



City of North Port

ORDINANCE NO. 2024-33

1 **AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, UPDATING REFERENCES TO**
 2 **THE CITY FEE SCHEDULE THROUGHOUT THE CODE OF THE CITY OF NORTH PORT,**
 3 **FLORIDA AND UNIFIED LAND DEVELOPMENT CODE; REMOVING REFERENCES TO**
 4 **SPECIFIC DOLLAR AMOUNTS FOR FEES IN ARTICLE IX, CODE ENFORCEMENT, OF**
 5 **CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA;**
 6 **PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR**
 7 **SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

8
 9 **WHEREAS,** Ordinance No. 2024-33 amended the City Fee Structure codified at Appendix A to the Code
 10 of the City of North Port, Florida (“City Code”), and renamed the appendix to “City Fee Schedule”; and

11
 12 **WHEREAS,** the City Commission desires to update references to Appendix A throughout the City Code
 13 and the City of North Port Unified Land Development Code (“ULDC”), as well as remove references to
 14 specific fee amounts that are already addressed in Appendix A; and

15
 16 **WHEREAS,** the City Commission finds that these amendments serve the public health, safety, and
 17 welfare of the citizens of the City of North Port, Florida.

18
 19 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT,**
 20 **FLORIDA:**

21
 22 **SECTION 1 – FINDINGS**

- 23
 24 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
 25
 26 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business
 27 impact estimate on the City’s website on or before the date the newspaper published notice of
 28 this ordinance’s final reading.
 29
 30 1.03 The City Commission finds the regulations in this ordinance to be consistent with the North Port
 31 Comprehensive Plan.
 32
 33 1.04 The City Commission finds that, pursuant to Section 14 of Chapter 2023-304, Laws of Florida,
 34 this amendment to the land development regulations is not more restrictive or burdensome
 35 than current regulations.
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37 **SECTION 2 – AMENDMENTS TO CITY CODE**

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2.01 Chapter 2 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 2 – ADMINISTRATION

...

ARTICLE IX. – CODE ENFORCEMENT

...

Sec. 2-511. – Fines and Liens.

...

(d) *Settlement of fines and liens.* The city commission hereby establishes a code enforcement lien relief program which has the following terms and conditions.

(1) Lien reduction.

...

d. The application fee for the lien reduction ~~will be \$150.00~~ is set forth in the city fee schedule. The application shall be per property, not per code enforcement case.

...

(2) Lien release.

...

d. The fee for application for the lien release ~~will be \$150.00~~ is set forth in the city fee schedule. The application shall be per property, not per code enforcement case.

...

(3) Alternative procedure for non-owners. In anticipation of a pending sale, persons with a bona fide purchase contract for affected properties may seek an anticipatory lien reduction provided that:

...

c. The application fee for the lien reduction ~~will be \$150.00~~ is set forth in the city fee schedule. The application shall be per property, not per code enforcement case and must be authorized by the current owner of the property.

...”

2.02 Chapter 26 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 26 – FIRE PREVENTION AND PROTECTION

...

ARTICLE II. – FIRE SAFETY

...

Sec. 26-21. – Required permits; issuance; fees; revocation.

...

(b) *Permit fees.* The City of North Port shall establish ~~by resolution~~ fee schedule(s) for the North Port Fire Rescue District.

...”

84 2.03 Chapter 42 of the Code of the City of North Port, Florida is hereby amended as follows:

85

86 **“Chapter 42 – NUISANCES**

87 ...

88 **ARTICLE IV. – ABANDONED PROPERTY**

89 ...

90 **Sec. 42-74. – Registration of real properties at risk of abandonment.**

91 ...

92 (c) The registration of property required in the article shall be upon such forms as are
93 designated by the city manager or the city manager’s designee and shall be
94 accompanied by the approved registration fee as established in the city department’s
95 ~~duly enacted~~ fee schedule.

96 ...

97 (g) For so long as the property remains vacant, or subject to a notice of lis pendens or a
98 foreclosure action, a registration fee shall be due from the owner or other responsible
99 party, as applicable under the circumstances, each year not later than the fifteenth
100 day of the month following the month in which the original registration was made.
101 The annual registration fee is hereby set at the initial amount of \$150.00 per property,
102 and shall be as set forth from time to time in the city-wide fee schedule.

