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ORDINANCE 87- 30

AN ORDINANCE AMENDING ORDINANCE 87-17, KNOWN AS THE NASSAU COUNTY IMPACT FEE ORDINANCE; AMENDING SECTION 5, PARAGRAPH 3 AS TO TIME OF PAYMENT, PROVIDING THAT AN IMPACT FEE SHALL BE PAID AS A CONDITION TO THE ISSUANCE OF A BUILDING PERMIT BY THE COUNTY OR CITY; PROVIDING THAT THE TIME OF PAYMENT FOR IMPACT FEES SHALL BE COLLECTED AT THE TIME OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY UNTIL THE EFFECTIVE DATE OF THE AMENDMENT, AT WHICH TIME IT WILL BE PAID AT THE TIME OF THE ISSUANCE OF THE BUILDING PERMIT; AMENDING SECTION 9, PARAGRAPH 3, PROVIDING FOR A TEN (10%) PERCENT ADMINISTRATIVE FEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida enacted Ordinance 87-17 establishing an Impact Fee, and

WHEREAS, the Ordinance required the payment of the fee as a condition to the issuance of a certificate of occupancy, and

WHEREAS, the Board has been made aware of certain administrative problems in collecting the fee when the certificate of occupancy is issued.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

Section 4. DEFINITIONS

~~7.---Certificate of Occupancy---a certificate issued by the Nassau--County--Building--or--applicable--City--departments--upon completion-of-a-building-after-final-inspection-of-a-building, stating-the-nature-of-the-occupancy-permitted,--the-number-of persons-for-each-floor-when-limited-by-law,--the-allowable-load per-square-foot-for-each-floor-in-accordance-with-the-Standard Building-Code.---If-no-certificate-of-occupancy-is-required-for the-construction-or-occupancy-of-a-structure-then-the-term-shall be-deemed-to-include-the-building-permit-or-other-form-of-county or-city-final-approval-for-the-construction-or-occupancy-of-a structure.---The-term-"Certificate-of-Occupancy",--as-used-in-this~~

~~Ordinance shall be deemed to include a "mobile home move-on permit".~~

~~8- 7. Collector Road~~

~~9- 8. Development - any improvement to real property for which the issuance of a permit is required. and as a condition legally to occupying it, a certificate of occupancy must first be obtained from Nassau County, Florida, or Cities within Nassau County, on or after the effective date of this Ordinance.~~

~~10- 9. Dwelling Unit~~

~~11- 10. Feepayer~~

~~12- 11. Generation of traffic~~

~~13- 12. Land~~

~~14- 13. Person~~

~~15- 14. Road~~

~~16- 15. Site Related Improvements~~

~~17- 16. Trip~~

SECTION 5. IMPOSITION OF IMPACT FEES; SEMI-ANNUAL

ADJUSTMENTS; TIME OF PAYMENT:

3. Time of Payment: Impact fees imposed on all new development shall be paid to the County as a condition to the issuance of a ~~certificate of occupancy~~ building permit or move-on permit by the County or cities, or at an earlier stage pursuant to agreement by the County. No ~~certificate of occupancy~~ building permit or move-on permit shall be issued by the County or the Cities without ~~collecting~~ the payment of said fees. The County Commission may accept an in-kind contribution of land or capital facilities for public use. Credit for any in-kind contribution shall be on a fair market value basis as of the date the County Commission accepts the offer of such contribution. The fair market value of any land accepted as an in-kind contribution shall be based upon an appraisal of its highest and best use then

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allowed under its current land use designation. Such appraisal shall be paid for by the donor.

SECTION 9. USE OF FUNDS

3. The Board shall be entitled to retain ~~five--(5%)~~ ten (10%) percent of all impact fee funds it collects as an administrative fee to offset the costs of administering this Ordinance. An accounting of retained fees shall be provided to the Board for review and appropriation every six (6) months.

PASSED and ADOPTED this 31st day of March, 1987.

BOARD OF COUNTY COMMISSIONERS  
OF NASSAU COUNTY, FLORIDA

By: Gene R. Blackwelder  
GENE R. BLACKWELDER  
Its: Chairman

ATTEST:

By: T. J. Greeson  
T. J. GREESON  
Its: Ex-Officio Clerk