



CITY OF OVIEDO FLORIDA
400 ALEXANDRIA BLVD, OVIEDO, FL 32765
COUNCIL AGENDA REGULAR SESSION
MONDAY, JUNE 15, 2026
CITY HALL 6:30 PM

11. **Ordinance No. 1772**, Amendments to Chapter 2 Administration, Article III. Boards, Commissions, Committees and Authorities, Division 4. Public Arts Board; Chapter 2 Article XI. Waiver of Development, Special Event and Other Fees Section 2-291 Waiver of development, special event and other fees; Chapter 22 Environment, Article IV. Noise, Section 22-123 Noise; and Chapter 28 Impact Fees by Public Facility, Article I. Procedural and Administrative Requirements Section 28-12 Updating, indexing, annual reporting, and audits.

Pursuant to Section 286.0105, Florida Statutes, any person desiring to appeal any decision made by the City Council, with respect to any matter considered at any meeting or hearing, will need a record of the proceedings and may need to ensure that a verbatim record of the processing is made which includes the testimony and evidence upon which the appeal is to be based. This record is not provided by the City of Oviedo.

All services, programs and activities of the City of Oviedo are offered and solicited without regard to race, color, national origin, age sex, religion, disability or family status. For information regarding the City's Title VI nondiscrimination policy, plan and procedures please visit www.cityofoviedo.net.

In accordance with the Americans with Disabilities Act, persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-971-5500 at least 48 hours in advance of the meeting.

Agenda Memorandum

To: Honorable Mayor and City Council Members

Prepared By: Debra Pierre, Deputy Development Services Director

From: Bryan Cobb, City Manager

Date: June 15, 2026

Subject: **Ordinance No. 1772**, Amendments to the *Code of Ordinances of the City of Oviedo, Florida* Chapter 2 Administration, Article III. Boards, Commissions, Committees and Authorities, Division 4. Public Arts Board; Chapter 2 Article XI. Waiver of Development, Special Event and Other Fees Section 2-291 Waiver of development, special event and other fees; Chapter 22 Environment, Article IV. Noise, Section 22-123 Noise; and Chapter 28 Impact Fees by Public Facility, Article I. Procedural and Administrative Requirements Section 28-12 Updating, indexing, annual reporting, and audits.

Procedure: Call Up Item
Presiding Officer Asks Attorney to Read Ordinance No. 1772 by Title Only
City Manager Background
Council Motion to Schedule Public Hearing to July 6, 2026
Council Action

Introduction: This is a request for City Council to approve amendments to the *Code of Ordinances of the City of Oviedo, Florida* (COO) Chapter 2 Administration, Article III. Boards, Commissions, Committees and Authorities, Division 4. Public Arts Board; Chapter 2 Administration, Article XI. Waiver of Development, Special Event and Other Fees Section 2-291 Waiver of development, special event and other fees; Chapter 22 Environment, Article IV. Noise, Section 22-123 Noise; and Chapter 28 Impact Fees by Public Facility, Article I. Procedural and Administrative Requirements Section 28-12 Updating, indexing, annual reporting, and audits.

Discussion: Ordinance No. 1772 proposed several amendments to the City's Code of Ordinances. The summary below provides a synopsis of each amendment per Chapter. Additions are shown in underline. Deletions are shown in strike-through.

Chapter 2 Administration, Article III. Boards, Commissions, Committees and Authorities, Division 4. Public Arts Board

At its June 23, 2025 work session, City Council directed staff to amend the Code of Ordinances to authorize the Public Arts Board to spend up to \$1,500 from the Public Arts Fund, at its discretion, for expenses related to approved public art projects. Staff recommends adding the following language to Section 2-83. Funds; earmarking; public sector and private sector donations (h):

Sec. 2-83. - Funds; earmarking; public sector and private sector donations.

(h) the public arts board shall have discretionary spending authority of up to \$1,500 per fiscal year from the public arts fund for use toward expenses related to any previously approved public works of art project. Such expenses may include, but are not limited to, plaques, lighting, landscaping, or merchandise associated with an existing approved public art installation.

**Chapter 2 Administration, Article XI. Waiver of Development, Special Event and Other Fees
Section 2-291 Waiver of development, special event and other fees**

At its January 26, 2026, work session, City Council discussed associated fees for non-profit special events and provided the following direction:

1. Remove tent permit fee from the fees eligible to be waived for non-profit special events in Section 2-291(b).

Staff recommends the following amendments to Section 2-291. Waiver of Development, Special Event and Other Fees to remove tent permit fees from the permit applications eligible for a fee waiver as provided below. The proposed amendments also removes any ambiguity in which of the fees the City Manager can approve or deny.

(b) The city manager shall ~~has the authority to~~ waive the following fees for the following events:

Event	Fees that <u>may</u> to be waived
City signature event	All fees and costs associated with a special event up to \$10,000.00.
Non-profit organizations	Special event permit application fee, <u>and</u> sign permit fees and tent permit fees . No personnel or equipment cost will be waived.
Events organized by the city	All fees and costs associated with a special event.

Chapter 22 Environment, Article IV. Noise, Section 22-123 Noise

Staff recommends amending Section 22-123 to establish a formal administrative process allowing the City Manager to grant temporary exemptions to established construction hours for strictly defined technical reasons such as situations where a continuous, uninterrupted process is required by engineering standards or material properties (i.e., large-scale concrete pours and curing processes).

The City's Code of Ordinance does not allow for an early-start or extended-hour construction activities. However, modern infrastructure and commercial development involve engineering requirements such as large-scale concrete pours that cannot safely or structurally be halted once initiated. The recommend amendments address these circumstances by creating a restrictive, temporary exemption process specifically for these unavoidable technical demands. The

recommended amendments balance development needs with community protection through a structured, three-part framework:

- Exemptions will *only* be granted for legitimate technical justification (i.e., large-scale concrete pours and curing processes). The code explicitly states that contractor convenience, project delays, or budgetary constraints do not qualify.
- Developers must submit a formal request five (5) business days in advance, detailing their description of work, the technical justification, the anticipated schedule, a noise/light mitigation plan, and a 24-hour emergency contact for the on-site supervisor. A two (2) day notice of a subsequent request is included to accommodate weather or scheduling adjustments.
- Neighbors within 200 feet must receive written notice 48 hours in advance, providing them with the project details, specific hours, and a direct line to the supervisor. Verification of this notification is a prerequisite for the project's Certificate of Occupancy.

Staff recommends the following amendments to Section 22-123:

(c) *Exempt noises*. The following types of noises shall be exempt from these provisions:

(1) Noises from temporary construction and maintenance activities between 7:00 a.m. and 7:00 p.m. except Sundays and federal holidays.

(2) Noises from Temporary Construction and Maintenance Activities: Such activities may be authorized outside of the hours established in Section 22-123(c)(1) upon written approval by the City Manager or their designee, subject to the following requirements:

- Initial Request: The applicant must submit a written request at least five (5) business days prior to the scheduled activity.
- Subsequent Requests: If an additional event or alternative date is required for the same activity and based on the same technical justification, written notice must be provided at least two (2) business days prior to the event.
- Justification Required: The applicant must document the specific technical justification necessitating work during non-exempt hours. For the purposes of this section, these justifications are defined as follows:
 - Technical Justification: Situations where a continuous, uninterrupted process is required by engineering standards or material properties (i.e., large-scale concrete pours and curing processes).
 - Project delays, budgetary constraints, or general contractor convenience do not constitute valid justifications.
- Written Request Requirements: To be considered for an exemption, the written request must include the following information:
 - Description of Activity: A detailed explanation of the work to be performed and the equipment to be used.

- ii. Justification: A formal statement of the technical or safety necessity (as defined in Subsection c).
- iii. Schedule: The anticipated date(s) and start/end times. If the exact date cannot be determined at the time of the initial request due to external variables, the applicant may provide an estimated date. The final date must be confirmed via the subsequent notice process in Subsection (b) at least two (2) business days prior to the start of work.
- iv. Mitigation Plan: A description of steps the applicant will take to minimize noise and light impacts on adjacent properties (e.g., equipment placement, directional lighting, etc.).
- v. Contact Information: The name and 24-hour telephone number of the on-site supervisor responsible for the activity.
- e. Notification of Neighboring Properties: The applicant/contractor shall provide written notification to all property owners within 200 feet of the subject parcel boundaries. This notice shall be delivered (via mail or hand-delivery) at least forty-eight (48) hours prior to the commencement of the activity. The written notice must contain:
 - i. The name of the project, property address, parcel identification number and the specific location of the activity displayed on the approved site plan.
 - ii. The approved date(s) and the exact start and end times.
 - iii. A description of the type of work being performed, including the specific noise and light impacts associated with the activity.
 - iv. The specific noise and light mitigation measures being utilized on-site.
 - v. The name and 24-hour telephone number of the on-site supervisor whom residents can contact directly regarding immediate noise or light concerns.
 - vi. Proof of Neighbor Notification: A copy of the written notice and a list of who it was sent to are to be presented by the applicant to the Staff prior to certificate of occupancy.
- f. Conditions of Approval: The City Manager or designee may impose additional conditions, including noise mitigation measures, duration limits, etc.

Chapter 28 Impact Fees by Public Facility, Article I. Procedural and Administrative Requirements Section 28-12 Updating, indexing, annual reporting, and audits.

At its September 16, 2024 meeting, the City Council adopted Ordinance No. 1748 approving the City's Mobility Plan and Mobility Fee. Ordinance No. 1748 also approved the Extraordinary Circumstances Study, a demonstrated-need study justifying the increase in excess of the statutory fifty percent (50%) and phase-in limitations. As such, mobility fees at the full amount became effective on December 16, 2024. Since the City adopted the mobility fee at the maximum

amount allowed by Statute, Staff has questioned if the inflationary adjustment language in Section 28-12(b) is consistent with Statute.

Additionally, at its December 1, 2025, meeting, the City Council adopted Ordinance No. 1761 approving a phase-in schedule pursuant to Florida Statutes 163.31801 for Law Enforcement, Fire and Rescue, Recreation and Parks, and Administrative Facilities impact fees. Each impact fee category had a 3.5% annual inflation factor calculated over the next four (4) years, and the rate for each impact fee category is capped at the maximum 50% increase to be phased in equally from 2026 through 2029. Local governments are also restricted from updating impact fees more than once every four (4) years. The Statute allows exceptions under “extraordinary circumstances,” which permit exceeding the 50% limit and implementing full rates immediately—but only with a detailed needs study completed within twelve (12) months, two (2) public workshops, and a two-thirds (2/3) vote of the governing body. Since Oviedo currently lacks master plans demonstrating extraordinary growth needs, the 2025 impact fee updates were capped at the 50% increase and phased in equally from 2026 to 2029, in compliance with state law.

After consultation with the City Attorney, it was determined that indexing the Mobility Fees, Law Enforcement, Fire and Rescue, Recreation and Parks, and Administrative Facilities impact fees is not consistent with the Florida Statutes since inflation was already captured with the adoption of Ordinance No. 1748 and Ordinance No. 1761, and such adjustments would not be consistent with the requirements of Sec. 163.31801(6), Fla. Stat. Therefore, Staff recommends the following amendments to Code of Ordinances Chapter 28, Section 28-12.

Sec. 28-12. Updating, indexing, annual reporting, and audits.

- (a) At least once every five years, the city shall update the technical report which provides the basis for the impact fees and the mobility plan and the mobility fee technical report which provides the basis for the mobility fees imposed under this chapter.
- ~~(b) During years when no update occurs, as required above, and beginning in July 2020 for the impact fee schedules and beginning October 2025 for the mobility fee schedule set forth in this chapter shall be adjusted annually to account for inflationary increases in the costs to the city of providing public facilities and multimodal projects to new development. These annual adjustments shall be consistent with the methodology set forth in the technical report and shall be based on the Construction Cost Index calculated by the Engineering News-Record (ENR), the Seminole County Property Appraiser, the U.S. Department of Labor Consumer Price Index, the Florida Department of Transportation databases, the city's public works department as applicable and appropriate to a particular public facility.~~

(b) ~~(c)~~ ...

(c) ~~(d)~~ ...

Honorable Mayor and City Council Members

June 15, 2026

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(d)(e) All updates and ~~annual adjustments~~ to this chapter shall comply with statutory requirements for notice and publication.

Budget Impact: There is no budget impact associated with Ordinance No. 1772.

Strategic Impact: The adoption of Ordinance No. 1772 is consistent with the City's overall economic development strategies, goals, and objectives.

Business Impact Estimate: A Business Impact Estimate is provided in Attachment 1.

Recommendation: It is recommended that City Council read Ordinance No. 1772 by title only and schedule a public hearing for Monday, July 6, 2026.

