

**RESOLUTION NO. 3064-15**

**A RESOLUTION OF THE CITY OF OVIEDO, FLORIDA ESTABLISHING A FEE SCHEDULE; PROVIDING FOR FINDINGS; PROVIDING FOR THE AMOUNTS AND INSTITUTION OF DIVERSE FEES AND CHARGES; AUTHORIZING THE CITY MANAGER TO INSTITUTE IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Oviedo has enacted various codes and ordinances which provide for diverse fees and charges and have initiated and maintained various programs of multiple types and natures which are funded, at least in part, by user fees; and

**WHEREAS**, it is fiscally prudent and appropriate for the City Council, from time-to-time, to establish, by resolution, the reasonable fees and charges for diverse services provided or costs incurred by the City in the administration of the activities and programs of the City; and

**WHEREAS**, the provisions of controlling State law provide authority for a municipality to levy reasonable fees and charges commensurate with the cost of the activities, functions and programs funded by the City; and

**WHEREAS**, the City Council has the authority to impose reasonable regulatory fees for services being rendered to the public; and

**WHEREAS**, the City Council has, in adopting prior resolutions, previously approved and implemented fees related to land development, building and inspection permits, licensing, site plans, maps and administrative charges relating thereto, recreational programs and other actions and activities of the City; and

**WHEREAS**, the City Council has determined that it is fiscally responsible, necessary and beneficial to the public to revise and restructure application, permit, use and inspection fees previously established in the City in order to ensure the appropriate provision of beneficial services to the citizens of the City and users of City governmental functions and programs; and

**WHEREAS**, the City Council of the City of Oviedo, Florida, has determined that all of the fees set forth hereinafter are equitable and necessary for the regulatory and programmatic matters involved in the activities and functions funded by the City; and

**WHEREAS**, the City Council of the City of Oviedo, finds that all conditions precedent and notices required by State law as may be necessary to accomplish the actions taken herein have been appropriately implemented.

**WHEREAS**, City budget and financial policies require to the extent possible and reasonable that City services which provide private benefit should be supported by fees and charges in order to

provide maximum flexibility in the use of general City taxes in meeting the cost of services that provide a broader public benefit.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:**

**SECTION 1. Findings.** The foregoing recitals (whereas clauses) are incorporated herein by reference and adopted as legislative and administrative findings in support of the matters set forth in this Resolution and made a part hereof.

**SECTION 2. Fee Schedule.**

(a) The fee and charge schedule attached to this Resolution as Exhibit "A" is hereby adopted as the fee and charge schedule of the City of Oviedo and is incorporated into this Section as if fully set forth herein verbatim.

(b) All City Attorney's fees and other required City contracted service costs (i.e., surveyor, engineering, appraisal, printing, etc.) are the responsibility of the applicant and will be in addition to the noted fixed fees and may be charged at a rate that exceeds the municipal rate charged to the City.

(c) Any action or activity of the City not listed or enumerated in Exhibit "A" shall be charged at a rate which shall approximate the cost of the action or activity as determined by the City Manager, or designee, relative to the implementation of the program, activity or service provided by the City.

**SECTION 3. Implementing Administrative Actions.**

(a) The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Resolution and to take any and all necessary administrative actions.

(b) It is the intent of the City Council that the costs incurred by the City relative to the administration of development and related activities within the City be borne by the benefitting party and the City Manager is granted broad and liberal authority to ensure that the intent of the City Council is appropriately administered and that the City and its departments and offices are fiscally managed in a prudent manner.

(c) The City Manager is hereby directed to establish a budget for the City that will reasonably include revenues that are derived from the fees and charges assessed in this Resolution and present anticipated revenues as part of the annual budget process.

**SECTION 4. Savings.** The prior actions of the City of Oviedo relating to the adoption of City tax rates and related budgetary actions and activities are hereby ratified and affirmed.

**SECTION 5. Conflicts.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 6. Severability.** If any Section or portion of a Section of this Resolution 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 or part of this Resolution.

**SECTION 7. Effective Date.** This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of September, 2015.

  
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**DOMINIC PERSAMPIERE**  
MAYOR of the City of Oviedo, Florida

**ATTEST:**

  
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**Barbara J. Barbour**  
CITY CLERK

