

Prepared by: City Clerk's Office

ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA AMENDING CHAPTER 41, IMPACT FEES, ARTICLE V, GENERAL GOVERNMENT IMPACT FEES, SECTION 41-43, USE OF MONIES; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, it was recently discovered that Section 41-43 of the City of Venice Code of Ordinances contains typos that City Council desires to correct; and

WHEREAS, the City Council finds this ordinance is in the best interest of the health, safety, and welfare of the citizens of Venice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The above whereas clauses are ratified and confirmed as true and correct.

SECTION 2. Chapter 41, Impact Fees, Article V. General Government Impact Fees, Sec. 41-43. Use of monies, is hereby amended to read as follows (with underlining indicating additions and ~~strikethrough~~ indicating deletions):

Sec. 41-43. - Use of monies.

(a) No change.

(b) The monies deposited into the general government impact fee fund, as established in paragraph (a) above, shall be used solely for the purpose of providing growth-necessitated capital improvements to the city general government, including but not limited to:

(1) – (7) No change.

(8) Acquisition of apparatus, vehicles or other capital equipment utilized by general government facilities ~~the city fire protection system~~;

(9) Repayment of monies borrowed from any budgetary fund of the city which were used to fund growth necessitated capital improvements to general government facilities ~~the city fire protection system~~ as provided herein, subject to paragraph (c) below;

(10) Costs related to the administration, collection and implementation of the general government ~~fire~~ impact fee;

(11) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the city to provide funds to construct or acquire growth

necessitated capital improvements or additions to general government facilities ~~the city fire protection system~~ as provided herein, subject to paragraph (c) below; and

(12) Any other expenditures of the general government ~~fire~~ impact fee as then allowed by law.

(c) – (g) No change.

SECTION 3. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this ordinance are hereby superseded and repealed to the extent of any conflict in favor of the provisions of this ordinance.

SECTION 4. If any part, section, subsection or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the prescribed application thereof, shall be severable and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The city council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 5. This Ordinance shall take effect immediately upon its approval and adoption, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 27TH DAY OF JUNE 2023.

First Reading: June 13, 2022

Final Reading: June 27, 2023

Adoption: June 27, 2023

Nick Pachota, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 27th day of June 2023, a quorum being present.

WITNESS my hand and the official seal of said City this 27th day of June, 2023.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney