

**ORDINANCE 2014-11**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POLK CITY, FLORIDA; PROVIDING LEGISLATIVE FINDINGS; CONTINUING AND IMPOSING A MORATORIUM ON COLLECTION OF IMPACT FEES, OTHER THAN IMPACT FEES FOR WATER AND SEWER SERVICES FOR TWELVE MONTHS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Polk County previously imposed a moratorium on the collection of all impact fees other than water and sewer impact fees in October, 2010; and,

**WHEREAS**, the City of Polk City followed suit by imposing a moratorium on the collection of all city impact fees other than water and sewer impact fees at the same time for the period of one year; and,

**WHEREAS**, the City Commission informally notified staff of its intention to extend this moratorium an additional year at the October meeting; and,

**WHEREAS**, the City Commission authorized the preparation of an ordinance to extend this moratorium effective from October of 2011 to October of 2012, again from October 2012 to December 1, 2014; and

**WHEREAS**, the City Commission would like to extend the moratorium effective from December 1, 2014 to September 30, 2015

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF POLK CITY, FLORIDA:**

**SECTION 1. EXTENSION OF MORATORIUM.** Based upon the above findings, the City hereby declares and ordains that, for a period starting December 1, 2014 and ending September 30, 2015, the City Commission of Polk City, Florida, imposes a moratorium on the collection of all City impact fees authorized by Ordinance 1142 and Chapter 39 of the Code of Ordinances, other than those impact fees imposed for water and sewer services.


**SECTION 2. SEVERABILITY.** Should any section or provision of this Ordinance or any portion thereof, the deletion of which would not adversely affect (in the general sense) the receipt of any material benefits or, substantially increase the burden of any party hereunder, be declared by a judicial or administrative tribunal of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder, as a whole or any part thereof, other than the part declared to be invalid.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall take effect as provided by general law; provided, however, that the moratorium declared hereunder shall begin December 1, 2014.


PASSED ON FIRST READING this 15<sup>th</sup> day of December, 2014.

PASSED ON SECOND READING this 19<sup>th</sup> day of January, 2015.

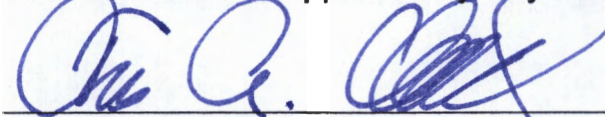
CITY OF POLK CITY

  
\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Sheandolen P. Dunn, Assistant to the City Manager

**Form and content approved by City Attorney:**

  
\_\_\_\_\_  
Thomas A. Cloud, Esquire