

**RESOLUTION NO. 2272**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING RESOLUTION NO. 862 TO INCREASE STORMWATER UTILITY FEES, IN ACCORDANCE WITH SECTION 20-15 OF THE TOWN CODE; PROVIDING FOR INCORPORATION OF RECITALS AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council adopted Resolution No. 862 on September 11, 2000, increasing the Stormwater Utility Fees from Two Dollars and Fifty Cents (\$2.50) to Five Dollars (\$5.00) per month, per ERU (Equivalent Residential Unit), under the authority granted in Section 20-15(a) of the Town Code; and

**WHEREAS**, the Town finds that it is necessary to amend the Town Code to modify the stormwater utility fees from Five Dollars (\$5.00) to Fifteen Dollars (\$15.00) to cover the cost of operating and maintaining the stormwater management utility system; and

**WHEREAS**, the Town finds that this Resolution advances the interests of the public, health, safety, and welfare.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA:**

**Section 1.** The foregoing recitals are adopted and hereby incorporated as if fully set forth herein.

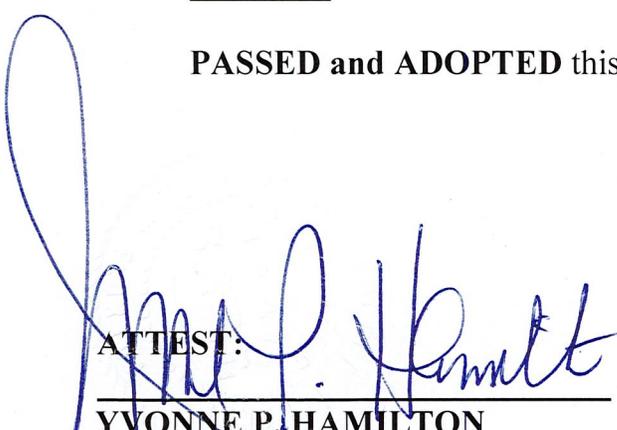
**Section 2.** Resolution No. 862 is hereby amended to increase the stormwater utility fees from Five Dollars (\$5.00) to Fifteen Dollars (\$15.00).

**Section 3.** This Resolution shall become effective immediately upon its adoption.

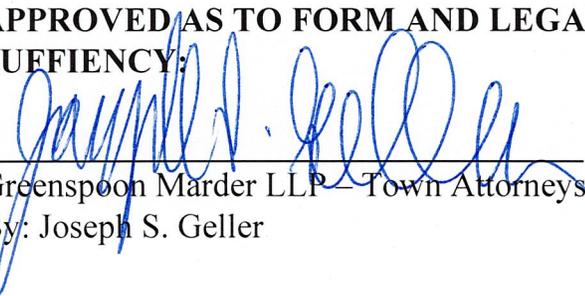
**PASSED and ADOPTED** this **14th** day of **September 2022.**

  
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**JOSHUA D. FULLER**  
**MAYOR**

ATTEST:

  
\_\_\_\_\_  
**YVONNE P. HAMILTON**  
**TOWN CLERK**

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

  
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Greenspoon Marder LLP – Town Attorneys  
By: Joseph S. Geller

RESOLUTION NO. 862

A RESOLUTION OF THE TOWN OF BAY HARBOR ISLANDS INCREASING STORMWATER UTILITY FEES UPON ALL DEVELOPED PROPERTY WITHIN THE BOUNDARIES OF THE TOWN OF BAY HARBOR ISLANDS, SUFFICIENT TO PLAN, CONSTRUCT, OPERATE, AND MAINTAIN A STORMWATER MANAGEMENT SYSTEM, PURSUANT TO THE AUTHORITY GRANTED TO THE TOWN COUNCIL BY SECTION 20-15(a) OF THE TOWN CODE AND SECTION 403.0891(3) OF THE FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Bay Harbor Islands enacted the Bay Harbor Islands Stormwater Utility Ordinance, Ordinance No. 594, to provide for the establishment of the Bay Harbor Islands Stormwater Utility, with the intention of implementing the provision of Section 403.0893(1), Florida Statutes; and

WHEREAS, the Bay Harbor Islands Stormwater Utility Ordinance provides that the Town Council is the governing body of the Bay Harbor Islands Stormwater Utility, through the creation of Section 20-14(b) of the Town Code; and

WHEREAS, the Bay Harbor Islands Stormwater Utility Ordinance, through the creation of Section 20-15(a), authorizes and directs the Bay Harbor Islands Stormwater Utility to establish, assess, and collect stormwater utility fees upon all developed property within the boundaries of the Town of Bay Harbor Islands, and that such fees shall be implemented upon the approval of the governing body by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands, Florida, as follows:

**Section 1.**

The stormwater utility fee for the Bay Harbor Islands Stormwater Utility, for each parcel of residential developed property, shall be set at ~~two dollars and fifty cents (\$2.50)~~ five dollars (\$5.00), per month, per ERU for each dwelling unit on the parcel.

**Section 2.**

The stormwater utility fee for the Bay Harbor Islands Stormwater Utility, for each parcel of nonresidential developed property, shall be set at ~~two dollars and fifty cents (\$2.50)~~ five dollars (\$5.00), per month, per ERU multiplied by the factor as set forth in Section 20-15(c) and which has been established by Miami-Dade County, Florida.

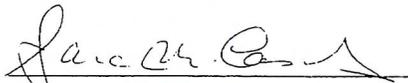
**Section 3. Effective Date.**

This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 11th day of September, 2000.

  
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MAYOR

ATTEST:

  
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TOWN CLERK