

ORDINANCE 2015-04

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 THREE 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 County has indicated its intention to extend this moratorium until December 31, 2015; and

WHEREAS, the City Commission previously authorized the preparation of an ordinance to extend this moratorium effective from October 2011 to October 2012, again from October 2012 to December 1, 2014, and again from October 1, 2014 to September 30, 2015; and

WHEREAS, the City Commission would like to extend the moratorium effective from October 1, 2015 through December 31, 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 October 1, 2015 and ending December 31, 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.

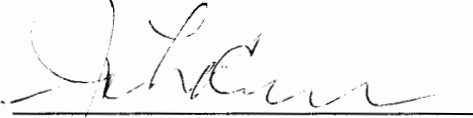
SECTION 2. SEVERABILITY. Should any section or provision of this Ordinance or any portion thereof, the deletion of which would not adversely affect (in the general sense) the receipt of any material benefits or, substantially increase the burden of any party hereunder, be declared by a judicial or administrative 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 October 1, 2015.

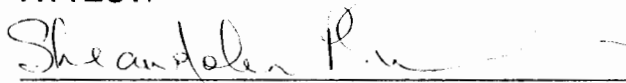
PASSED ON FIRST READING this 21st day of September, 2015

PASSED ON SECOND READING this 19th day of October, 2015.

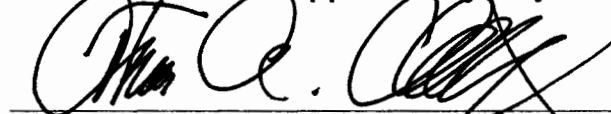
CITY OF POLK CITY


Joe LaCascia, Mayor

ATTEST:


Sheandolen P. Dunn, Deputy City Clerk

Form and content approved by City Attorney:


Thomas A. Cloud, Esquire