priority for every level of government; and

WHEREAS, the City Council previously passed ordinance 2020-2159 which waived impact fees related to new development for a period of time from until January 01, 2021; and

WHEREAS, the City Council desires to further assist the community and to encourage the remodeling and renovating of existing structures in addition to the construction of new development by providing an extension of the moratorium, as an economic incentive, for the temporary waiver of water and sewer impact fees, excluding connection fees, on all development that would otherwise be responsible for the payment of an impact fee pursuant to Chapter 102, Article II, of the City Code, until 12:01 AM on January 1, 2022 (the “Development Period”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. As an incentive and inducement to promote development, the water and sewer impact fees provided for in Chapter 102, Article II, of the City Code are hereby temporarily waived and shall not be collected on either new development projects or the remodeling and renovating of existing structures from the effective date of this ordinance until 12:01 AM on January 1, 2022 (collectively the “Development Incentive”). Any applicant seeking to take advantage of the Development Incentive must apply for and acquire a building permit and commence construction of the project prior to the expiration of the Development Period. However, nothing herein shall be construed to prevent the City Council by resolution to revoke the Development Incentive during the Development Period and resuming the collection of water and sewer impact fees provided for in Chapter 102, Article II, of the City Code.

Section 3. Severability. Should any section, subsection, sentence, clause, phrase, or other provision of this ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 4. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

[Remainder of this page intentionally left blank.]

Section 5. Effective Date. This Ordinance shall take effect upon its adoption.

PASSED upon first reading this _____ day of December 2020.

NOTICE PUBLISHED on the _____ day of _____ 2020.

PASSED AND ADOPTED on the _____ day of _____ 2020.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney