

RESOLUTION NO. 16-70

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR TEMPORARY WAIVER OF PERMIT FEES FOR REPAIRS RELATING TO STORM DAMAGE; RATIFYING EXECUTIVE ORDER NO. 1, DATED OCTOBER 9, 2016; PROVIDING FOR A CONTINUATION AND EXPANSION OF THE TEMPORARY PERMIT FEE WAIVER FOR STORM RELATED REPAIRS AND TREE REMOVAL PERMITS UNTIL DECEMBER 9, 2016 AT 11:59 PM; PROVIDING FOR DELEGATION OF AUTHORITY TO THE CITY MANAGER TO EXTEND THE TEMPORARY PERMIT FEE WAIVER PERIOD; AND PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SERVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager has pursuant to Resolution No. 16-69 issued Executive Order No. 1, dated October 9, 2016 providing for a temporary waiver of permit fees for tree removal and roof repair only, which remains in effect until October 11, 2016 at midnight; and

WHEREAS, the City Manager recommends that the City Council consider extending the permit fee waiver as more particularly set forth in this Resolution No. 16-70; and

WHEREAS, the City Council desires to encourage the expeditious repair of damage to building roofs and accessory structures to facilitate and mitigate the potential for ongoing damage and associated costs for repair of structures; and

WHEREAS, a permit shall be required as set forth in the laws of the State of Florida and the City of Port Orange; and

WHEREAS, a permit fee waiver does not waive the requirement to apply for and obtain a permit as required by law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Port Orange, Florida as follows:

Section 1. The City Council of the City of Port Orange hereby ratifies Executive Order No. 1 authorizing the temporary waiver of permit fees for tree removal and roof repairs.

Section 2. The City Council of the City of Port Orange hereby authorizes the continuation and expansion of the temporary permit fee waiver for the following activities requiring a permit and caused by Hurricane Matthew:

- Tree removal;
- Roof Repairs and Replacement;
- Sheds;
- Carports;
- Fences;
- Pool Enclosures;
- Screen Rooms;
- Sign Repair and Replacement; and
- Other repairs requiring a permit caused by Hurricane Matthew.

Section 3. Each permit applicant shall be required to sign a sworn affidavit that the permit application is needed as a result of damage sustained by Hurricane Matthew. The permit fee shall be waived if the certification is consistent with the damage assessment records of the Community Development Department.

Section 4. The temporary permit fee waiver as designated by this Resolution No. 16-70 shall commence on Tuesday, October 11, 2016 at 8:00 a.m. and shall continue until December 9, 2016 at 11:59 PM.

Section 5. The City Council hereby expressly delegates authority to the City Manager to extend the temporary permit fee waiver for an additional 60 days upon advanced written notice to the City Council.

Section 6. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict.

Section 7. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared severable.

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Section 8. This resolution shall become effective immediately upon adoption.

  
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MAYOR ALLEN GREEN

ATTEST:  
  
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Robin L. Fenwick, CMC, City Clerk

Adopted on the 10 day of October, 2016.

Reviewed and Approved:   
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Margaret T. Roberts, City Attorney