1 **RESOLUTION NO. 2017-**2 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY. 3 PERTAINING TO THE ENVIRONMENTAL PROTECTION **MANAGEMENT** AND GROWTH DEPARTMENT: 4 AMENDING SECTION 40.23 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE 5 THE **ENVIRONMENTAL** REGARDING PROTECTION FEES; AND PROVIDING FOR SEVERABILITY, INCLUSION 6 IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE. 7 8 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA: 10 Section 40.23 of the Broward County Administrative Code is hereby Section 1. 11 amended to read as follows: 12 40.23. Environmental Protection Fee Schedule. 13 The following fees for Chapter 27 of the Broward County Code of Ordinances 14 and for any program(s) delegated to, contracted to, or carried out by the Environmental 15 Protection and Growth Management Department pursuant to federal or State statute, 16 rule, or regulation are established: 17 Fee 18 . . . 19 i. The Fee Schedule for Article XI, "Aquatic and Wetland Resources License 20 Protection," is as follows: 21 1. For Section 27-336, "General Licenses"..... 100.00 22 2. For iltems 3 through 7 below, refer to licenses issued 23 pursuant to Section 27-334. ilf a project licensed 24 under items 3 through 7 contains wetlands or other Words in struck-through type are deletions from existing text. Words in Coding: underscored type are additions.

| 1 | | aquatic resources, add one hundred percent (100%) | |
|----|--------|---|---------|
| 2 | | to the license fee. | |
| 3 | 3. | For Section 27-334, Maintenance dredging or project | |
| 4 | | equal to or less than 100 cubic yards of dredged and | |
| 5 | | fill material; installation of buoys or aids to navigation | 250.00 |
| 6 | 4. | For Section 27-334, Projects with greater than 100 | |
| 7 | | cubic yards to equal to or less than 1,000 cubic yards | |
| 8 | | of dredged or and fill material: marina or dockage | |
| 9 | | facility equal to or less than or equal to 10,000 square | |
| 10 | | feet in over water surface area; seawall equal to or | |
| 11 | | less than or equal to 200 feet <u>in</u> total length; | |
| 12 | | installation of buoys or aids to navigation; installation | |
| 13 | | of subaqueous transmission or distribution lines with | |
| 14 | | equal to or less than 1,000 cubic yards of dredged or | |
| 15 | | and fill material | 450.00 |
| 16 | 5. | For Section 27-334, Projects with 1,001 to greater | |
| 17 | | than 1,000 cubic yards to equal to or less than 10,000 | |
| 18 | | cubic yards of dredged or and fill material: marina or | |
| 19 | | dockage facility with greater than 10,000 square feet | |
| 20 | | of over water surface area; seawall greater than 200 | |
| 21 | | feet in total length | 800.00 |
| 22 | 6. | For Section 27-334, Projects with 10,001 greater than | |
| 23 | | 10,000 cubic yards to equal to or less than 100,000 | |
| 24 | | cubic yards of dredged or and fill material | ,000.00 |
| | Coding | Words in struck-through type are deletions from existing text. Words in underscored type are additions. | |

| 1 | 7. | For Section 27-334, Projects with greater than | |
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| 2 | | 100,000 cubic yards of dredged or and fill material 4,000.00 | |
| 3 | 8. | For Section 27-334, "Request for License Transfer" 100.00 | |
| 4 | 9. | For Section 27-334, "Request for License Modification" 100.00 | |
| 5 | 10. | For Section 27-334, "Mitigation Monitoring Fee,": the | |
| 6 | | annual fee shall be 40 forty percent (40%) of the total | |
| 7 | | initial license fee and shall be submitted prior to | |
| 8 | | license issuance.* | |
| 9 | 11. | For Section 27-334, "Wetland Jurisdiction | |
| 10 | | Determinations" will be performed subsequent to the | |
| 11 | | receipt of a written request accompanied by the | |
| 12 | | following processing fees: | |
| 13 | | (a) For parcels less than or equal to <u>two (2)</u> acres. 35.00 | |
| 14 | | (b) Every additional acre or portion thereof, over | |
| 15 | | two (2) acres | |
| 16 | | | |
| 17 | * In-county Mmitigation projects in the monitoring phase that have not previously | | |
| 18 | paid the fee are subject to this fee each year for the remainder of their five-year | | |
| 19 | monitoring period. | | |
| 20 | | | |
| 21 | Section 2. <u>SEVERABILITY</u> . | | |
| 22 | If any portion of this Resolution is determined by any Court to be invalid, the | | |
| 23 | invalid portion shall be stricken, and such striking shall not affect the validity of the | | |
| 24 | remainder of this Resolution. If any Court determines that this Resolution, or any | | |
| | Coding | : Words in struck-through type are deletions from existing text. Words in underscored type are additions. | |

portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), 2 property(ies), or circumstance(s), such determination shall not affect the applicability 3 hereof to any other individual, group, entity, property, or circumstance. Section 3. INCLUSION IN THE ADMINISTRATIVE CODE. 4 5 It is the intention of the Board of County Commissioners that the provisions of 6 this Resolution shall become and be made a part of the Broward County Administrative 7 Code; and that the sections of this Resolution be renumbered or relettered and the word 8 "resolution" may be changed to "section," "article," or such other appropriate word or 9 phrase in order to accomplish such intentions. 10 Section 4. EFFECTIVE DATE. 11 This Resolution shall become effective upon adoption. 12 13 **ADOPTED** this day of , 2017. 14 Approved as to form and legal sufficiency: 15 Joni Armstrong Coffey, County Attorney 16 By /s/Benjamin Crego 04/24/17 17 Benjamin Crego (date) **Assistant County Attorney** 18 19 20 21 BDC/gmb 22 04/24/17 Admin Code Fee Schedule Reso.doc 23 #17-009 #17-056 24 Words in struck-through type are deletions from existing text. Words in Coding: underscored type are additions.