



5) that the amount of the fees is "roughly proportional" to the fair share of the necessary public service and facility demand needed to provide adequate service to new development; and

**WHEREAS**, the increased impact fees assessed pursuant to this Ordinance are necessary to ensure the public health, safety and welfare of the residents of the City of Oviedo; and

**WHEREAS**, the City Council of the City of Oviedo hereby finds and determines that the provisions of this Ordinance are consistent with the *Comprehensive Plan of the City of Oviedo* and the controlling provisions of State law; and

**WHEREAS**, the City Council of the City of Oviedo hereby finds and determines that it has taken all actions relating to the enactment of this Ordinance in accordance with the requirements and procedures mandated by State law.

**NOW, THEREFORE, BE IT ENACTED BY** the City Council of the City of Oviedo as follows:

**SECTION 1.** The capital Recovery Charges (Impact fees) for new residential and commercial connections in Resolution No. 653-00 are deleted and are hereby amended as follows:

Effective March 1, 2008:

- a. **RESIDENTIAL:**     **\$1,775.00 per EQUIVALENT RESIDENTIAL UNIT**
- b. **COMMERCIAL:**   **\$5.07 per GALLON per DAY**  
                              **\$1,775.00 minimum**

Effective March 1, 2009:

- a. **RESIDENTIAL:**     **\$2,050.00 per EQUIVALENT RESIDENTIAL UNIT**
- b. **COMMERCIAL:**   **\$5.86 per GALLON per DAY**  
                              **\$2,050.00 minimum**

Effective March 1, 2010:

- a. **RESIDENTIAL:**     **\$2,325.00 per EQUIVALENT RESIDENTIAL UNIT**
- b. **COMMERCIAL:**   **\$6.64 per GALLON per DAY**  
                              **\$2,325.00 minimum**

**SECTION 2. Conflicts.** To the extent of any conflict between any other City regulations and ordinances and this Ordinance, this Ordinance shall be deemed to control. Provided, that this Ordinance is not intended to amend or repeal any existing Article or regulation, unless expressly set forth in this Ordinance.

**SECTION 3. Severability.** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section of part of this Ordinance.

**SECTION 4. Codification.** The provisions of this Ordinance shall be codified as, and become and be made a part of the *City of Oviedo Code of Ordinance*. The Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance" or similar words may be changed to "Section," "Article," or other appropriate words; provided however that Sections 2, 3, 4, and 5 shall not be codified.

**SECTION 5. Effective Date.** This Ordinance shall become effective immediately upon completion of the ninety (90) day notice period required by Section 163.31801, *Florida Statutes*.

**FIRST READING:** November 19, 2007

**SECOND READING:** December 3, 2007

**PASSED AND ADOPTED this** 3rd **day of** December **, 2007.**

Mary Lou Andrews  
**MARY LOU ANDREWS**  
**MAYOR of the City of Oviedo, Florida**

**ATTEST:**

Barbara J. Barbour  
**Barbara J. Barbour**  
**CITY CLERK**