103 ...”

104

105 2.04 Chapter 54 of the Code of the City of North Port, Florida is hereby amended as follows:

106

107 **“Chapter 54 – DEVELOPMENT AGREEMENT REGULATIONS**

108 ...

109 **Sec. 54-5. – Schedule of fees.**

110

111 The ~~City Commission~~ shall by resolution establish a fee schedule of fees for the filing,
112 processing and reviewing of, or an amendment to or cancellation of a development
113 agreement, or the annual review of a development agreement and related documents
114 submitted to the City pursuant to the Development Agreement Act and these regulations.

115 ...”

116

117 2.05 Chapter 58 of the Code of the City of North Port, Florida is hereby amended as follows:

118

119 **“Chapter 58 – PLANNING AND DEVELOPMENT**

120

121 **ARTICLE I. – IN GENERAL**

122 ...

123 **Sec. 58-2. – Planning and zoning fees.**

124 Planning and zoning fees are established in accordance with the ~~most current city-wide~~ fee
125 schedule ~~(Appendix A) as adopted annually by the city commission.~~

126 ...”

127

128 2.06 Chapter 62 of the Code of the City of North Port, Florida is hereby amended as follows:

129

130 **“Chapter 62 – SOLID WASTE**

131 ...

132 **ARTICLE III. – COLLECTION AND DISPOSAL**

133 ...

134 **Sec. 62-51. – Collection schedules**

135 ...

136 (d) Frequency of collection.

137 ...

138 (3) *Authority of director to require more frequent collections.* Where necessary to
139 protect the public health, the Director shall have the authority to require that more
140 frequent collections be made for an additional charge. Such additional collections
141 shall be charged to the customer as provided in the ~~currently effective~~ city fee
142 schedule.

143 ...

144 **Sec. 62-55. – Fees.**

145 ...

146 (a) *Fee structure.* Solid waste district rates and fees related to the collection of residential
147 and commercial solid waste are set forth in the city fee ~~schedule~~ structure. Solid waste
148 district non-ad valorem assessment rates are established as set forth in chapter 66,
149 article IV of this Code.

150 ...”

151 ...

152 2.07 Chapter 66 of the Code of the City of North Port, Florida is hereby amended as follows:

153 ...

154 **“Chapter 66 – SPECIAL DISTRICTS**

155 ...

156 **ARTICLE II. – NORTH PORT FIRE RESCUE DISTRICT**

157 ...

158 **Sec. 66-24. – Powers and duties.**

159 ...

160 (d) The Board is charged with the responsibility of providing fire rescue services within the
161 District and shall have all of the powers granted by Florida Statutes, the City Charter,
162 this Article, and the City's home rule authority conferred under applicable Florida law,
163 to carry out the intent and purpose of the District. In addition thereto, the Board shall
164 have the following specific powers and authority:

165 ...

166 (5) To establish, ~~by resolution, a schedule of~~ fees and charges for the rendering of Road
167 and Drainage services, to bill for such charges and to take all legal action necessary
168 to collect charges;

169 ...

170 (7) To establish, ~~by resolution, a schedule of~~ fees and charges for the rendering of
171 District services, to bill for such charges and to take all legal action necessary to
172 collect charges;

173 ...

174 **ARTICLE III. – ROAD AND DRAINAGE DISTRICT**

175 ...

176 **DIVISION 1. – IN GENERAL**

177 ...

178 **Sec. 66-52. – Powers and duties.**

179 ...

(d) The governing body shall have all of the powers granted by the City Charter, the general laws of the State of Florida, and the City's home rule authority, as may be necessary or proper to carry out the intent and purpose of the District. In addition thereto, the governing body shall have the following specific powers and authority:

...

(5) To establish, ~~by resolution, a schedule of fees and charges for the rendering of Road and Drainage services, to bill for such charges and to take all legal action necessary to collect charges.~~

...

Sec. 66-65. – Fees, fines and penalties.

