

**SUMTER COUNTY ORDINANCE 2021-**

**AN ORDINANCE OF SUMTER COUNTY, FLORIDA, AMENDING CHAPTER 20 “ROADS AND BRIDGES”, ARTICLE III “ROAD IMPACT FEES”, DIVISION 4 “IMPACT FEE SCHEDULE,” SECTION 20-66 FEE SCHEDULE, OF THE SUMTER COUNTY CODE OF ORDINANCES; PROVIDING FOR A RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article VIII, section 1(g), Florida Constitution, Section 125.01 and Section 125.66, Florida Statutes, the Board of Sumter County Commissioners has all powers of local self-government to perform county functions, except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of county ordinances;

**WHEREAS**, pursuant to the Florida Impact Fee Act, Section 163.31801, Florida Statutes, the Board of Sumter County Commissioners is authorized to adopt impact fees by ordinance;

**WHEREAS**, the Board of Sumter County Commissioners desires to ensure the equitable and effective financing of public roads, bridges and other transportation infrastructure; and,

**WHEREAS**, the Sumter County Road Impact Fee Ordinance was established to provide a method to calculate, collect, and administer funds to offset the impact of new development on existing public roads and to finance, in whole or in part, new transportation infrastructure that may be necessitated by the impacts of development of private property; and,

**WHEREAS**, Section 20-48 of the Sumter County Code of Ordinances mandates periodic review of the analysis and calculations underlying the impact fee imposed as presented in the adopted road impact fee study; and,

**WHEREAS**, the Board of Sumter County Commissioners finds it reasonable, prudent and necessary to amend provisions of the Impact Fee Ordinance to amend the impact fee schedule contained in Section 20-66 of the Code by adjusting the percent of maximum allowable road impact fee rates as established in the roadway impact fee study adopted by Section 20-34 of the Code; and,

**WHEREAS**, notice of the proposed adjustment to the impact fee schedule was given by publication on March 14, 2021, and a public hearing on the proposed adjustment to the impact fee schedule was held on March 23, 2021; and,

**WHEREAS**, the Board of Sumter County Commissioners finds it reasonable, prudent and necessary to establish a revised table of road impact fees by land use classification consistent with the adopted study and the adjusted percent of maximum allowable road impact fee as set forth herein; and,

**WHEREAS**, the Board of Sumter County Commissioners finds this Ordinance to be consistent with, and in the best interest of, the health, safety, and welfare of the citizens of Sumter County, Florida.

**NOW, THEREFORE**, be it ordained by the Board of Sumter County Commissioners as follows:

**SECTION 1. PURPOSE.**

The purpose of this Ordinance is to Amend the Sumter County Code of Ordinances: Chapter 20 “Roads and Bridges,” Article III “Road Impact Fees” specifically amending Division 4 “Impact Fee

Schedule,” Section 20-66 Fee Schedule for the reasons set forth in the above Whereas clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY.

Pursuant to Article III, Section I of the Florida Constitution and Sections 125.01 and 125.66 of the Florida Statutes, the Sumter County Board of County Commissioners has all powers of local self-government to perform county functions and render county services and facilities except when prohibited by law, including the authority to amend its Code of Ordinances.

SECTION 3. PERCENT OF MAXIMUM ALLOWABLE RATE. The Commission hereby adopts the schedule of road impact fees at \_\_\_\_% of the maximum allowable road impact fee rate per the approved study entitled “Sumter County Roadway Impact Fee Study” dated October 4, 2019 as prepared by Tindale Oliver and adopted by Section 20-34 of the Code.

SECTION 4. AMENDMENT OF SECTION 20-66 FEE SCHEDULE. Section 20-66 Fee Schedule of the Sumter County Code is hereby amended in its entirety to reflect road impact fee rates for each land use classification at \_\_\_\_% of the maximum allowable road impact fee rate set forth in the approved study adopted by Section 20-34 of the Code.

SECTION 5. CODIFICATION.

It is the intention of the Sumter County Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Sumter County, Florida, with the exceptions of Sections 1, 2,, 5, 6, and 7. The word “Ordinance,” or similar words may be changed to “section,” “article,” or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein, within Chapter 20 of the Code of Ordinances.

SECTION 6. CONFLICTS AND REPEALER.

This Ordinance shall be cumulative of all provisions of the Ordinances of Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective June 28, 2021.

**PASSED AND ADOPTED** BY THE SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS, SUMTER COUNTY, FLORIDA THIS 23RD DAY OF MARCH, 2021

SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS

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GARRY BREEDEN, CHAIRMAN

ATTEST: \_\_\_\_\_  
GLORIA HAYWARD, SUMTER COUNTY CLERK OF COURT  
BY: CAROLINE ALRESTIMAWI, DEPUTY CLERK