

31 **Sec. 58-103. - Applicability; fee determination; impact fee accounts; and use of fees.**

32 (a) Any person who shall commence an impact-generating development or change in use  
33 or intensity to an existing development in the City of North Port, as herein defined, shall  
34 be obligated to pay impact fees as required by this article.

35 (1) The fee shall be preliminarily calculated by the City of North Port at the time of  
36 issuing a building permit. A final calculation of the fee shall occur and, unless  
37 deferred by the city commission, shall be collected upon the issuance of a certificate  
38 of occupancy, certificate of completion, or temporary certificate of occupancy for  
39 the development. If the certificate of occupancy, certificate of completion, or  
40 temporary certificate of occupancy is for less than the entire development, the fee  
41 shall be computed separately for the amount of development covered by the  
42 certificate of occupancy, certificate of completion, or temporary certificate of  
43 occupancy.

44 (2) Except as provided below, the impact fee schedules in effect at the time an  
45 applicant receives a certificate of occupancy, certificate of completion, or  
46 temporary certificate of occupancy shall be utilized for the final calculation and  
47 collection of the impact fee.

48 (3) The impact fee schedules in effect on June 10, 2019 shall be utilized for the final  
49 calculation and collection of impact fees if the following conditions are met:

- 50 a. The applicant had a complete building permit application submitted to and  
51 accepted by the city as of June 11, 2019; and
- 52 b. The applicant receives a certificate of occupancy, certificate of completion, or  
53 temporary certificate of occupancy on or before January 5, 2021.

54 (4) Any applicant that paid impact fees after June 11, 2019 shall be entitled to a  
55 recalculation of impact fees based on subsection (a)(2) above, as well as a refund  
56 for the amount of any overpayment.

57 ..."

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59 **SECTION 3 – SEVERABILITY**

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61 3.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any reason  
62 held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be  
63 deemed a separate, distinct, and independent provision and such holding shall not affect the  
64 validity of the remaining portions hereof.  
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66 **SECTION 4 – CONFLICTS**

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68 4.01 In the event of any conflicts between the provisions of this ordinance and any other ordinance,  
69 the provisions of this ordinance shall prevail to the extent of such conflict.  
70

Charlotte County  
Sarasota County  
Manatee County  
City of Bradenton  
City of Cape Coral  
City of Punta Gorda  
City of Venice

→ All these municipalities  
calculate their impact  
fees base on a permits  
SUBMITTAL DATE