

Meeting Date: September 26, 2017



Agenda Item #: 7A

# CITY COUNCIL AGENDA ITEM

Contact Information:			
<b>Contact Name:</b>	Becky Mendez	<b>Dept. Director:</b>	Becky Mendez <i>Becky Mendez</i>
<b>Contact Number:</b>	(386)775-5415	<b>City Manager:</b>	Dale Arrington <i>Dale Arrington</i>

Type of Item:					
<input checked="" type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Ordinance First Reading	<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Council Approval	<input type="checkbox"/>	Ordinance Second Reading	<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Discussion & Action	<input type="checkbox"/>	Presentation	<input type="checkbox"/>	Workshop

**SUBJECT:** Resolution No. 880-17. Deferring certain building permit fees and procedures due to damage caused by Hurricane Irma.

**BACKGROUND:**

At the September 13, 2017 City Council meeting, the City Council indicated that they would like to consider a resolution temporarily suspending the collection of certain building permits and tree removal fees to facilitate home and landscape repairs in the wake of Hurricane Irma. The attached Resolution provides the same relief as was approved after Hurricane Matthew in October 2016. Specifically, the Resolution provides the following:

1. A deferral period from September 14, 2017 – December 31, 2017.
2. Waiver of permit fees for hurricane related roof, fence, electric, or window repair/replacement on single family homestead residential properties.
3. Waiver of storm damaged tree removal fees.
4. Waiver of all sign permit fees for destroyed, damaged or otherwise eligible signs.

**COUNCIL DISTRICT:**

City Wide

**RECOMMENDATIONS:**

Approve Resolution No. 880-17.

**ATTACHMENTS:**

Resolution No. 880-17

**FINANCIAL IMPACT:**

Regardless of the fee waiver, the City still pays the building permit contracted firm. Based on preliminary storm damage assessments, the estimated cost to the City is approximately \$1,000, which is similar to the \$926.40 cost after Hurricane Matthew.

**STRATEGIC PLAN:**

NA

**RESOLUTION NO. 880-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, CONFIRMING A DECLARATION OF A STATE OF EMERGENCY, AND SUSPENDING CERTAIN LOCAL BUILDING REGULATIONS UNDER EMERGENCY CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, a State of Emergency was proclaimed by GOVERNOR RICK SCOTT on September 4, 2017 due to HURRICANE IRMA; and

**WHEREAS**, the City of Orange City declared a local state of emergency effective September 8, 2017 for all territories within the legal boundaries of the City; and

**WHEREAS**, HURRICANE IRMA has caused extensive damage to public and private property within the City of Orange City; and

**WHEREAS**, the expeditious restoration of property to pre-existing conditions is vital to enable the re-establishment of shelter for residents, businesses, and public activities; and

**WHEREAS**, adherence to certain local established building regulations and procedures can delay the process of restoring properties to conditions existing prior to the emergency; and

**WHEREAS**, Sections §125.56(2) and §166.222, Florida Statutes, authorized local jurisdictions to adopt fee building regulation fee schedules; and

**NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, THAT:**

**SECTION I.** The Declaration of a State of Emergency, proclaimed on September 4, 2017, is hereby confirmed.

**SECTION II.** HURRICANE IRMA has caused damage to numerous properties, rendering them unsafe or marginally habitable, forcing residents from their residences, and forcing business and commercial activities to remain closed.

**SECTION III.** The following deferral of certain building regulations, fees and procedures shall remain in effect until \_\_\_\_\_:

- Permit fees for hurricane-related roof, fence, electric, and window repairs and/or replacement on single-family, homesteaded residential properties in Orange City shall be waived beginning September 14, 2017 through \_\_\_\_\_;

- Tree removal permits for storm damaged tree removal, shall be suspended beginning September 14, 2017 through \_\_\_\_\_;
- Sign permit fees shall be waived for storm related destroyed/damaged or otherwise illegible signs, beginning September 14, 2017 through \_\_\_\_\_;
- The City Council shall have the option to extend this Resolution for an additional sixty (60) days if authorized prior to the expiration of this Resolution.

**SECTION IV.** Contractors and businesses seeking permits for residential and commercial emergency repairs related to **HURRICANE IRMA** must report to the Development Services Department (City Hall, 205 E. Graves Avenue, Orange City, Florida 32763) to provide their license and proof of insurance to prove they are eligible to perform the work intended. Residents are cautioned to hire Florida licensed contractors only and to be wary of door-to-door solicitors asking for large deposits or who promise to speed up the permit process.

**SECTION V. Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION VI. Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

**SECTION VII. Effective Date.** This Resolution shall become effective immediately upon its passage and adoption.

**ROLL CALL VOTE AS FOLLOWS (Resolution No. 880-17):**

_____	Jim Mahoney	Anthony Pupello	_____
_____	Bill O'Connor	Evelyn Robinson	_____
_____	Jeff Allebach	O. William Crippen, Vice Mayor	_____
_____	Gary A. Blair, Mayor		

**ATTEST:**

**AUTHENTICATED:**

\_\_\_\_\_  
Gloria J. Thomas, CMC, City Clerk

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Gary A. Blair, Mayor

Approved as to form and legal sufficiency:

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William E. Reischmann, Jr., City Attorney