Attachment: 1. Business Impact Estimate

2. Staff's Presentation

City of Oviedo

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Oviedo has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Oviedo may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF OVIEDO, FLORIDA, SPECIFICALLY, CHAPTER 2 – ADMINISTRATION, ARTICLE III; CHAPTER 2 – ADMINISTRATION, ARTICLE XI; CHAPTER 22 – ENVIRONMENT, ARTICLE IV; AND CHAPTER 28 – IMPACT FEES BY PUBLIC FACILITY, ARTICLE I; AND PROVIDING FOR CONFLICTS, SEVERABILITY, IMPLEMENTING ADMINISTRATIVE ACTIONS, A SAVINGS PROVISION, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

Applicable Exemptions:

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - Development orders and development permits, as those terms are defined in s. 163.3164 and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;

- Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
- Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Oviedo hereby publishes the following information:

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

See Staff Report dated June 15, 2026, a copy of which is incorporated herein.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

Negligible to none, as the ordinance is focused on allowing temporary construction outside of normal hours; removal of tent permit fees as one of the eligible fees that may be waived; and the removal of indexing which complies with State law.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

There are no new fees.

- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

Negligible to none, as the ordinance is not focused on charging new fees.

- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

This ordinance will impact businesses that wish to begin early construction, allowing them to begin meeting certain criteria. The removal of indexing for impact fees and mobility fees will affect new development and redevelopment.

4. Additional information the governing body determines may be useful (if any):

N/A

Note: *The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*

ATTACHMENT 2



Ord. No. 1772 CODE OF ORDINANCES AMENDMENTS

Development Services Department

Chapter 2 Administration

Article III. Boards, Commissions, Committees and Authorities

Division 4. Public Arts Board



Section 2-83. Funds; earmarking; public sector and private sector donations:

(h) the public arts board shall have discretionary spending authority of up to \$1,500 per fiscal year from the public arts fund for use toward expenses related to any previously approved public works of art project. Such expenses may include, but are not limited to, plaques, lighting, landscaping, or merchandise associated with an existing approved public art installation.

Chapter 2 Administration

Article XI. Waiver of Development, Special Event and Other Fees

Section 2-291 Waiver of development, special event and other fees



(b) The city manager has the authority to waive the following fees for the following events:

Event	Fees that may <u>to</u> be waived
City signature event	All fees and costs associated with a special event up to \$10,000.00.
Non-profit organizations	Special event permit application fee; <u>and</u> sign permit fees and tent permit fees . No personnel or equipment cost will be waived.
Events organized by the city	All fees and costs associated with a special event.



Chapter 22 Environment

Article IV. Noise, Section 22-123 Noise

The recommended amendments balance development needs with community protection through a structured, three-part framework:

1. Exemptions will *only* be granted for legitimate technical justification (i.e., large-scale concrete pours and curing processes). The code explicitly states that contractor convenience, project delays, or budgetary constraints do not qualify.
2. Developers must submit a formal request five (5) business days in advance, detailing their description of work, the technical justification, the anticipated schedule, a noise/light mitigation plan, and a 24-hour emergency contact for the on-site supervisor. A two (2) day notice of a subsequent request is included to accommodate weather or scheduling adjustments.
3. Neighbors within 200 feet must receive written notice 48 hours in advance, providing them with the project details, specific hours, and a direct line to the supervisor. Verification of this notification is a prerequisite for the project's Certificate of Occupancy.

Chapter 28 Impact Fees by Public Facility
Article I. Procedural and Administrative Requirements
Section 28-12 Updating, indexing, annual reporting, and audits.



Sec. 28-12. Updating, indexing, annual reporting, and audits.

- (a) At least once every five years, the city shall update the technical report which provides the basis for the impact fees and the mobility plan and the mobility fee technical report which provides the basis for the mobility fees imposed under this chapter.
- ~~(b) During years when no update occurs, as required above, and beginning in July 2020 for the impact fee schedules and beginning October 2025 for the mobility fee schedule set forth in this chapter shall be adjusted annually to account for inflationary increases in the costs to the city of providing public facilities and multimodal projects to new development. These annual adjustments shall be consistent with the methodology set forth in the technical report and shall be based on the Construction Cost Index calculated by the Engineering News-Record (ENR); the Seminole County Property Appraiser, the U.S. Department of Labor Consumer Price Index; the Florida Department of Transportation databases, the city's public works department as applicable and appropriate to a particular public facility.~~

