ORDINANCE NO. 2025-17

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIOINERS OF MARION COUNTY, FLORIDA, REGARDING FIRE RESCUE IMPACT FEES; CREATING DIVISION 3, ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE RELATING TO FIRE RESCUE IMPACT FEES; ADOPTING A NEW SECTION 10-335 OF THE MARION COUNTY CODE ON FINDINGS, A NEW SECTION 10-336 ON DEFINITIONS APPLICABLE TO FIRE RESCUE IMPACT FEES, A NEW SECTION 10-337 ON COMPUTATION OF AMOUNT OF FEES, A NEW SECTION 10-338 ON DEVELOPER CONTRIBUTION CREDITS, A NEW SECTION 10-339 ON USE OF FUNDS, A NEW SECTION 10-340 ON FIRE RESCUE IMPACT FEE SCHEDULE; AMENDING SECTION 10-282 OF THE MARION COUNTY CODE ON ADOPTION OF IMPACT FEE TECHNICAL STUDIES; DIRECTING THE PROVISION OF NOTICE OF IMPACT FEE RATES; PROVIDING FOR SEVERABILITY, CODIFICATION, LIBERAL CONSTRUCTION, AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA:

SECTION 1. ADOPTION OF THE FIRE RESCUE IMPACT FEE ORDINANCE.

The Board of County Commissioners hereby enacts and adopts the Fire Rescue Impact Fee Ordinance, to be codified as Division 3, Article XI of Chapter 10 of the Marion County Code of Ordinances, which shall read as follows:

DIVISION 3. – FIRE RESCUE IMPACT FEES

Sec. 10-335. - Findings. It is hereby ascertained, determined, and declared:

(1) Development necessitated by the growth contemplated in the Marion County Comprehensive Plan and the Technical Study for Fire Rescue Impact Fees will require Infrastructure improvements to the Fire Rescue System to accommodate the new development generated by such growth and maintain the standards of service provided by the Fire Rescue System.

(2) The County operates both a Fire Protection System and an EMS System that together deliver consolidated fire protection and EMS rescue services through cross-trained personnel and some dual-use capital equipment and capital facilities that together form the County's Fire Rescue System.

(3) Future growth, as represented by Impact Generating Land Development Activity, should contribute to the cost of Infrastructure improvements to the Fire Rescue System required to accommodate the impacts generated by such growth as contemplated in the comprehensive plan.

(4) The required Infrastructure improvements to the Fire Rescue System needed to accommodate existing development shall be financed by revenue sources of the county other than Fire Rescue Impact Fees. The required Infrastructure improvements to the Fire Rescue System needed to eliminate any deficiencies shall be financed by revenues other than Fire Rescue Impact Fees.

(5) Implementation of the Fire Rescue Impact Fees to require Impact Generating Land Development Activity within the County to contribute its fair share to the cost of required Infrastructure is an integral and vital element of the regulatory plan of growth management of the County.

(6) There is a rational nexus between future growth, as measured by Impact Generating Land Development Activity, and the need to expand the Fire Rescue System through the acquisition and construction of new Buildings, apparatus, equipment, and other Infrastructure in order to maintain the standards of service currently provided by the Fire Rescue System. The Fire Rescue Impact Fees adopted herein for each Impact Fee Land Use Category are proportional to the impact expected to be generated by Impact Generating Land Development Activity.

(7) Because the County is the sole provider of emergency medical services within the County, the EMS System benefits all residents of the County; therefore, the EMS Impact Fee shall be imposed in all unincorporated areas of the County and within all municipal areas for so long as they participate in the EMS System.

(8) Because the County is the primary provider of fire protection services within the unincorporated area of the County and within the cities of Belleview, Dunnellon, Reddick, and McIntosh, the Fire Protection System benefits all residents of those areas; therefore, the Fire Protection Impact Fee shall be imposed in all unincorporated areas of the County and within the incorporated areas of Belleview, Dunnellon, Reddick, and McIntosh.

(9) The Board expressly finds that the Infrastructure improvements and additions to the Fire Rescue System provide a benefit to all Impact Generating Land Development Activity within the County that is in excess of the actual Fire Rescue Impact Fees and the collection of Fire Rescue Impact Fees is an important source of funding for the County capital improvement plan. The Board has determined that ad valorem tax revenue and other revenues will not be sufficient to provide the Infrastructure improvements to the Fire Rescue System

that are necessary to accommodate Impact Generating Land Development Activity within the County.

(10) The purpose of this Ordinance is to require payment of Fire Rescue Impact Fees by those who engage in Impact Generating Land Development Activity to provide for the cost of Infrastructure improvements to the Fire Rescue System that are required to accommodate such growth. This Ordinance shall not be construed to permit the collection of Fire Rescue Impact Fees in excess of the amount reasonably anticipated to offset the demand on the Fire Rescue System generated by such applicable Impact Generating Land Development Activity.

(11) In recognition that capital facility planning is an evolving process, it is the intent of the Board that needed Infrastructure improvements to the Fire Rescue System be identified and evaluated periodically to ensure Fire Rescue Impact Fee revenues are allocated to provide benefits to new development as required by law. By periodically reevaluating Fire Rescue Impact Fees and planned improvements capital improvements, the County can ensure fees are imposed equitably and lawfully and are utilized effectively based upon actual and anticipated growth needs at the time of their imposition. Therefore, the cost of reviewing, updating, and adjusting this Ordinance is necessary to ensure that Fire Rescue Impact Fees are imposed and administered in accordance with applicable law.

(12) The technical study entitled "Marion County Fire Rescue & EMS Impact Fee Update Study" dated February 28, 2025, prepared by Benesch, sets forth a reasonable methodology and analysis for the determination of the impact of new development on the needs for and costs of additional fire protection and EMS Infrastructure in Marion County.

(13) The data set forth in the Technical Study which was employed in the calculation of the Fire Rescue Impact Fee rates imposed herein is the most recent and localized data available for the Fire Rescue System and was not more than 4 years old at the time of the updated Fire Rescue Impact Fee Study. The Fire Rescue Impact Fee rates included herein were adopted within twelve (12) months of the initiation of the Technical Study.

(14) The Fire Rescue Impact Fees collected by the County pursuant to this Ordinance may be used to pay existing debt related to the construction of Infrastructure or for previously approved capital projects. The Board legislatively finds and determines that this Infrastructure or previously approved capital projects that are funded by the Fire Rescue Impact Fees are proportional and have a rational nexus to the impacts generated by new development that contributes Fire Rescue Impact Fees towards the funding of these facilities and

that there is available capacity to serve those properties from the debt funded Infrastructure from previously approved projects.

Sec. 10-336. – Definitions Applicable to Fire Rescue Impact Fees. The following words, terms, and phrases when used in this Ordinance shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

EMS Impact Fee means the portion of the Fire Rescue Impact Fee imposed by the Board that relates to the EMS System.

EMS System means the Infrastructure, including Land, Buildings, apparatus, and equipment, provided by the County that is used for handling of emergency medical incidents.

Fire Protection Impact Fee means the portion of the Fire Rescue Impact Fee imposed by the Board that relates to the Fire Protection System.

Fire Protection System means the Infrastructure, including Land, Buildings, apparatus, and equipment, provided by the County that is used for suppression and prevention of fires and other disasters and the handling of incidents involving hazardous materials within the County.

Fire Rescue Impact Fee means collectively the Fire Protection Impact Fee and EMS Impact Fee imposed pursuant to this Ordinance to fund growth-necessitated Infrastructure for the Fire Rescue System.

Fire Rescue System means collectively mean the EMS System and Fire Protection System.

Infrastructure means a fixed capital expenditure or fixed capital outlay providing additional capacity to the Fire Rescue System, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvements to the Fire Rescue System that have a life expectancy of at least 5 years; related Land acquisition, Land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the Public Facility into service. The term also includes a fire department vehicle, an emergency medical service vehicle, and the equipment necessary to outfit the vehicle for its official use.

Sec. 10-337. – Computation of Amount of Fees.

(a) All Impact Generating Land Development Activity within the County, including all municipal areas, shall pay the EMS Impact Fees, as established in this division, at the time of issuance of a Certificate of Occupancy.

(b) All Impact Generating Land Development Activity within the unincorporated area of the County, including the municipal areas of the City of Belleview, City of Dunnellon, City of Reddick, and City of McIntosh, shall pay the Fire Protection Impact Fees, as established in this division, as a condition of issuance of a Certificate of Occupancy.

(c) At the time a complete application for a Building Permit is submitted for the construction of an Impact Generating Land Development Activity, the County will determine the amount of Fire Rescue Impact Fees to be paid. The impact fee shall be in the amounts set forth in section 10-340 and payable pursuant to Section 10-276.

(d) If the Impact Generating Land Development Activity includes fractional units, the fee shall be computed to the appropriate fraction.

(e) If the Impact Generating Land Development Activity is requested for mixed uses, then the Fire Rescue Impact Fee shall be determined through using the schedule adopted in Section 10-340 by apportioning the space committed to uses specified on the schedule.

(f) Pursuant to Section 10-275, in the case of a change of use, redevelopment or modification of an existing use which requires the issuance of a Building Permit, Site Plan approval, or Certificate of Occupancy, the Fire Rescue Impact Fee shall be based on the net increase in the impact fee for the new use as compared to the existing use.

