

ORDINANCE 2020-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BELLEVIEW, FLORIDA AMENDING SECTION 86 TO ADD SECTION 86-88, PROVIDING FOR A PARTIAL MORATORIUM REGARDING SYSTEM DEVELOPMENT CHARGES FOR CONNECTION TO THE SOUTH 441 SEWER EXTENSION OF THE CITY SANITARY SEWER SYSTEM; PROVIDING FOR A TIME LIMIT; PROVIDING FOR SUNSET; PROVIDING FOR ONE YEAR EXTENSION(S) BY RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article III, Section 86-88 of the City Code was enacted regarding system development charges regarding water and sewer, based on the equitable portion of the cost of financing the replacement or expansion of the city's sewer and water facilities, based upon the highest average daily flow anticipated from the buildings responsible for the daily impact of demands on the existing and future city facilities; and

WHEREAS, the City Commission of the City of Belleview, after holding public hearings determined it was in the public interest to expand use of sewer lines along South Highway 441 to eliminate the use of septic systems and thereby improve ground water quality, enhance spring head protection and protection of the City's well head; and

WHEREAS, the City has received significant funds through a State Grant, one goal of which is to promote spring head protection; and

WHEREAS, the City Commission of the City of Belleview, after holding public hearings, found that in addition to the ecological benefits of expanding use of the City's sanitary sewer system, the moratorium on system development charges and connection fees provided an economic benefit by stimulating business growth, the utilization of commercial property, and the expansion of businesses along the South Highway 441 corridor, and

WHEREAS, the City Commission of the City of Belleview, after holding public hearings, found that said moratorium should be renewed for a period of one (1) year; and

WHEREAS, the City Commission of the City of Belleview, finds that it is more economical and in the public interest to provide that said moratorium may be renewed by Resolution of the City Commission for a like period(s) of one (1) year; and

WHEREAS, the City Commission finds it is in the best interest of the public welfare to adopt this Ordinance amending the system development charges for connection to the City Sanitary Sewer System by providing for a moratorium on the collection of system development charges for connection to the City's sewer facilities

for parcels described in Section 86-88 Section 1 below.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Belleview, Florida, that Article III, Chapter 86 of the City of Belleview Code of Ordinances is hereby amended to add Subsection 86-88 regarding a moratorium on payment of certain system development charges, which shall read as follows, to wit:

“86-88. System Development Charge Moratorium along South Highway 441 Sewer Extension Project.

Section 1. The rate for system development charge imposed for connections to or expansions of use of the City sewer facilities for parcels along the South Highway Sewer Extension Project shall be zero dollars per gallon; said area subject to this moratorium on system development charges being located in the City of Belleview and Marion County, Florida and being more particularly described as:

Those properties located along the north and south sides of SE 119th Street from 150.00 feet west of SE 59th Terrace to US Highway 27/441 and;

Those properties located along the east and west sides of US Highway 27/441 from its intersection with SE Baseline Road to its intersection with SE 135th Street and;

Those properties located on the north and south sides of SE 135th Street to a point 150.00 feet west of the westerly right of way of US Highway 27/441.

Section 2. The amount of payment for system development charges for parcels not subject to this moratorium shall continue to be calculated based upon the methodology established in Chapter 86, Article III of the City Code, using the rate established by Resolution of the Belleview City Commission.

Section 3. This Ordinance for partial moratorium in sewer system development charges shall be effective for one (1) year from the date of its adoption and shall automatically cease to have effect (“sunset”) on February 17, 2021, unless renewed for a like period of one year by Resolution duly adopted by the City Commission.

BE IT FURTHER ORDAINED by the City Commission of the City of Belleview, Florida that in the event that the provisions of this ordinance are in conflict with any other ordinance, then the provisions of this Ordinance shall prevail.”

BE IT FURTHER ORDAINED by the City Commission of the City of Belleview, Florida that if any section, sentence, provision or phrase of this Ordinance is held to be Invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

BE IT FURTHER ORDAINED by the City Commission of the City of Belleview, Florida that Sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon adoption

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon First Reading by a ___ to ___ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on the _____ day of _____, 2020. Said ordinance was duly read, passed, and adopted upon Final Reading by a ___ to ___ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on the _____ day of _____, 2020.

CHRISTINE K. DOBKOWSKI
Mayor/Commissioner

Attest:

MARGARET DEGENNARO, MMC, CPS
City Clerk

Approved As To Form And Legality:

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in the _____, 2020 edition of the *Voice of South Marion* newspaper in accordance with Florida Statutes.

MARGARET DEGENNARO, MMC, CPS
City Clerk