(a) To the extent a real property owner adjacent to the District's drainage improvement seeks authorization from the District to connect with the District's improvements and the connection is deemed feasible by the District's Director, the real property owners shall pay the applicable application connection and/or inspection fees ~~as set by Ordinance as amended from time to time.~~

..."

2.08 Chapter 78 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 78 – UTILITIES

...

ARTICLE II. – WATER AND WASTEWATER UTILITY

...

Sec. 78-24. – General terms and conditions regarding water, wastewater and reclaimed water service.

...

(h) *Access to premises.* The duly authorized agents of the city shall have access at all reasonable hours to the premises of the customer for the purpose of installing, maintaining, inspecting, or removing the city's property for the performance under or termination of the city's agreement with the customer and under such performance shall not be liable for trespass. The city shall not be unreasonably denied access to premises including access to hydrants, meters and backflow assemblies at all reasonable times. The city shall establish ~~and adopt by separate ordinance, a citywide fee schedule and incorporate~~ fees for violation of premises accessibility in the city fee schedule.

...

(j) *Delinquent bills.*

...

(5) Each customer account agreement shall include a provision stating that amounts owed and unpaid more than 21 days after the presentation of the customer's bill via electronic transmittal to the customer authorized email address, or mailed to the last known customer address on record with the city utilities department, shall be considered delinquent without further notice and shall thereafter be subject to an administrative late fee which shall be set forth in the citywide fee schedule of fees ~~adopted by separate ordinance from time to time,~~ and shall be subject to a delinquency processing fee if service is disconnected.

...

227 (n) *Unauthorized connections.* Connections to the city's water, wastewater or reclaimed
228 water system for any purpose whatsoever may be made only by employees of the city.
229 Any unauthorized connections to the customer's water, wastewater or reclaimed water
230 service shall be subject to immediate discontinuance by the city without notice. Water,
231 wastewater and reclaimed water service shall not be restored until such unauthorized
232 connection has been removed and until payment in full is made to the city for all water,
233 wastewater and reclaimed water service estimated by the city to have been used by
234 reason of such unauthorized connection as well as the unauthorized connection fee. The
235 city shall establish ~~and adopt by separate ordinance,~~ a citywide fee schedule setting
236 forth fees for unauthorized connections.

237 ...
238 (u) *Discontinuance of service.* Once connection to the system is made by a meter being set,
239 base facility charges begin to be billed on a monthly basis. If after connection, a
240 customer on a property without improvements (no structure), requests in writing,
241 discontinuance of service in order to stop the base facility charges, the customer will
242 forfeit the right to the capacity previously reserved for that location, and new capacity
243 fees and meter installation charges at the then current rate will apply when
244 reconnection to the system is requested. No reimbursement will be made for any prior
245 base facility charges or capacity fees paid. A meter removal fee will be charged on the
246 account and all fees on the account, including but not limited to the meter removal fee
247 and base facility charges through the date of removal, must be paid prior to removal of
248 the meter. The city shall establish ~~and adopt by separate ordinance,~~ a citywide fee
249 schedule ~~incorporating~~ setting forth a meter removal fee to cover the costs of removing
250 the meter at the location upon request of the customer for discontinuance of service.

251 ...
252 **Sec. 78-25. – Water meter installation charges.**

253
254 Each applicant shall be charged for the meter, meter service box, all appurtenances and for
255 installation of the water meter, reclaimed water meter and any irrigation meter. The city shall
256 establish ~~and adopt by separate ordinance,~~ a citywide fee schedule ~~and incorporate~~ setting forth
257 fees for water meter installation charges. Service charges for connections requiring installation
258 of a meter not specifically addressed in the citywide fee schedule will be based on the actual
259 cost of materials, labor, and overhead. In the event that the actual installation costs exceed the
260 established installation cost, the cost of such installation, including the installation of the water
261 meter will be based on the actual cost of installation, regardless of meter size. In no event will
262 such cost be less than the meter installation charges outlined in the citywide fee schedule.

