

RESOLUTION 92 - 25

WHEREAS, Section (1) of Article VIII of the Florida Constitution, as implemented by Section 125.01, Florida Statutes, was intended to enlarge the power of counties to govern themselves through home rule, and state intervention in the area of impact fees would be inconsistent with this important constitutional right; and

WHEREAS, in respect of the home rule principal, the authority of local governments to impose impact fees has been firmly established by caselaw to help fund the costs of providing facilities and services necessitated by growth and development; and

WHEREAS, impact fee revenues are critical to funding local government growth management plans, particularly in this critical transition period from plan development to plan implementation; and

WHEREAS, impact fees are imposed to assure that growth and development pay its own way rather than having those costs shifted to current residents; and

WHEREAS, impact fees by their very nature do not lend themselves to standardization and uniformity in design and application; and

WHEREAS, Nassau County finds its current and proposed impact fee ordinances are effective and legally sustainable without benefit of state-imposed requirements and conditions; and

WHEREAS, Nassau County has developed and implemented local impact fee ordinances for roads; and

WHEREAS, impact fee legislation would likely generate additional rounds of costly litigation to defend both existing and future ordinances; and

WHEREAS, state-imposed impact fee regulations could force local governments hike property taxes to pay for facilities and services demanded by the ever-growing numbers of new residents, presently funded through impact fees.

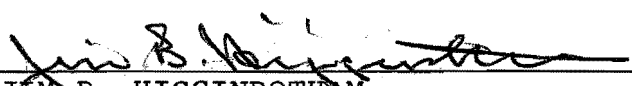
NOW, THEREFORE, BE IT RESOLVED this 1st day of November, 1991, that the Board of County Commissioners of Nassau County, Florida:

1. Urges the Nassau County legislative delegation, the Florida Senate, and the Florida House of Representatives, and the Governor of the State of Florida to preserve the full and complete home rule authority of local governments to impose impact fees by opposing legislation restricting or limiting local government use of impact fees.

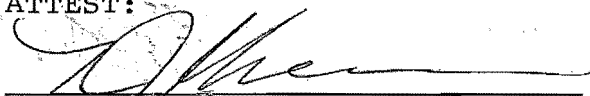
2. Copies shall be sent to the Governor of the State of Florida, President of the Florida Senate, Speaker of the House of

Representatives, Senator Arnett Girardeau, and Representative George Crady.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


JIM B. HIGGINBOTHAM
Its: Chairman

ATTEST:


T. J. GREESON
Its: Ex-Officio Clerk