**It Is Recommended That City Council
Read Ordinance No. 1772 By Title Only,
And Schedule A Public Hearing For July
6, 2026.**



ORDINANCE NO. 1772

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING THE *CODE OF ORDINANCES OF THE CITY OF OVIEDO, FLORIDA*, SPECIFICALLY, CHAPTER 2 – ADMINISTRATION, ARTICLE III; CHAPTER 2 – ADMINISTRATION, ARTICLE XI; CHAPTER 22 – ENVIRONMENT, ARTICLE IV; AND CHAPTER 28 – IMPACT FEES BY PUBLIC FACILITY, ARTICLE I; AND PROVIDING FOR CONFLICTS, SEVERABILITY, IMPLEMENTING ADMINISTRATIVE ACTIONS, A SAVINGS PROVISION, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council conducted a work session on June 23, 2025, and directed staff to prepare amendments to Section 2-83 of the Code of Ordinances to authorize the Public Arts Board to spend up to \$1,500 from the Public Arts Fund, at its discretion, for expenses related to approved public art projects; and

WHEREAS, the City Council conducted a work session on January 26, 2026, and directed staff to prepare amendments to Section 2-291(b) of the Code of Ordinances to remove tent permit fee from the fees eligible to be waived for non-profit special events; and

WHEREAS, City Staff recommends amending Section 22-123 to establish an administrative process for allowing temporary exemptions to the City's noise regulations for certain work outside of currently exempt work hours; and

WHEREAS, City Staff recommends amending Section 28-12 to delete language pertaining to the annual indexing of impact and mobility fees to account for inflationary increases; and

WHEREAS, the City Council finds that its action serves the public health, safety, and welfare of the citizens of the City of Oviedo, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS

SECTION 1. Amendment to Chapter 2, Article III. Chapter 2 Administration, Article III Boards, Commissions, Committees and Authorities, Division 4. Public Arts Board, Section 2-83. Funds; earmarking; public sector and private sector donations is hereby amended as follows. Additions are shown in underline. Deletions are shown in strike-through.

Sec. 2-83. - Funds; earmarking; public sector and private sector donations.

(h) the public arts board shall have discretionary spending authority of up to \$1,500 per fiscal year from the public arts fund for use toward expenses related to any previously approved public works of art project. Such expenses may include, but are not limited to, plaques, lighting, landscaping, or merchandise associated with an existing approved public art installation.

SECTION 2. Amendment to Chapter 2, Article XI. Chapter 2 Administration, Article XI. Waiver of Development, Special Event and Other Fees, Section 2-291(b) is hereby amended as follows. Additions are shown in underline. Deletions are shown in strike-through.

(b) The city manager shall ~~has the authority to~~ waive the following fees for the following events:

Event	Fees that may <u>to be</u> waived
City signature event	All fees and costs associated with a special event up to \$10,000.00.
Non-profit organizations	Special event permit application fee, <u>and</u> sign permit fees and tent permit fees . No personnel or equipment cost will be waived.
Events organized by the city	All fees and costs associated with a special event.

SECTION 3. Amendment to Chapter 22 Environment, Article IV. Noise. Chapter 22 Environment, Article IV. Noise, Section 22-123. Noise (c) Exempt Noises is hereby amended as follows. Additions are shown in underline. Deletions are shown in strike-through.

(c) *Exempt noises.* The following types of noises shall be exempt from these provisions:

(1) Noises from temporary construction and maintenance activities between 7:00 a.m. and 7:00 p.m. except Sundays and federal holidays.

(2) Noises from Temporary Construction and Maintenance Activities: Such activities may be authorized outside of the hours established in Section 22-123(c)(1) upon written approval by the Land Use Administrator (LUA) or their designee, subject to the following requirements:

- a. Initial Request: The applicant must submit a written request at least five (5) business days prior to the scheduled activity.
- b. Subsequent Requests: If an additional event or alternative date is required for the same activity and based on the same technical justification, written notice must be provided at least two (2) business days prior to the event.
- c. Justification Required: The applicant must document the specific technical justification necessitating work during non-exempt hours. For the purposes of this section, these justifications are defined as follows:
 - i. Technical Justification: Situations where a continuous, uninterrupted process is required by engineering standards or material properties (i.e., large-scale concrete pours and curing processes).
 - ii. Project delays, budgetary constraints, or general contractor convenience do not constitute valid justifications.

