Introduced by Council Member Cumber:

ORDINANCE 2022-97-E

AN ORDINANCE AMENDING CHAPTER 106 (BUDGET AND ACCOUNTING CODE), PART 1 (GENERAL PROVISIONS), SECTION 106.112 (ANNUAL REVIEW OF FEES) TO EXCLUDE FEES ESTABLISHED PURSUANT TO A COURT ORDER OR OTHER LEGAL AGREEMENT FROM THE ANNUAL REVIEW OF FEES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, from time to time the basis for the amount of the City's fees may be challenged in judicial proceedings, resulting in a legal determination or other legal agreement regarding the amount the City may charge for such fees; and

WHEREAS, the determination of those fees and amounts regarding increases in those fees may be legally different than the general rules concerning the annual review of fees established in section 106.112, Ordinance Code; and

WHEREAS, this legislation is intended to exempt those fees from the annual fee review process in order to avoid improper fee calculations that may be in contravention to a separate fee calculation requirement; now, therefore,

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Amending Chapter 106 (Budget and Accounting Code), Part 1 (General Provisions), Section 106.112 (Annual review of fees), Ordinance Code. Chapter 106 (Budget and Accounting Code), Part 1 (General Provisions), Section 106.112 (Annual review of fees), Ordinance Code, is hereby amended to read as follows:

Chapter 106. Budget and Accounting Code.

Part 1. General Provisions.

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Sec. 106.112. Annual review of fees.

The Chief Financial Officer of the City shall conduct a review of the fees imposed by the various departments of the City annually, and submit a report of <a href="https://historyco.org/historyco.or

Upon the completion of each annual review of fees, the Chief Financial Officer shall, for each existing fee found to be less than 85 percent of the actual cost to the City of providing the service relating to such fee, increase the fee by the greater amount of one-third of the difference between the existing fee and actual cost to the City of providing the service or the amount of the increase from the previous year resulting from the preceding calculation, but in no event shall the increase result in a fee greater than the actual cost to the City of providing the service relating to such fee.

Upon completion of each annual review of fees, the Chief Financial Officer is authorized, for each existing fee found to be equal to or more than 85 percent of the actual cost to the City of providing the service relating to said fee, increase the fee amount by up to the annual percentage change in the Consumer Price Index. The Consumer Price Index shall mean the Consumer Price Index for all Urban Consumers (CPI-U), U.S. City Average, all items 1982—1984 = 100, or successor reports for the preceding calendar year as initially

reported by the United States Department of Labor, Bureau of Labor
Statistics. Any fee changes as noted herein will be accomplished
through legislation.

Section 2. Effective Date. This ordinance shall become
effective upon signature by the Mayor or upon becoming effective
without the Mayor's signature.

Form Approved:

/s/ Margaret M. Sidman

Office of General Counsel

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- 13 Legislation prepared by: Jason R. Teal
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