

**ORDINANCE NO. 606**

**AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING CHAPTER 67, ARTICLE III, SECTION 67-58 OF THE CODE OF ORDINANCES TO PROVIDE FOR THE REFUND OF BUILDING PERMIT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Ocean Ridge Code of Ordinances, Chapter 67, Article III, Section 67-58 provides for the payment of building permit fees; and

WHEREAS, the Florida Statute § 553.80(7) provides that any unexpended balances retained from the collection of building permit fees shall be carried forward to future years for certain allowable uses or shall be refunded at the discretion of the local government; and

WHEREAS, there does not currently exist a provision in the Town of Ocean Ridge Code of Ordinances providing for the refund of building permit fees; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:**

**Section 1. Findings of Fact.** The WHEREAS clauses set forth above are adopted herein as findings of fact.

**Section 2. Amendment.** Chapter 67, Article III, Section 67-58 is hereby amended to read in its entirety as follows:

- (a) Fees for permits established in this article shall be as provided by resolution of the town commission. Such fees are on file in the town clerk's office.
- (b) The minimum fee for permit applications made under this article which the town commission can establish pursuant to subsection (a) above shall not be less than \$45.00.
- (c) If any person commences any work on a building or structure before obtaining the necessary permit under this article, the fee for the permit, when obtained, shall be double the total amount of the permit fee otherwise required plus \$200.00 if the total cost of the work on a building or structure is equal to or less than \$5,000.00, and four times the total amount of the permit fee otherwise required if the total cost of the work on a building or structure exceeds \$5,000.00.

(d) Immediately upon the application for a permit, thirty percent (30%) of the permit fee becomes non-refundable and shall be retained by the town to cover the administrative costs associated with the permit application process. All requests for a refund of the remaining seventy percent (70%) of the permit fee must be received within 60 days of application for a permit or, if a permit has been issued, within 30 days of the issuance of the permit.

(1) The Town Commission may choose to refund 100% of the fee based on the circumstances of a particular situation, irrespective of whether the request for such a return was made within the 30-day time limit.

**Section 3. Severability.** In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

**Section 4. Repeal of Ordinances.** Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

**Section 5. Codification.** This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

**Section 6. Effective Date.** This Ordinance shall become effective immediately upon adoption.

FIRST READING this 6th day of January, 2014.

SECOND AND FINAL READING this 3rd day of March, 2014.

Commissioner Brookes offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner Hennigan and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	<u>Yea</u>
DR. LYNN L. ALLISON, Vice Mayor	<u>Yea</u>
GAIL ADAMS AASKOV, Commissioner	<u>Yea</u>
ED BROOKES, Commissioner	<u>Yea</u>
ZOANNE HENNIGAN, Commissioner	<u>Yea</u>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 3rd day of March, 2014.

TOWN OF OCEAN RIDGE, FLORIDA

BY: \_\_\_\_\_  
GEOFFREY A. PUGH, MAYOR

ATTEST: \_\_\_\_\_  
TOWN CLERK