

1 Introduced by Council Member Dennis:
2
3

4 **ORDINANCE 2019-699-D**

5 AN ORDINANCE ESTABLISHING A TEMPORARY
6 MORATORIUM ON THE COLLECTION OF ADDITIONAL
7 SOLID WASTE PERMIT CHARGES ON BUILDING AND
8 ROOFING PERMITS FOR THE TRANSPORT AND DISPOSAL
9 OF CONSTRUCTION AND DEMOLITION DEBRIS PURSUANT
10 TO SECTION 320.409, *ORDINANCE CODE*; PROVIDING
11 THAT THE MORATORIUM REMAIN IN EFFECT FROM
12 ENACTMENT UNTIL APRIL 1, 2020; PROVIDING FOR A
13 DIRECTIVE TO THE LEGISLATIVE SERVICES DIVISION
14 TO CIRCULATE ENACTED LEGISLATION TO THE
15 WEBMASTER FOR IMMEDIATE UPDATE OF FEES ONLINE;
16 REQUESTING EMERGENCY PASSAGE UPON
17 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, Ordinance 2019-55-E was adopted, in part, to
20 implement an additional solid waste permit charge on building and
21 roofing permits for the transport and disposal of construction and
22 demolition debris in lieu of the payment of a host fee for
23 construction and demolition debris generated with the City of
24 Jacksonville; and

25 **WHEREAS**, the revenue from the fees generated would be
26 distributed between the Solid Waste Management Facility Mitigation
27 Funds, Contamination Assessment and Remediation Fund, Landfill
28 Closure Fund and the Solid Waste Enterprise Fund, as provided in
29 Section 380.405, *Ordinance Code*; and

1 **WHEREAS**, the 2019 Florida Legislature enacted an amendment to
2 the Florida Building code in CS/CS/HB 447 prohibiting the local
3 enforcement agencies from charging surcharges other similar fees
4 not directly related to the enforcement of the Florida Building
5 Code, a copy of an excerpt of §553.80, F.S., is attached hereto as
6 **Exhibit 1**; and

7 **WHEREAS**, in an attempt to evaluate the increase in building
8 code permit fees approved by Ordinance 2019-55-E and Section
9 320.409 (Scheduling of Permit Fees), *Ordinance Code*, with the
10 Florida Legislature's amendment to Florida Statutes §553.80, the
11 City of Jacksonville desires to place a moratorium on the increase
12 of permit fees, until an analysis of the fees and the use of same
13 has been conducted, now therefore; now therefore

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

15 **Section 1. Findings and Statement of Intent.**

16 (a) The above recitals are hereby adopted as the Council's
17 Findings of Fact; and

18 (b) The Council will be undertaking a review of the City's
19 current laws governing the permit fees, Ordinance 2019-55-E and the
20 amendments to Florida Statute §553.80.

21 **Section 2. Temporary Moratorium Imposed.** The Council
22 hereby imposes a 6 month temporary moratorium on the collection of
23 additional solid waste permit charges on building and roofing
24 permits for the transport and disposal of construction and
25 demolition debris pursuant to Section 320.409, *Ordinance Code*.
26 This moratorium shall apply to all applications for additional
27 solid waste permit charge on building and roofing permits until
28 April 1, 2020. The rates in place prior to the enactment of 2019-
29 55-E shall be applicable, a copy of those rates are attached hereto
30 as **Exhibit 2**.

1 **Section 3. Duration of Moratorium.** This moratorium shall
2 remain in effect from enactment until April 1, 2020.

3 **Section 4. Directive to Legislative Services Division.**
4 The Chief of the Legislative Services Division is hereby directed
5 to forward a copy of the enacted legislation to the City webmaster
6 at webmaster@coj.net for immediate fee updates to
7 http://www.coj.net/fees, to maintain the fees scheduled as
8 permitted prior to enactment of the 2019-55-E, a copy of those
9 rates are attached in **Exhibit 2.**

10 **Section 5. Requesting emergency passage upon**
11 **introduction pursuant to Council Rules 4.901 Emergency.** Emergency
12 passage upon introduction of this legislation is requested. The
13 nature of the emergency is that the fees are currently being
14 charged.

15 **Section 6. Effective Date.** This ordinance shall become
16 effective upon signature by the Mayor or upon becoming effective
17 without the Mayor's signature.

18
19 Form Approved:

20
21 /s/ *Margaret M. Sidman*

22 Office of General Counsel

23 Legislation Prepared By: Margaret M. Sidman

24 GC-#1305994-v1-Dennis_Moratorium_Fees_.docx