263
264 **Sec. 78-26. – Meter testing.**

265
266 Meter testing shall be done at the customer's request, and in accordance with the following
267 guidelines and schedules:

268
269 (1) *Meter test request.* If any customer requests a test of the water meter, the city will
270 require a deposit to defray the cost of testing. The meter test fee deposit city shall be
271 set forth in the ~~establish and adopt by separate ordinance,~~ a citywide fee schedule
272 ~~incorporating such deposit for meter test requests.~~

273 ...
274

275 **Sec. 78-28. – Activation of service; reinstatement of existing service; delinquency processing**
276 **fee; delinquency disconnection fee; construction meter verification penalty and premises visit**
277 **fee.**

278 ...
279 (7) The city shall establish ~~and adopt by separate ordinance,~~ a citywide fee schedule
280 ~~and incorporate~~ setting forth fees for activation of service, reinstatement of existing
281 service during normal hours and after hours, delinquency processing fee,
282 delinquency disconnection fee, during normal hours and after hours, construction
283 meter verification penalty and a premises visit fee.

284 ...
285 **Sec. 78-30. – Water and wastewater capacity fees.**

286 ...
287 (f) *Reservation of water, wastewater and reclaimed water capacity.* Water, wastewater
288 and/or reclaimed water may be reserved for a development pursuant to a utilities
289 developer's agreement approved by the city commission. Such agreement shall be
290 required prior to the construction of water, wastewater or reclaimed water
291 infrastructure by a developer. In addition, no FDEP or health department permits for
292 construction of water, wastewater and/or reclaimed water infrastructure will be
293 approved without an approved utilities developer's agreement and payment of all
294 applicable fees. The city may consider failure to reserve water, wastewater or reclaimed
295 water capacity in determining whether to grant or deny any development, FDEP or
296 construction permit or approval or rezoning application filed. The city shall establish ~~and~~
297 ~~adopt by separate ordinance,~~ a citywide fee schedule, ~~incorporating~~ setting forth fees to
298 be paid by the developer to the city for negotiation and development of utilities
299 developer's agreements based on the number of ERCs being requested.

300 ...
301 **Sec. 78-32. – Returned payment charges.**

302
303 There shall be a charge for each payment returned to the city as a result of insufficient or
304 non-collectable funds. The city shall establish ~~and adopt by a separate ordinance,~~ a citywide fee
305 schedule ~~incorporating~~ setting forth fees for returned payments.

306
307 **Sec. 78-33. – Meter rereads.**

308
309 Upon request of a customer, the city shall, without charge, reread the customer's meter to
310 determine if a reading was accurate, provided that a customer request for meter reread has not
311 been made during the preceding 12 months. Should a customer request to have the meter
312 reread more frequently than once every 12 months, the customer shall pay a charge for each
313 additional reread. If the customer requested reread of the meter results in a corrected bill, the
314 meter reread charge shall not be assessed and the customer will be rendered a corrected bill.
315 Upon request of a customer to have a reread performed, which is not part of the monthly
316 readings during the normal billing cycle, the customer shall pay a charge for the reread. The city
317 shall establish ~~and adopt by a separate ordinance,~~ a citywide fee schedule ~~incorporating~~ setting
318 forth a customer request meter reread fee.

319 ...
320
321 **Sec. 78-36. – Late payment fees.**

322
323 The city shall establish ~~and adopt by separate ordinance,~~ a citywide fee schedule
324 ~~incorporating~~ setting forth fees to be charged to those customers delinquent in the payment of
325 the monthly utility bills.

326
327 **Sec. 78-37. – Reimbursement for extra expenses.**

328
329 The city shall charge customers, property owners, contractors and developers for specific
330 utilities services. Such charges shall include the following: fire flow test fee, per test; force main
331 pressure test fee, per test; utilities construction plan review fee, per review; utilities inspection
332 fee; construction/reinspection fee; overtime inspection fee; certificate of occupancy fee; service
333 availability fee, per property request; Vac Con truck, TV truck, lien search/delinquency search
334 fees and actual costs for other miscellaneous utilities service performed by city staff and outside
335 professional services. The city shall establish ~~adopt by separate ordinance,~~ a citywide fee
336 schedule ~~incorporating~~ setting forth the fees listed above. In some instances, reimbursement to
337 the city for extra expenses may be determined on an individual basis dependent upon the
338 complexity of the service performed. In such cases, FEMA Schedule of Equipment Rates and
339 actual recovery costs of city staff and outside professional service(s) shall be used.

