

**BY THE CITY COMMISSION
ORDINANCE NO. 2026-21**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AMENDING SECTION 2-452 OF CHAPTER 2 (ADMINISTRATION), ARTICLE VII (FINANCE), DIVISION 3 (FEES) OF THE CODE OF ORDINANCES OF THE CITY OF DADE CITY TO INCREASE THE PUBLIC SAFETY IMPACT FEE FOR NEW RESIDENTIAL, COMMERCIAL, INDUSTRIAL PROJECTS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Dade City provides police protection services to residents and businesses through the Dade City Police Department; and

WHEREAS, the City completed an evaluation of the City's cost of providing police protection services; and the City Commission thereafter amended the City's public safety impact fee ordinance (Section 2-451 through Section 2-453 of the Code of Ordinances with the passage of Ordinance No. 2021-14) to increase the public safety impact fee payable for all construction valued at \$5,000.00 or more within the municipal limits of the City; and

WHEREAS, as growth and development continue in the areas serviced by the Dade City Police Department, additional revenues are needed to offset increased costs of service delivery, operations, capital outlay, training, and new equipment for new residential and commercial developments; and

WHEREAS, the City Commission has determined that the cost of expansion of the Dade City Police Department caused by new growth should be borne by the developers of the new projects and the residents and businesses that will occupy the new structures; and

WHEREAS, Section 163.31801, *Florida Statutes*, referred to as the "Florida Impact Fee Act," authorizes the use of impact fees to create an important source of revenue for local governments to use in funding the infrastructure necessitated by new growth, provided the following criteria are satisfied:

- The fee must be calculated using the most recent and localized data.
- The local government adopting the impact fee must account for and report impact fee collections and expenditures. If the fee is imposed for a specific infrastructure need, the local government must account for those revenues and expenditures in a separate accounting fund.
- Charges imposed for the collection of impact fees must be limited to the actual costs.
- All local governments must give notice of a new or increased impact fee at least 90 days before the new or increased fee takes effect, but need not wait 90 days before decreasing, suspending, or eliminating an impact fee. Unless the result reduces total mitigation costs or impact fees on an applicant, new or increased impact fees may not apply to current or pending applications submitted before the effective date of an ordinance or resolution imposing a new or increased impact fee.

- A local government may not require payment of the impact fee before the date of issuing a building permit for the property that is subject to the fee.
- The impact fee must be reasonably connected to, or have a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.
- The impact fee must be reasonably connected to, or have a rational nexus with, the expenditures of the revenues generated and the benefits accruing to the new residential or commercial construction.
- The local government must specifically earmark revenues generated by the impact fee to acquire, construct, or improve capital facilities to benefit new users.
- The local government may not use revenues generated by the impact fee to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or commercial construction.

WHEREAS, a amendment to the Florida Impact Fee Law (House Bill 337) provides that impact fee increases are to be phased in according to a schedule set forth in the bill unless a unit of local government establishes it is qualified for an exception to the phase-in requirement s must conduct a study expressly demonstrating the "extraordinary circumstances" requiring the need to exceed the phase-in limitations, which study must be completed no earlier than 12 months before the adoption of the increase; and

WHEREAS, the City Commission has determined that the cost of expansion warrants a gradual increase in impact fees by a total of 8.66% by December 28, 2027, for new residential, commercial and industrial projects; and

WHEREAS, the increases of impact fees will be staggered at a rate of 4.33% per increase, with the first increase will be effective December 28, 2026; and

WHEREAS, the subsequent increase of 4.33% will be effective December 28, 2027, amounting to the total increase of 8.66%

WHEREAS, the City Commission held a public hearing with all required public notice on September 10, 2026, for the purpose of providing recommendations to the City Commission with regard to this Ordinance and recommended that the Commission adopt the amendments to the City's Code of Ordinances as set forth herein in **Exhibit "A"** attached hereto; and

WHEREAS, the City of Dade City finds that the amendments to its Code of Ordinances, as set forth herein, are consistent with all applicable policies of the City's Comprehensive Plan; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AS FOLLOWS:

Section 1. The findings set forth in the recitals above are adopted and fully incorporated herein by reference.

Section 2. The phased Impact fee rate increases are shown in **Exhibit A.**

Note: Underlined words constitute new text of the City of Dade City Land Development Regulations, asterisks (***) indicate an omission from the original text, which is intended to remain unchanged, and ~~strikethroughs~~ constitute deletions from the Land Development Regulations.

Section 3. Conflicts. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Codification. The provisions of this Ordinance and revisions to the City of Dade City Land Development Regulations, as set forth in Exhibit A, shall be codified. The sections, divisions, and provisions of this Ordinance and the Land Development Regulations may be renumbered or re-lettered as deemed appropriate by the codifier.

Section 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, in consultation with the City Attorney and City Clerk, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

Section 6. Savings Clause. All prior actions of the City pertaining to the City of Dade City Land Development Regulations and relating to technical codes are hereby ratified and affirmed consistent with the provisions of this Ordinance.

Section 7. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

Section 8. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

SIGNATURES ON NEXT PAGE

PASSED AND ADOPTED this ____ day of _____, 2026.

FIRST READING: September 10, 2026
SECOND READING: _____

Scott Black, MAYOR

ATTEST:

Angelia Guy, CITY CLERK

Approved as to form:

Patrick Brackins, CITY ATTORNEY

Exhibit A

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Sec. 2-452. - Public safety impact fees.

(a)

Construction. All construction valued at \$5,000.00 or more within the municipal limits of the city shall pay a fee as designated by the impact fee rate schedule which is payable at the time of issuance of the certificate of occupancy or final power release.

(b)

Impact fee rate schedule. The following shall be the schedule of fees to be levied on all construction:

Property Class	Current Fee per unit:	<u>Fee effective</u> <u>12/28/26</u>	<u>Fee effective</u> <u>12/28/27</u>	Unit
Single Family	\$449.30	<u>\$468.75</u>	<u>\$488.21</u>	Dwelling unit
Multi-Family	\$323.50	<u>\$337.51</u>	<u>\$352.12</u>	Dwelling unit
Mobile Home	\$336.98	<u>\$351.57</u>	<u>\$366.79</u>	Dwelling unit
Retail	\$462.78	<u>\$482.82</u>	<u>\$502.86</u>	Per 1,000 sq ft
Office	\$220.16	<u>\$229.69</u>	<u>\$239.64</u>	Per 1,000 sq ft
Institutional	\$134.79	<u>\$140.63</u>	<u>\$146.72</u>	Per 1,000 sq ft
Industrial	\$76.38	<u>\$79.69</u>	<u>\$82.99</u>	Per 1,000 sq ft
Warehouse	\$44.93	<u>\$46.88</u>	<u>\$48.82</u>	Per 1,000 sq ft

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