

RESOLUTION 2025-07

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA; IMPOSING A TEMPORARY MORATORIUM ON THE IMPOSITION AND COLLECTION OF THE MOBILITY FEE REQUIRED PURSUANT TO CHAPTER 92 (PROPORTIONATE SHARE DEVELOPMENT FEE) OF THE CITY OF MADEIRA BEACH CODE OF ORDINANCES UNTIL JULY 31, 2026; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, on June 25, 2024, Governor Ron DeSantis signed into law an amendment to Florida Statute 163.3180 that provides in part:

(j)1. If a county and municipality charge the developer of a new development or redevelopment a fee for transportation capacity impacts, the county and municipality must create and execute an interlocal agreement to coordinate the mitigation of their respective transportation capacity impacts.

2. The interlocal agreement must, at a minimum:

a. Ensure that any new development or redevelopment is not charged twice for the same transportation capacity impacts; and

WHEREAS, the city adopted in 2020, and then amended in 2021, a proportionate share development fee ordinance which includes a mobility fee; and

WHEREAS, at the time that the mobility fee was adopted the city was not collecting the multimodal impact fee authorized by Pinellas County and therefor there was no offset or credit contemplated in the computation of the city's mobility fee; and

WHEREAS, the city wishes to review its imposition of the mobility fee to confirm that any new development or redevelopment is not charged twice for the same transportation capacity impacts and the Board of Commissioners deems it appropriate to place a moratorium on the imposition and collection of mobility fees on a temporary basis.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THAT:

Section 1. The above recitals ("Whereas" clauses) are hereby adopted as legislative findings, purpose and intent of the Board of Commissioners.

Section 2. A temporary moratorium is hereby enacted on the imposition and collection of mobility fees within the City of Madeira Beach. While the temporary moratorium is in effect, the City shall not impose or collect the mobility fee.

Section 3. This Resolution shall take effect upon its adoption, shall be reviewed by the Board of Commissioners no later than January 31, 2026 and shall terminate on July 31, 2026, unless the Board of Commissioners rescinds or extends the moratorium by subsequent Resolution.

Section 4. The provisions of this Resolution are declared to be severable and, if in any section, sentence, clause or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining section, sentences, clauses and phrases of this Resolution but they shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

Section 5. This Resolution is to be liberally construed to accomplish its objectives.

**INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF
THE CITY OF MADEIR BEACH, FLORIDA, THIS ____ DAY OF JULY ____, 2025.**

Anne-Marie Brooks
Mayor

ATTEST:

Clara VanBlargan, MMC, MSM,
City Clerk