

## ORDINANCE NO. 13-2018

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ZONING, AS FOLLOWS: AT ARTICLE I, IN GENERAL, SECTION 134-38, FILING FEES FOR REZONING, SPECIAL EXCEPTION USE, VARIANCE, APPEAL OR OTHER MATTERS REQUIRING PUBLIC HEARING BY CORRECTING THE TITLE; ELIMINATING THE FILING FEES FROM THE ORDINANCE AND CROSS REFERENCING THE TOWN OF PALM BEACH MASTER FEE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, in 2013 the Town Council found that it was a more convenient and efficient way to change development review fees by adopting them by Resolution No. 7-2013 which incorporated those fees in the Master Fee Schedule; and

**WHEREAS**, those fees were to have been concurrently eliminated in Chapter 134, Zoning; and

**WHEREAS**, after public hearing pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach requires that the aforesaid Chapter 134, ZONING, of the Code of Ordinances, be amended as hereinafter set forth.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.** Article I, IN GENERAL, Section 134-38, Filing fees for rezoning, special exception uses, variances, appeals or other matters requiring public hearing is hereby deleted in its entirety and replaced with the following language that reads as follows:

**Sec. 134-38. Filing fees for rezoning, special exception use, variance, appeal or other matters requiring public hearing.**

Upon filing an application requesting a rezoning, special exception use approval; a request for a zoning variance, an appeal; or any other application related to this chapter, the applicant shall deposit with the office of planning, zoning and building the application fee as identified in the Town of Palm Beach Master Fee Schedule as adopted by resolution.

The fees identified in the Master Fee Schedule do not include additional fees owed by the applicant for all costs associated with the use of a consultant or legal representation for analysis, study and report of any application determined by the director of planning, zoning and building or designee to require such review.

**Section 2. Severability.**

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

**Section 3. Repeal of Ordinances in Conflict.**

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 4. Codification.**

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

**Section 5. Effective Date.**

This Ordinance shall take effect thirty-one days after its adoption, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 10<sup>th</sup> day of July, 2018, second reading and final adoption on this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Gail L. Coniglio, Mayor

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Danielle H. Moore, Town Council President

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Margret A. Zeidman, Council President Pro Tem

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Julie Araskog, Town Council Member

ATTEST:

\_\_\_\_\_  
Lewis S.W. Crampton, Town Council Member

\_\_\_\_\_  
Kathleen Dominguez, Town Clerk

\_\_\_\_\_  
Bobbie Lindsay, Town Council Member