



City of North Port

RESOLUTION NO. 2018-R-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, DIRECTING THE CITY MANAGER TO TEMPORARILY SUSPEND ENFORCEMENT OF CERTAIN PROCESSES AND COLLECTION OF FEES RELATED TO APPLICATIONS FOR REVIEW OF CERTAIN SHEDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 70-24 of the Code of the City of North Port, Florida requires any person engaging in any type of construction to obtain a right-of-way use permit from the North Port Road and Drainage District, and requires the director of the district to cause an inspection to be made and photographs taken of the stormwater management system which may be impacted by the proposed activity; and

WHEREAS, Appendix A, Section K of the Code of the City of North Port, Florida establishes a \$50.00 fee for a right-of-way use permit; and

WHEREAS, effective October 1, 2018, Appendix A, Section K of the Code of the City of North Port, Florida established a new fee of \$55.00 for administrative/plan review fee due at issuance of permit; and

WHEREAS, a person installing a shed is subject to the right-of-way use permit requirements and fee, as well as the administrative/plan review fee; and

WHEREAS, on November 1, 2018, the City Commission directed the City Manager to draft an ordinance amending the code to address these processes and eliminate these fees for sheds that meet certain criteria; and

WHEREAS, on the same date, the City Commission directed the City Manager to draft a resolution to suspend these processes and fees while the legislation is pending; and

WHEREAS, the City Commission finds that reducing the cost for the City's review related to the construction of certain sheds promotes the general health, welfare, and safety of the citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:

SECTION 1 – INCORPORATION OF RECITALS

1.01 The above recitals are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

SECTION 2 – TEMPORARY SUSPENSION OF ENFORCEMENT OF PROCESSES AND COLLECTION OF FEES

2.01 As applied to applications for sheds that are less than 200 square feet in area, are prefabricated, and will be installed without a slab, the City Commission hereby directs the City Manager to temporarily suspend enforcement of the right-of-way use permit requirement in Section 70-24(a) of the Code of the City of North Port, Florida.

2.02 As applied to applications for sheds that are less than 200 square feet in area, are prefabricated, and will be installed without a slab, the City Commission hereby directs the City Manager to temporarily suspend collection of the \$50.00 fee for a right-of-way use permit, set forth in Appendix A, Section K of the Code of the City of North Port, Florida.

2.03 As applied to applications for sheds that are less than 200 square feet in area, are prefabricated, and will be installed without a slab, the City Commission hereby directs the City Manager to temporarily suspend collection of the \$55.00 for administrative/plan review fee due at issuance of permit, set forth in Appendix A, Section K of the Code of the City of North Port, Florida.

SECTION 3 – DURATION

3.01 The direction to the City Manager set forth herein shall remain in effect through November 1, 2019, unless modified, revoked, or extended by the City Commission.

SECTION 4 – CONFLICTS

4.01 In the event of any conflict between the provisions of this Resolution and any other Resolution or portions thereof, the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 5 – SEVERABILITY

5.01 If any section, sentence, clause or phrase of this Resolution 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 Resolution.

SECTION 6 – EFFECTIVE DATE

6.01 This Resolution shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

PASSED and DULY ADOPTED by the City Commission of the City of North Port, Florida this 6th day of December 2018.

CITY OF NORTH PORT, FLORIDA



Christopher Hanks
MAYOR

ATTEST:



KATHRYN PETO
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:



AMBER L. SLAYTON
CITY ATTORNEY