



Indian River County Florida

Indian River County
Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-
3388
www.indianriver.gov

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Attachments: 1. Staff Report, 2. Attachment 1 - Proposed Code Modification (Section 201.09 E), 3. Attachment 2 - Resolution 87-142, 4. Attachment 3 - Proposed Ordinance regarding Amnesty, 5. Attachment 4 - Proposed Code Modification regarding Recommendations 2 and 3

Date	Ver.	Action By	Action	Result
12/4/2018	1	Board of County Commissioners	Approved as amended	Pass

Reserve Accounts

A summary of the recommendations contained herein is listed below: 1. Approve (or approve with modification) proposed ordinance change depicted in Attachment 1 to allow for the relinquishment of ERUs acquired during one of the voluntary assessment programs between 1984 and 1989. Such relinquishment shall include a refund of any impact fees or fees in lieu of impact fees that were paid to reserve capacity, provided that the property remains undeveloped and/or service is not available within two hundred feet of the parcel. Refunds shall be made at the rate at which the fees were paid. Accounts shall be brought current before allowing any such relinquishment. Direct staff to hold a public hearing on December 18th regarding this matter; 2. Modify County Code to allow for the relinquishment of ERUs purchased at any time if the owner desires to relinquish them. Unless the ERUs were purchased within the past twenty-four months or during one of the voluntary assessment programs described earlier herein, relinquishment shall not include a refund of impact fees. Accounts shall be brought current before allowing any such relinquishment; 3. Modify County Code to accommodate the County reclaiming any ERUs wherein twenty-four months of service availability fees are past due. Under this scenario, a partial refund would be processed for the impact fees. However, all account balances due would be deducted from that refund; 4. Approve (or approve with modifications) the draft amnesty ordinance and direct staff to hold a public hearing to adopt the proposal. A copy of the draft ordinance is presented in Attachment 3; and, 5. If approved, direct staff to work with the County Attorney to develop a proposed ordinance to accommodate Refund, Relinquishment, and Reclaiming ERUs as described in items 2 and 3 of this recommendation, and to proceed with advertising for a public hearing regarding said matter. A draft of the proposed ordinance is included in Attachment 4.