

RESOLUTION 97-34

LANDSPREADING PERMIT FEES

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING FEES FOR LANDSPREADING PERMITS PURSUANT TO ORDINANCE 97-26, THE MANATEE COUNTY LANDSPREADING CODE; PROVIDING A DECLARATION OF INTENT; PROVIDING FOR ADMINISTRATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Manatee County, Florida (hereinafter "Board") to adopt appropriate ordinances reasonably necessary to protect the public health, safety and welfare; and

WHEREAS, Section 125.01, Florida Statutes, also authorizes the Board to adopt appropriate fees to be charged for services rendered under the provisions of that Section; and

WHEREAS, on February 18, 1997 the Board adopted Ordinance 97-26, the Manatee County Landspreading Code, which establishes a permitting system that enables the Board to regulate certain aspects of landspreading within the County; and

WHEREAS, the management of landspreading through a County permitting system entails the processing of permit applications, site inspections, monitoring, data collection and maintenance and enforcement, and such efforts are labor-intensive; and

WHEREAS, adoption of a schedule of fees for the permitting of landspreading activities would allow the Board to offset a portion of the costs of implementing the Manatee County Landspreading Code; and

WHEREAS, the Board has determined that it is in the best interest of Manatee County to adopt a Landspreading Fee Schedule, and has found the Fee Schedule set forth herein to be reasonable as related to the costs and charges enumerated;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY that:

I. DECLARATION OF INTENT

A. It is the intent of the Board to establish reasonable charges for services performed by the Director of the County's Environmental Management Department and his/her duly authorized agents and employees in administering the Landspreading Permit program established by Ordinance 97-26 in Manatee County.

B. Such fees are to be used to offset expenses incurred by the Environmental Management Department in performing professional services required to implement and enforce Ordinance 97-26 and any successor ordinances which may be adopted by the Board with respect to landspreading.

II. ADMINISTRATION

A. The Director of the Manatee County Environmental Management Department is hereby authorized and directed to collect the fees listed in Exhibit "A", attached hereto.

B. All funds collected under this Resolution shall become funds of the County and shall be deposited in the General Revenue Fund.

III. SEVERABILITY

In the event that any portion, section, clause or sentence of this Resolution, including any specific fee found in Exhibit "A", is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution, which shall remain in full force and effect.

IV. EFFECTIVE DATE

This Resolution shall become effective upon adoption.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IN OPEN SESSION WITH A QUORUM PRESENT AND VOTING, this the 18th day of February, 1997.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

by: *Faricia M. Blue*
Chairman

ATTEST:

R. M. Shore
R. M. Shore
Clerk of the Circuit Court

EXHIBIT A - LANDSPREADING PERMIT FEES

PERMIT APPLICATION FEE:

Sites from 100-500 acres in size: \$100.
 Sites from 501-1000 acres in size: \$200.
 Sites over 1000 acres in size: \$300.

OPERATIONAL FEE:

\$1.75 per acre, due at time of permit approval

SAMPLE CALCULATION:

	<u>100 ac.</u> (small)	<u>511 ac.</u> (median)	<u>3,049 ac.</u> (largest)
Application:	\$ 100.00	\$ 200.00	\$ 300.00
Operation:	<u>175.00</u>	<u>894.25</u>	<u>5335.75</u>
Total Annual:	\$ 275.00	\$1094.25	\$5635.75