

RESOLUTION NO. R-14-21

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, IMPOSING REGULATORY FEES FOR THE REGISTRATION OF VACANT REAL PROPERTY IN FORECLOSURE; PROVIDING LIMITATIONS ON SUCH REGULATORY FEES; PROVIDING DIRECTIONS REGARDING CODIFICATION; REPEALING AND SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.01, Florida Statutes, authorizes the Board of County Commissioners of Manatee County to exercise regulatory powers that are not inconsistent with general or special law; and

WHEREAS, according to rules established by Florida case law, regulatory fees imposed under the sovereign power of a county cannot exceed the cost of the regulatory activity and must be applied solely to pay the cost of the regulatory activity for which they are imposed; and

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners of Manatee County, Florida, approved and enacted Ordinance No. 14-19 on February 25, 2014; and

WHEREAS, Ordinance No. 14-19 creates Chapter 2-38 of the Manatee County Code of Ordinances to provide for the registration of vacant real property in the process of foreclosure within the unincorporated area of Manatee County; and

WHEREAS, Section 2-38-6 of the Manatee County Code of Ordinances authorizes the Board of County Commissioners by resolution to impose regulatory fees for the registration of vacant real property in foreclosure as provided in Chapter 2-38 of the Manatee County Code of Ordinances; and

WHEREAS, the Manatee County Building and Development Services Department has reviewed and recommended the amount of the regulatory fees for the registration of vacant real property in foreclosure to be imposed in this resolution; and

WHEREAS, the Manatee County Building and Development Services Department has

represented that the regulatory fees for the registration of vacant real property in foreclosure do not exceed the cost of the regulatory activity required for the registration and will be used and expended solely for the regulatory purpose of such registration activity; and

WHEREAS, the Board of County Commissioners of Manatee County has determined that the regulatory fees imposed in this resolution are reasonable and necessary for the registration of vacant real property in foreclosure, do not exceed the cost of the regulatory activity required for the registration of such property, and will be used and expended solely for the regulatory purpose of such registration activity.

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

Section 1. Pursuant to Section 2-38-6 of the Manatee County Code of Ordinances, the Board of County Commissioners hereby imposes regulatory fees in the amount of \$200.00 per parcel for the registration of vacant real property in foreclosure within unincorporated Manatee County. The amount of the regulatory fees shall not exceed the cost of the regulatory activity required for the registration of such property.

Section 2. The regulatory fees imposed pursuant to this resolution shall be used and expended solely for the regulatory purpose of the registration activity for vacant real property in foreclosure within unincorporated Manatee County.

Section 3. This resolution shall not be codified in the Manatee County Code of Resolutions.

Section 4. All resolutions and parts of resolutions in conflict with the provisions of this resolution are hereby repealed, rescinded, superseded and replaced by this resolution to the extent of such conflict.

Section 5. This resolution and the fees imposed in this resolution shall take effect April

1, 2014.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 25 day of February, 2014.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: Larry Burtis
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

By: [Signature]