340 ...
341
342 **Sec. 78-42. – Enforcement, violations, penalties.**

343
344 Violations of the provisions of this article or failure to comply with any of the requirements
345 set forth therein, including violation of conditions of any utility developer’s agreement shall be
346 prosecuted as provided by law. Each day such violation continues shall be considered as
347 separate events. Nothing herein contained shall prevent the city from making such other lawful
348 actions as is necessary to prevent or remedy any violations, including seeking injunctive relief in
349 a court of competent jurisdiction, or terminating service as permitted by law. The city shall
350 establish ~~and adopt by separate ordinance,~~ a citywide fee schedule ~~incorporating~~ setting forth
351 ~~penalties~~ fees for such violations.

352 ...
353
354 **ARTICLE V. CROSS-CONNECTION CONTROL**

355 ...
356 **Sec. 78-129. – Cross-connection control program.**

357 ...
358 (f) Residential biennial backflow preventer testing.

359 ...
360
361 (4) The non-compliance fee, shut-off non-compliance fee, interest rate and
362 administrative charges in the city fee ~~structure,~~ schedule will be set forth in the
363 biennial customer notice.

364 ...
365
366 **Sec. 78-130. – Noncompliance.**

367 ...
368 (c) *Non-compliance fee.* Any person, firm, association, corporation, or other legal entity,
369 failing to comply with the provisions of this article; or causing any backflow prevention

370 device to be bypassed; or compromising an air-gap separation system; or failing to test,
371 inspect, replace, or maintain any backflow prevention device in accordance with this
372 article, shall be deemed to be in noncompliance with this article and shall be assessed
373 the applicable cost, noncompliance fee, interest rate and administrative charges,~~as~~
374 ~~amended from time to time in the City Fee Structure attached as Appendix A to this~~
375 ~~code, and as set forth in the customer notice.~~

376 ...

377
378 **Sec. 78-131. – Schedule of fees.**

379
380 The city commission shall establish a schedule of applicable cross-connection program fees
381 and charges in the citywide fee schedule ordinance, ~~which may be amended from time to time.~~
382 ...”

383
384 **SECTION 3 – AMENDMENTS TO UNIFIED LAND DEVELOPMENT CODE**

385
386 3.01 Chapter 1 of the Unified Land Development Code is hereby amended as follows:

387
388 **“Chapter 1 – GENERAL PROVISIONS**

389 ...

390 **ARTICLE II. – ADMINISTRATION OF UNIFIED LAND DEVELOPMENT CODE**

391 ...

392 **Sec. 1-22. – Fees.**

393 ...

394 B. Fees and charges are set forth in the ~~Code of the City of North Port, Florida, Appendix~~
395 ~~A – City fee schedule Structure. A schedule of these fees and charges shall be posted in~~
396 ~~the department responsible for land development services and viewable by the public.~~

397 ...”

398
399 3.02 Chapter 13 of the Unified Land Development Code is hereby amended as follows:

400
401 **“Chapter 13 – DOCKS, SEAWALLS, OTHER STRUCTURES AND MARINE VESSELS REGULATIONS**

402 ...

403 **Sec. 13-8. – Fees.**

404 ...

405 A. Each permit application shall be accompanied by a nonrefundable fee pursuant to the
406 City Commission adopted fee schedule ~~as may be amended from time to time.~~

407 ...”

408
409 3.03 Chapter 18 of the Unified Land Development Code is hereby amended as follows:

410
411 **“Chapter 18 –STORMWATER REGULATIONS**

412 ...

413 **Sec. 18-10. – Stormwater management standards.**

414 ...

415 B. *Design standards.* To comply with the foregoing performance standards, the proposed
416 stormwater management system shall conform to the following design standards:

417 ...

418 (17) Design requirements with respect to floodplain encroachment and floodplain
419 compensation.

420 ...

