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ORDINANCE NO. 2024-01

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON CODE OF ORDINANCES BY ADOPTING A PUBLIC FACILITIES IMPACT FEE STUDY; MODIFYING CERTAIN PROVISIONS IN CHAPTER 10 (IMPACT FEES), AS CONTAINED HEREIN; PROVIDING FOR A PUBLIC FACILITIES IMPACT FEE; ESTABLISHING FINDINGS FOR IMPLEMENTATION OF A PUBLIC FACILITIES IMPACT FEE; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wellington, Florida's Council is authorized and empowered to adopt and amend legislation to govern the affairs of its citizens; and

WHEREAS, Wellington believes that it is in the best interest of the community to amend Chapter 10 (Impact Fees) of the Code of Ordinances in order to adopt the Public Facilities Impact Fee Study dated January 19, 2024, attached hereto as Exhibit B, and to provide for a Public Facilities Impact Fee; and

WHEREAS, the Public Facilities Impact Fee will be a new impact fee in addition to the Multi-modal Impact Fee and Parks and Recreation Impact Fee within the corporate limits of Wellington; and

WHEREAS, the Public Facilities Impact Fee will serve a public purpose by providing new or expanded public facilities to meet the needs of a growing population; and

WHEREAS, the Public Facilities Impact Fees are compliant with Section 163.31801, Florida Statutes; and

WHEREAS, Wellington's Comprehensive Plan and Land Development Regulations state that all development must pay for the project's impacts on public facilities, roads, utilities, parks, and other impacts; and

WHEREAS, Wellington's Council has taken the recommendations from the Wellington staff and the comments from the public into consideration as part of the review of the proposed amendments to the Code of Ordinances that are the subject of this Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF WELLINGTON, FLORIDA THAT:

SECTION 1. Chapter 10 of the Code of Ordinances, IMPACT FEES, is amended as provided in Exhibit A of this ordinance.

SECTION 2. The Impact Fee Study dated January 19, 2024 and attached hereto as Exhibit B of this ordinance is hereby adopted and incorporated herein.

49 **SECTION 3.** Should any section, paragraph, sentence, clause, or phrase of this
50 Ordinance conflict with any section, paragraph, clause or phrase of any prior Wellington
51 Ordinance, Resolution, or Municipal Code provision, in that event the provisions of this
52 Ordinance shall prevail to the extent of such conflict.
53

54 **SECTION 4.** Should any section, paragraph, sentence, clause, or phrase of this
55 Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not
56 affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part
57 so declared to be invalid.
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59 **SECTION 5.** Notice of the proposed Impact Fees was published fifteen (15) days prior to
60 first reading of this ordinance and complies with all statutory requirements.
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62 **SECTION 6.** This Ordinance shall become effective, and implementation of the Public
63 Facilities Impact Fees shall begin on October 1, 2024.
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65 **PASSED** this day 14 of May, 2024, upon first reading.
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67 **PASSED AND ADOPTED** this _____ day of _____ 2024, on second and final
68 reading.
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70 **WELLINGTON**

	FOR	AGAINST
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88 **ATTEST:**

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90 BY: _____
91 Chevelle D. Hall, Village Clerk
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93 **APPROVED AS TO FORM AND**
94 **LEGAL SUFFICIENCY**

95
96 BY: _____
97 Laurie Cohen, Village Attorney