



**EAST LAKE TARPON  
SPECIAL FIRE CONTROL DISTRICT**  
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## East Lake Tarpon Special Fire Control District Impact Fee

The East Lake Tarpon Special Fire Control District collects an impact fee in accordance with Florida Statute 191.009(4) and our charter adopted by the Florida State Legislature. The highlights regarding this fee are listed below.

### **1. Effective Date:**

This Impact Fee shall become effective on the date set forth in Resolution 2017-01, June 27, 2017, and implemented on January 1, 2018.

### **2. Fee Schedule:**

A. The Fee shall be charged and collected at the rate of \$0.85 per square foot for all residential development and \$1.00 per square foot for commercial and industrial new construction under roof without regard as to whether the space is heated or cooled and without regard to the existence of walls.

B. The Fee shall be imposed upon all new construction located within the boundaries of East Lake Tarpon Special Fire Control District, including additions to existing structures and including all covered parking or other covered structures.

### **3. Credits:**

Credit shall be given for any existing square footage (as indicated on the tax assessor's records or as shown on the demolition permit) that is replaced by new construction.

#### *Example:*

If two single family homes on adjacent lots totaling 3,000 square feet were demolished and replaced by a condominium development totaling 49,000 square feet of residential buildings and 1,000 square feet of covered garage parking and 500 square feet of uncovered pool deck, the impact fee would be charged on a net 47,000 square feet.

In the example, there is a total of 50,000 square feet of new construction on which the Impact Fee is to be imposed; including 49,000 square feet of new residential space and 1,000 square feet of covered garage parking. The 500 square feet of uncovered pool deck is not subject to the Impact Fee. There is

also 3,000 square feet of existing square footage that was replaced. The existing square footage (3,000) is then credited against the gross square footage of the new construction (50,000), leaving a balance of 47,000 subject to the Impact Fee. At the rate of \$0.85 per square foot, the Impact Fee would be Thirty-Nine Thousand and Nine Hundred Fifty Dollars no cents (\$39,950.00).

#### **4. Time of Collection, Late Payments, Interest:**

A. Within 10 days of making application for a new construction building permit, the owner or developer of the real property shall submit the building plans to the Pinellas County Building Department for determination of the amount of the Impact Fee.

B. The Pinellas County Building Department shall provide an Impact Fee calculation that serves the purpose of an invoice to the person or entity making the plan submission (also referred to herein as "Fee Payer") within 10 days of receipt of the submission. Failure of the Pinellas County Building Department to issue the Impact Fee invoice to the Fee Payer within the time limit set forth herein shall not bar the right of the District to otherwise enforce the provisions of this Resolution.

C. The Pinellas County Building Department shall not issue a certificate of occupancy until and unless the Impact Fee hereby required has been paid by the Fee Payer.

D. Interest shall accrue on any unpaid Impact Fee at the rate of 1% per month until paid and will be enforced by the District.

E. The District shall retain the right to waive all or any part of any accrued interest at its sole discretion.

#### **5. "As Built" Inspections, Errors and Misrepresentations:**

A. Upon completion of the new construction, the District shall undertake an inspection of the new construction. If the District, in its sole discretion, determines that the Impact Fee was calculated and paid based on error (of either party) or misrepresentation, or finds that the "as built" new construction is not consistent with the plans that were submitted to the District for computation of the Impact Fee, the Impact Fee shall be re-calculated by the District. If the correct amount, based on the "as built" construction is found to be less than the Impact Fee that was originally computed, the difference shall be refunded to the original Fee Payer. In such event, the Fee Payer shall not be entitled to recover interest. If an additional Impact Fee is owed, the Fee Payer shall pay the additional amount owed within five (5) business days of the date of the amended Impact Fee invoice.

B. Failure of the Fee Payer to pay the additional Impact Fee owed on a timely basis shall provide a basis for the District to cause the certificate of occupancy to be revoked without further notice to the owner and/or developer of the real property and shall also provide a basis for the District to bring any action permitted by law or equity to collect unpaid fees.

#### **6. Attorney's Fees and Costs:**

In the event the District brings an action to revoke the Certificate of Occupancy and/or institutes legal action to collect any unpaid Impact Fee due hereunder, the prevailing party shall be entitled to recover all reasonable attorney's fees and costs