RESOLUTION NO. 85-M-45

A RESOLUTION ADOPTING FEES AND BOND AMOUNTS FOR ORANGE COUNTY'S EXCAVATION AND FILL ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Orange County regulates the excavating and filling of any real property in the unincorporated area of Orange County pursuant to the Orange County Excavation & Fill Ordinance; and

WHEREAS, Orange County has recently revised and updated its Excavation and Fill Ordinance; and

WHEREAS, the Orange County Engineering Department studied the actual costs of administering the enforcing the Excavation and Fill Ordinance and has determined that the fees set forth in this Resolution do not exceed such actual costs; and

WHEREAS, the Board of County Commissioners has received sufficient information to enable it to determine the economic impact of this regulation and further determine that no additional information will be required.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. Excavation and Fill Permit Fees. The Board of County Commissioners hereby establishes the following fees for those activities regulated by the Orange County Excavation and Fill Ordinance:

(a) Application Fee. One Hundred Dollars ($100.00).

(b) Annual Fee. (for permits exceeding thirty (30) days in length) Six Hundred Fifty Dollars ($650.00)

(c) Thirty (30) Day Permit Fee. (Not issuable for excavation or fills exceeding 10,000 yards maximum One Hundred Fifty Dollars ($150.00).
Section 2. Excavation and Fill Bond Requirements. The Board of County Commissioners establishes the following criteria for bonds required in connection with the issuance of any permit under its Excavation and Fill Ordinance. Such bonds shall assure performance of the activities and requirements described in the permit to which the bond relates, shall name Orange County, Florida, a political subdivision of the State of Florida, as the obligor on the bond, shall be delivered to Orange County prior to issuance of any permit and shall be issued in the following amounts:

(a) Excavation Permits:

(1) Minimum Five Hundred Dollars ($500.00) up to 1,000 cubic yards.

(2) Fifty Dollars for each additional 100 cubic yards or portion thereof.

(b) Fill Permits:

(1) First 1-4 acre Five Hundred Dollars ($500.00).

(2) Each additional 1-2 acre or portion thereof for areas less than 5 acres - One Thousand Dollars ($1,000.00).

(3) Five (5) acres - Twenty Five Thousand Dollars ($25,000.00).

(4) Each additional acre or portion thereof - Two Thousand Dollars ($2,000.00).

Section 3. Severability. 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.

Section 4. Effective Date. This Resolution takes effect on the effective date of the revisions to the Orange County Excavation and Fill Ordinance.
ORANGE COUNTY, FLORIDA

Chairman, Board of County Commissioners

DATE: 11-27-85

ATTEST: THOMAS H. LOCKER, Clerk to Board of County Commissioners

By: Mary Harrison, Deputy Clerk

SEW 10/11/85