

**WAKULLA COUNTY EMERGENCY MORATORIUM
NO. 08-_____**

**A MORATORIUM, DECLARING AN EMERGENCY EXISTS,
IMPOSING A TEMPORARY, 365-DAY MORATORIUM ON
THE ASSESSMENT AND COLLECTION OF IMPACT FEES
WITHIN THE AREA OF WAKULLA COUNTY, FLORIDA;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, impact fees are an important source of revenue for local governments, such as Wakulla County, to use in funding the infrastructure necessitated by new growth; and

WHEREAS, the imposition of impact fees is an outgrowth of the Wakulla County's home rule power; and

WHEREAS, Wakulla County commissioned an Impact Fee Study in 2006 in order to determine the propriety of the adoption of an impact fee ordinance and the appropriate scope of such of impact fee collection once adopted; and

WHEREAS, Wakulla County adopted in 1996 and 2007, ordinances that provide for the imposition and collection of impact fees throughout Wakulla County, Florida that are necessitated by new growth; and

WHEREAS, a downturn in the national, state and regional economy has resulted in the dramatic decline of construction projects within Wakulla County; and

WHEREAS, such decline in construction projects within Wakulla County has negatively impacted all local industries dependent upon growth and resulted in increased inflation and unemployment within Wakulla County; and

WHEREAS, the economic health of such local growth dependent industries directly impacts all facets of the Wakulla County economy; and

WHEREAS, the Board of County Commissioners of Wakulla County, Florida has

determined that such conditions have reached a critical point that necessitates action in order to stimulate and re-energize Wakulla County's growth dependent industries, and as a result the regional economy as a whole; and

WHEREAS, the Board of County Commissioners of Wakulla County, Florida desires to institute a temporary moratorium on the assessment and collection of all impact fees going forward in order to stimulate and re-energize such growth dependent industries and the regional economy; and

WHEREAS, a temporary moratorium on the assessment and collection of all impact fees going forward in Wakulla County is a reasonable, necessary and limited response that would be directed at addressing the genuine crisis and immediate need to stimulate and re-energize the Wakulla County economy in a non-discriminatory manner for a limited duration.

NOW, THEREFORE, be it adopted by the Board of County Commissioners of Wakulla County, Florida, that:

1. An emergency currently exists in Wakulla County regarding imposition of impact fees.
2. This Moratorium is necessary and made in good faith to address Wakulla County's economic troubles.
3. Notwithstanding the current impact fee ordinances, in relation to all applications for building permits made after adoption of this Moratorium, there shall be a temporary cessation of the assessment and collection of impact fees going forward in Wakulla County for a term of one (1) year from the date of the adoption of this Moratorium.
4. This Moratorium shall in no way be applied retroactively. All impact fees that have

been assessed prior to adoption of this Moratorium but have not yet been paid shall remain due prior to the issuance of any building permit. Impact fees that have already been assessed but have not been fully collected because the applicant has been paying in installments shall remain due and all installment payment agreements with Wakulla County shall remain valid, effective and enforceable. Notwithstanding this Moratorium, all impact fees that may become due and collectable in relation to applications for building permits that are outstanding as of the date of this Moratorium shall remain due and must be paid prior to issuance of a building permit as required by Ordinance.

5. This Moratorium shall become effective immediately upon adoption by the Board of County Commissioners of Wakulla County, Florida.

DONE AND ADOPTED in Wakulla County, Florida, by a vote of ____ to ____, this 9th day of September, 2008.

BOARD OF COUNTY COMMISSIONERS
OF WAKULLA COUNTY, FLORIDA

EDWARD E. BRIMNER, Chairman

ATTEST:

BRENT X. THURMOND, Ex Officio
Clerk to the Board

APPROVED AS TO FORM:

RONALD A. MOWREY, Esquire
Attorney for the Board