421 (c) Other methods of floodplain compensation that are acceptable to SWFWMD
422 will be acceptable to the City also. In lieu of the equivalent excavation method
423 of floodplain compensation, the Big Slough Watershed hydraulic model that is
424 considered by SWFWMD as the most appropriate information available may be
425 used with the proposed development, to demonstrate no adverse impacts on-
426 site or off-site for the one hundred (100) year design storm. The analysis using
427 the Big Slough Watershed hydraulic model must show no significant increase in
428 off-site stages. As the Big Slough Watershed hydraulic model is a very detailed
429 and extensive model, to ensure a fair and reasonable analysis, the developer
430 must pay the fees specified in the city fee schedule Ordinance as adopted by
431 ~~the City Commission~~, in order for the City to retain a consultant to perform this
432 hydraulic analysis using the Big Slough Watershed hydraulic model. Selection of
433 the consultant will be mutually agreeable to both the City and the Developer.

434 ...”

435

436 3.04 Chapter 33 of the Unified Land Development Code is hereby amended as follows:

437

438 **“Chapter 33 – MINOR AND MAJOR SITE DEVELOPMENT REGULATIONS**

439 ...

440 **Sec. 33-5. – Procedure for securing minor site and development plan approval.**

441 ...

442 D. Prior to the issuance of the building permit, the applicant shall pay to the City a
443 processing fee ~~as required set forth in pursuant to the City Commission adopted fee~~
444 ~~schedule as amended from time to time~~. Checks shall be made payable to the City of
445 North Port.

446 ...

447

448 **Sec. 33-6. – Procedure for securing minor site and development plan approval.**

449 ...

450 C. Residential construction and land clearing.

451

452 (1) Public works permits.

453 ...

454 (d) An application fee pursuant to the City Commission adopted fee schedule as
455 ~~may be amended from time to time~~.

456 ...

457 (g) Provided that the application is complete, applicable regulations met and the
458 fee, pursuant to the City Commission adopted fee schedule as may be
459 ~~amended from time to time~~, is paid, a public works permit will be issued as
460 authorization that the proposed work may commence.

461 ...

462 (4) Inspections.

463 ...

464 (d) Any inspections requested or required in excess of those outlined above will be
465 made prior to the issuance of the certificate of occupancy and only after
466 payment of an additional inspection fee pursuant to the cCity Commission
467 ~~adopted~~ fee schedule ~~as amended from time to time~~ and twenty-four (24)
468 hours' advance notice.

469 ...
470

471 **ARTICLE II. MAJOR SITE AND DEVELOPMENT**

472 **Sec. 33-8. – Procedure for securing major site development plan approval.**

473 ...

474 C. *Fees and verification of ownership.* Upon filing the initial application for major site and
475 development plan approval, the developer shall pay to the City all fees ~~as required~~
476 pursuant to the cCity Commission ~~adopted~~ fee schedule ~~as may be amended from time~~
477 ~~to time~~. Checks shall be made payable to the City of North Port. Proof of clear
478 ownership shall be required prior to the processing of the formal petition.

479 ...”

480
481
482 3.05 Chapter 37 of the Unified Land Development Code is hereby amended as follows:

483 **“Chapter 37 – SUBDIVISION REGULATIONS**

484 ...

485 **ARTICLE IV. – ROADWAY DESIGN AND CONSTRUCTION STANDARDS**

486 ...

487 **Sec. 37-46. – Street names and addressing.**

488 ...

489 H. Any subdivision that needs numbering may:

490
491
492 (1) Submit a copy of the proposed subdivision address plan on a scale of one (1) inch
493 equals two hundred (200) feet or a scale to be determined by the department
494 responsible for land development services to the City for addressing and pay a fee
495 pursuant to the cCity Commission ~~adopted~~ fee schedule ~~as may be amended from~~
496 ~~time to time~~, or;

497 (2) Contact the department responsible for land development services for the City of
498 North Port's grid ranges and assign street numbers that fall within the grid ranges
499 provided. If the applicant has completed the street numbering plan on a copy of
500 the proposed address plan on a scale of one (1) inch equals two hundred (200)
501 feet or scale to be determined by the City, the plan along with a fee pursuant to
502 the cCity Commission ~~adopted~~ fee schedule ~~as may be amended from time to~~
503 ~~time~~, shall be submitted to the City for review and approval.

504 ...”

505
506 3.06 Chapter 45 of the Unified Land Development Code is hereby amended as follows:

507 **“Chapter 45 – TREE PROTECTION REGULATIONS**

508 ...