- d. Written Request Requirements: To be considered for an exemption, the written request must include the following information:
 - i. Description of Activity: A detailed explanation of the work to be performed and the equipment to be used.
 - ii. Justification: A formal statement of the technical or safety necessity (as defined in Subsection c).
 - iii. Schedule: The anticipated date(s) and start/end times. If the exact date cannot be determined at the time of the initial request due to external variables, the applicant may provide an estimated date. The final date must be confirmed via the subsequent notice process in Subsection (b) at least two (2) business days prior to the start of work.
 - iv. Mitigation Plan: A description of steps the applicant will take to minimize noise and light impacts on adjacent properties (e.g., equipment placement, directional lighting, etc.).
 - v. Contact Information: The name and 24-hour telephone number of the on-site supervisor responsible for the activity.
 - e. Notification of Neighboring Properties: The applicant/contractor shall provide written notification to all property owners within 200 feet of the subject parcel boundaries. This notice shall be delivered (via mail or hand-delivery) at least forty-eight (48) hours prior to the commencement of the activity. The written notice must contain:
 - i. The name of the project, property address, parcel identification number and the specific location of the activity displayed on the approved site plan.
 - ii. The approved date(s) and the exact start and end times.
 - iii. A description of the type of work being performed, including the specific noise and light impacts associated with the activity.
 - iv. The specific noise and light mitigation measures being utilized on-site.
 - v. The name and 24-hour telephone number of the on-site supervisor whom residents can contact directly regarding immediate noise or light concerns.
 - vi. Proof of Neighbor Notification: A copy of the written notice and a list of who it was sent to are to be presented by the applicant to the Staff prior to certificate of occupancy.
 - f. Conditions of Approval: The LUA may impose additional conditions, including noise mitigation measures, duration limits, etc.
- ~~(2)~~(3) Noises from safety signals, emergency equipment and vehicles, warning devices and emergency pressure release valves.
- ~~(3)~~(4) Noises from motor vehicles such as automobiles, trucks, airplanes and railroads which are not under the control of the use.

~~(4)~~(5) Ordinary domestic noises such as voices, parties, music, etc. Such noises are regulated by chapter 22 of the City Code of Ordinances.

SECTION 4. Amendment to Chapter 28 Impact Fees by Public Facility, Article I. Procedural and Administrative Requirements. Chapter 28 Impact Fees by Public Facility, Article I. Procedural and Administrative Requirements is hereby amended by amending Section 28-12 Updating, indexing, annual reporting, and audits as follows. Additions are shown in underline. Deletions are shown in strike-through.

Sec. 28-12. Updating, indexing, annual reporting, and audits.

(a) At least once every five years, the city shall update the technical report which provides the basis for the impact fees and the mobility plan and the mobility fee technical report which provides the basis for the mobility fees imposed under this chapter.

~~(b) During years when no update occurs, as required above, and beginning in July 2020 for the impact fee schedules and beginning October 2025 for the mobility fee schedule set forth in this chapter shall be adjusted annually to account for inflationary increases in the costs to the city of providing public facilities and multimodal projects to new development. These annual adjustments shall be consistent with the methodology set forth in the technical report and shall be based on the Construction Cost Index calculated by the Engineering News-Record (ENR), the Seminole County Property Appraiser, the U.S. Department of Labor Consumer Price Index, the Florida Department of Transportation databases, the city's public works department as applicable and appropriate to a particular public facility.~~

~~(b)~~ (c) ...

~~(c)~~ (d) ...

~~(d)~~(e) All updates and annual adjustments to this chapter shall comply with statutory requirements for notice and publication.

SECTION 5. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 6. Savings. The prior actions and activities of the City of Oviedo relating to the Code of Ordinance and actions of the City are hereby ratified and affirmed.

SECTION 7. Codification; Scrivener's Errors.

(a). Sections 1, 2, 3, and 4 of this Ordinance shall be codified in the Code of Ordinances and all other sections shall not be codified.

(b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.

(c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 8. Conflicts. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 9. Severability. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 10. Effective Date. This Ordinance shall become effective immediately upon enactment.

FIRST READING: June 15, 2026

SECOND READING: July 6, 2026

PASSED AND ADOPTED this _____ day of _____, 2026.

MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ATTEST:

ELIANNE RIVERA
CITY CLERK