

**ORDINANCE NO. 2011-01**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GLEN ST. MARY, FLORIDA, ESTABLISHING AN INTERIM MORATORIUM ON THE ASSESSMENT OF TOWN IMPACT FEES PURSUANT TO ORDINANCE 2007-02; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND EFFECTIVE DATE**

**WHEREAS, the Town Council is vested with the power to adopt this ordinance pursuant to the 1968 Florida Constitution and Chapters 163 and 166, Florida Statutes;**

**WHEREAS, the Town Council has previously provided for the imposition of certain impact fees by Town Ordinance 2007-02;**

**WHEREAS, the Town Council has observed a sharp decline in development within the Town Limits which is attributed to a national downturn in real property sales and development;**

**WHEREAS, impact fees may serve to chill development in the current economic environment; and**

**WHEREAS, it is believed to be in the Town's best interest that development should be encouraged within the Town and all efforts should be undertaken to encourage same.**

**BE IT THEREFORE ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GLEN ST. MARY, FLORIDA, as follows:**

**Section 1. Interim Impact Fee Moratorium**

The Town of Glen St. Mary shall collect no impact fees except as may be required by interlocal agreement with Baker County, Florida, or by the State of Florida beginning with the effective date of this Ordinance and continuing until such time as further ordained by the Town Council for the Town of Glen St. Mary..

**Section 2: Retroactive Effect**

This Ordinance shall have no retroactive effect. Any impact fees monies paid into capital accounts for the Town pursuant to Ordinance 2007-02 but prior to adoption of this Ordinance shall remain so deposited and disposition made pursuant to Ordinance 2007-02.

**Section 3: Conflicting Provisions**

Special acts of the Florida legislature applicable only to Glen St. Mary, other Town ordinances, Town resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

Section 4: Severability

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

Section 5: Applicability

This ordinance shall be applicable in the incorporated Town of Glen St. Mary, Baker County, Florida.

Section 6: Effective date:

This Act shall become effective upon becoming law.

DONE at the Town of Glen St. Mary, Florida, this 18th day of January, 2011.

Approved as to legal form and sufficiency.

By: Juanice Fajardo  
Mayor

Attest: Donna Leadley  
Town Clerk