

RESOLUTION R-17-93

A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS, ESTABLISHING A REVISED FEE SCHEDULE FOR PHOSPHATE MINING RELATED ACTIVITIES; PROVIDING FOR DIRECTIONS REGARDING CODIFICATION; REPEALING AND SUPERSEDING CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Subsections 125.01(1)(h), Florida Statutes, authorize the Board of County Commissioners of each County to establish, coordinate and enforce regulations as are necessary for the protection of the public; and

WHEREAS, the Board of County Commissioners of Manatee County, Florida (hereinafter "Board") adopted the Manatee County Phosphate Mining Code, codified as Chapter 2-20 of the County's Code of Ordinances (the "Phosphate Mining Code"); and

WHEREAS, the Phosphate Mining Code provides that fees may be charged for various costs involved in permits, processing applications, petitions and various related matters; and

WHEREAS, the Manatee County Parks and Natural Resources Department (hereinafter "PNRD") has reviewed and recommended approval of a comprehensive fee schedule which is attached hereto as Attachment A of this Resolution setting forth a schedule of costs and charges that reflects the County's actual costs in processing applications under the Phosphate Mining Code; and

WHEREAS, the Board of County Commissioners has determined that it is in the best interest and necessary to promote the public health, safety and welfare of the citizens in Manatee County to adopt said fee schedule, and hereby finds that said fee schedule is reasonably related to the costs of administering and enforcing the phosphate mining related activities described in the Phosphate Mining Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

Section 1. Findings. The statements set forth in the above recitals to this Resolution are true and correct and are hereby adopted as finding of the Board.

Section 2. Schedule Fees and Charges. The Board of County Commissioners hereby establishes a revised fee schedule to defer costs of administering master mining plan and operating permit applications and enforcing the Phosphate Mining Code. Attachment "A" to this Resolution is hereby adopted as the applicable fee schedule for processing applications, petitions and related matters pursuant to the Phosphate Mining Code, and said Attachment "A" may be amended in whole or in part by further resolution of the Board as may be necessary and deemed warranted.

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

Section 4. Conflicting Resolutions. Effective October 1, 2017, all resolutions and parts of resolutions in conflict with the provisions of this resolution, including but not limited to, Resolution 07-231 shall be repealed, rescinded, superseded and replaced by this resolution to the extent of such conflict.

Section 5. Severability. If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

Section 6. Effective Date. This resolution and the fees and charges established in this resolution take effect October 1, 2017.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida with a quorum present and voting this 22nd day of August, 2017.



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: _____

Chairperson Betsy Benac

ATTEST: Angelina M. Colonneso
Clerk of the Circuit Court and Comptroller

By: _____

Deputy Clerk

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ATTACHMENT 'A'
Effective – October 1, 2017

PARKS AND NATURAL RESOURCES DEPARTMENT
PHOSPHATE MINING FEE SCHEDULE

MASTER MINING PLAN

Initial Application	\$18,000	(see footnote 1 and 2)
Significant Amendment	\$10,000	(see footnote 1 and 2)
Transfer of MMP	\$ 5,000	
Non Significant Amendment	\$ 3,000	

OPERATING PERMIT

Initial Application	\$ 2,500	(see footnote 1 and 2)
Significant Amendment to Operating Permit	\$ 2,000	(see footnote 1 and 2)
Transfer of Operation Permit	\$ 1,500	
Non-Significant Amendment	\$ 1,000	
Annual Progress Report	\$ 1,500	
Annual Progress Report (Out of County)	\$ 1,400	(see footnote 3)
Annual Progress Report - Reclamation Release	\$ 2,500	

FOOTNOTES:

- 1 All phosphate mining projects requiring a public hearing under Ordinance 04-39, as amended, are subject to public noticing requirements in Section 312.7 of the Land Development Code, as amended. Costs and fees associated with public noticing requirements shall be charged in accordance with those set in the Development Fee Schedule, Resolution 16-117, as amended. Signs for advertising shall be charged at \$20.00 per sign, payable prior to receipt of the signs. Labels for notice shall be obtained from the Property Appraiser's Office.
- 2 The developer and/or agent shall pay the actual cost of a Court Reported and transcript of proceedings (Note: Two copies of proceedings shall be provided to the County).
- 3 This fee applies to out-of-county activities that affect operations at Manatee County phosphate mining facilities.

No Approvals will be issued for any project with an outstanding balance due to Manatee County.