



City of North Port

ORDINANCE NO. 2024-11

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATED TO THE CONSTRUCTION TRAFFIC ROAD FEE; AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, SECTION 66-69; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Code of the City of North Port, Florida (“City Code”) Section 66-69 establishes the City’s Construction Traffic Road Fee and codifies the amount of the road fee assessed at the time of building permit issuance; and

WHEREAS, City Code, Appendix A, establishes the City’s Fee Structure and codifies the different amount for the Construction Traffic Road Fee assessed at the time of the building permit issuance, conflicting with the fee codified in City Code Section 66-69; and

WHEREAS, the City Commission finds that eliminating the conflicting Construction Traffic Road Fees in the City Code and codifying the fee as provided in the City Fee Structure serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

- 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
- 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City’s website on or before the date the newspaper published notice of this ordinance’s final reading.

SECTION 2 – ADOPTION

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

“Chapter 66 – SPECIAL DISTRICTS

...

ARTICLE III. – ROAD AND DRAINAGE DISTRICT

...
DIVISION 2. – ROAD MAINTENANCE REHABILITATION PROGRAM

...
Sec. 66-69. – Construction traffic road fee.

- (a) A construction traffic road fee is hereby established. The fee must be paid prior to the issuance of a building permit and will be assessed as follows:
- (1) All single-family and two-family residential building permits will be assessed pursuant to the fee identified in the city fee schedule. ~~at \$0.50 per square foot of all structures.~~
 - (2) All other building permits, including nonresidential, commercial, or multi-family residential will be assessed pursuant to the fee identified in the city fee schedule. ~~at \$0.75 per square foot of all structures.~~
- (b) The construction traffic road fee applies to new construction and additions but will not be charged for the renovation or interior remodeling of an existing structure. ~~Developed property shall not be charged a construction traffic road fee."~~

SECTION 3 – CONFLICTS

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

SECTION 4 – SEVERABILITY

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

SECTION 5 – CODIFICATION

5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on June 25, 2024.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on July 23, 2024.

CITY OF NORTH PORT, FLORIDA

ALICE WHITE
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

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