509 **Sec. 45-7. – Tree removal mitigation.**

510
511

512 A. When trees are removed as part of a tree removal permit, mitigation shall be required
513 to restore and biologically enhance existing green space and assure no net canopy
514 loss. The following provides tree mitigation as a basis for offsetting the loss of values
515 (aesthetic, ecological, monetary, etc.) from taking down a tree based upon its species
516 and size.

517
518 (1) *Mitigation fees.* Mitigation fees shall be paid as follows:

519
520 (a) Removal of a tree classified as "heritage" shall require a mitigation fee as
521 established in the cCity fee schedule structure.

522
523 (b) Removal of a tree classified as "protected" shall be based on mitigation points.
524 The cost per mitigation point is established in the cCity fee schedule structure.

525 ...”

526
527 3.07 Chapter 53 of the Unified Land Development Code is hereby amended as follows:

528
529 **“Chapter 53 – ZONING REGULATIONS**

530
531 **PART 1. – GENERAL PROVISIONS**

532 ...

533 **Sec. 53-4. – Fees.**

534
535 Prior to the scheduling of any application or the issuance of a development order, order of
536 approval, land_clearing permit, building permit, temporary certificate of occupancy or
537 certificate of occupancy, all applicable fees pursuant to the cCity Commission-adopted-fee
538 ~~schedule as may be amended from time to time~~, shall be paid in full unless the project is
539 found to be exempt from paying fees.

540 ...

541 **PART 4. – ADMINISTRATIVE PROVISIONS**

542 ...

543 **ARTICLE XIII. – ADMINISTRATION AND ENFORCEMENT**

544
545 **Sec. 53-265. – Temporary uses and special events.**

546

547 Certain uses are temporary in character...

548 ...

549 B. Temporary use permits. An application for a temporary use permit shall be
550 submitted at least sixty (60) days in advance of any use that is a long term or
551 promotional event to be held within the City of North Port. A temporary use is
552 defined as any structure or event held in the City that is of a non-permanent
553 nature, lasting more than two (2) weeks in length. A temporary use permit is valid
554 for twelve (12) consecutive months from the date of issue, but may be annually
555 renewed. A fee pursuant to the City Commission adopted fee schedule as may be
556 amended from time to time, shall be required to be submitted with the
557 application to the department responsible for land development services for
558 processing, . . .

559 . . .”

560
561 3.08 Chapter 54 of the Unified Land Development Code is hereby amended as follows:

562
563 **“Chapter 54 – DEVELOPMENT AGREEMENT REGULATIONS**

564 . . .

565 **Sec. 54-5. – Schedule of fees.**

566
567 ~~The City Commission shall by resolution establish a schedule of f~~Fees for the filing,
568 processing and reviewing of, or an amendment to or cancellation of a development
569 agreement, or the annual review of a development agreement and related documents
570 submitted to the City pursuant to the Development Agreement Act and these regulations,
571 must be paid pursuant to the city fee schedule.

572 . . .”

573
574 **SECTION 4 – CONFLICTS**

575
576 4.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in
577 whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

578
579 **SECTION 5 – SEVERABILITY**

580
581 5.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase,
582 or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be
583 deemed a separate, distinct, and independent provision and will not affect the validity of the
584 remaining portions of the ordinance.

585
586 **SECTION 6 – CODIFICATION**

587
588 6.01 In this ordinance, additions are shown as underlined and deletions as ~~strikethrough~~. Any
589 additional codification information and notations appear in *italics*. These editorial notations are
590 not intended to appear in the codified text.

591
592 **SECTION 7 – EFFECTIVE DATE**

593
594 7.01 This ordinance takes effect on October 1, 2024.

595

596 READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public
597 session on September 10, 2024.

598
599 ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in
600 public session on September 24, 2024.

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CITY OF NORTH PORT, FLORIDA

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ALICE WHITE

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MAYOR

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611 ATTEST

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HEATHER FAUST, MMC
CITY CLERK

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619 APPROVED AS TO FORM AND CORRECTNESS

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AMBER L. SLAYTON, B.C.S.
CITY ATTORNEY

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