

RESOLUTION NO. 2014-07

A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA PROVIDING FOR A SCHEDULE OF FEES RELATING TO REGISTRATION ACTIVITIES PERTAINING TO RECOVERED MATERIALS DEALERS; PROVIDING FOR FINDINGS; AUTHORIZING THE CITY MANAGER TO INSTITUTE IMPLEMENTING ACTIONS AND TO IMPLEMENT ADJUSTMENTS TO FEES AND CHARGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Daytona Beach Shores has enacted an ordinance which provides for the registration of recovered materials dealers in accordance with the provisions of Section 403.7046, *Florida Statutes*; and

WHEREAS, the City Manager has recommended a fee schedule to the City Council in order to implement the process of registration which schedule includes normative adjustments and implementing administrative actions; and

WHEREAS, the City Council deems it reasonable, appropriate and in the public interest to establish a fee schedule as recommended by the City Manager and has taken all appropriate actions in accordance with the controlling provisions of State law to adopt this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS. The foregoing recitals (whereas clauses) are incorporated herein by reference and adopted as legislative and administrative findings in support of the matters set forth in this Resolution and made a part hereof as are the findings relating to the ordinance enacting a registration process, and procedures relating thereto, with regard to recovered materials dealers.

SECTION 2. ADOPTION OF FEES. The City Council of the City of Daytona Beach Shores hereby adopts the following fees relative to the registration of recovered materials dealers:

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| (1). | Application for registrations: | \$ 125.00. |
| (2). | Registration fee upon approval: | \$1,250.00 for the first year. |
| (3). | Registration fee for years 2 through 4: | \$1,000.00 per year. |
| (4). | Appeal of action of City Manager: | \$ 100.00 plus costs if unsuccessful. * |

*Such as hearing officer costs.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS/POWERS OF THE CITY MANAGER.

(a). The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Resolution and to take any and all necessary administrative actions.

(b). The City Manager is authorized to make annual adjustments to the fees set forth in this Resolution each fiscal year of the City in an amount which shall not exceed 10% of the fee charged during the prior fiscal year. The City Manager shall report any and all such adjustments, regardless of whether increases or decreases, promptly in writing to the City Council.

SECTION 4. CITY CLERK DUTIES. A copy of this Resolution shall be available in the Office of the City Clerk at all times.

SECTION 5. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 6. SEVERABILITY. If any Section or portions 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 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

CITY OF DAYTONA BEACH SHORES, FLORIDA

By: _____
Harry H. Jennings, Mayor

ATTEST:

By: _____
Michael T. Booker, City Manager

Cheri Schwab, City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: _____
Lonnie Groot, City Attorney

Passed and adopted on first reading this _____ day of _____, 2014.

Posted this _____ day of _____, 2014.