(g) If the land development activity being commenced cannot be classified into an Impact Fee Land Use Category identified in section 10-340, then:

(1) The County Administrator shall use the fee schedule for the most nearly comparable Impact Fee Land Use Category to determine the Fire Rescue Impact Fee. If the County Administrator determines there is no comparable type of land use on the fee schedule, then the County Administrator shall calculate the appropriate Fire Rescue Impact Fee utilizing the methodology in the applicable Technical Study. The County Administrator shall utilize as a standard in this determination the impact assumed in the most comparable Impact Fee Land Use Category or any other generally accepted standard source of planning and cost impact analysis. The County Administrator shall determine the applicable Impact Fee Land Use Category for the Impact Generating Land Development Activity;

(2) Or the Feepayer may at their option determine the amount of Fire Rescue Impact Fees by use of an Independent Impact Analysis pursuant to section 10-278 of this article.

(h) Any Person undertaking an Impact Generating Land Development Activity who is in doubt as to the type or amount of any Impact Fees due may request, in writing, a nonbinding statement of Impact Fees due for the Impact Generating Land Development Activity from the County Administrator, who shall expeditiously respond, in writing, to the request. The County Administrator may

require sufficient drawings or plans related to the proposed development as a basis for his written answer.

Sec. 10-338. – Developer Contribution Credits.

(a) A credit shall be granted against the Fire Rescue Impact Fee imposed in this Article pursuant to a written impact fee credit agreement that has been approved by the Board for certain conveyance of suitable Land or other Infrastructure for the Fire Rescue System required to be made pursuant to a Development Order by the County, a municipal development order that is the subject of a written impact fee credit agreement approved by the Board for credit, or pursuant to a voluntary impact fee credit agreement made in connection with Impact Generating Land Development Activity. Such conveyances or improvements shall be subject to the following standards:

(1) The Land shall be an integral part of the Fire Rescue System, which is scheduled for acquisition in the County five (5) year capital improvement plan or any municipal five (5) year CIP. The Board may, by super majority vote, allow impact fee credits for conveyance of land for projects anticipated for acquisition beyond the five (5) year county CIP or beyond the first five (5) years of any municipal CIP.

(2) The non-Land Infrastructure to be acquired or constructed shall be an integral part of the Fire Rescue System which is scheduled for addition or construction in the five (5) year county CIP or any municipal CIP. The Board may, by super majority vote, allow for impact fee credits for acquisition or construction of Infrastructure for projects anticipated for construction beyond the County five (5) year CIP or beyond the first five (5) years of any municipal CIP.

(3) All conveyances of Land and other Infrastructure, together with right-of-way or easements required by the County, shall be conveyed to the County pursuant to ordinances, resolutions or regulations then in effect and in a form acceptable to the county attorney provided however, this requirement may be waived by the Board where the conveyance is to any municipality or the state.

(4) If the Development Order requires the Feepayer to contribute Land or other Infrastructure or construct, expand, or pay for Land acquisition or construction or expansion of other Infrastructure, or portion thereof, which complies with the requirements of subsections 10-338(a) (1) and (2), and the Feepayer is also subject to Impact Fees or exactions to meet the same needs, the Feepayer shall receive a Fire Rescue Impact Fee credit on a dollar-for-dollar basis at fair market value as of the date of conveyance pursuant to an impact fee credit agreement with the County in conformance with subsection (f). The nongovernmental Feepayer need not be required, by virtue of this credit, to competitively bid or negotiate any part of the construction or design of the Infrastructure, unless otherwise required by the County, or unless the estimated

cost of construction exceeds two million dollars ($2,000,000.00), in which case the project shall be competitively bid unless waived by the Board.

(5) Any credit granted for conveyance of Land or contribution or construction of other Infrastructure shall be valued in accordance with subsection (d).

(6) Any Feepayer seeking a credit against Impact Fees for development within any municipality shall contact the County Impact Fee Coordinator immediately and the County shall participate with the city during negotiation of the development order to be submitted to the Board for approval.

(b) A Feepayer who desires to contribute Land or acquire or construct other Infrastructure in lieu of payment, or in partial payment, of the Fire Rescue Impact Fee shall, prior to issuance of a Building Permit, submit to the County Administrator a proposed plan for the contribution of the Land or for the acquisition or construction of other Infrastructure for the Fire Rescue System. The County Administrator shall review the proposed plan to determine if it meets the requirements of this Section. If the amended proposed plan meets the requirements for credit, the County Administrator shall submit the proposed plan to the Board. If the proposed plan does not meet the requirements for credit, the County Administrator shall notify the applicant in writing. Upon such notice, the applicant may amend the application to meet the requirements for credit and, if applicable, may request the Board to add the project to the County CIP during its yearly update. The proposed plan of construction, dedication or contribution shall include:

(1) A designation and legal description of the Impact Generating Land Development Activity for which the plan is being submitted;

(2) A list of the contemplated Land or other Infrastructure to be donated;

(3) A legal description and a written appraisal prepared in conformity with subsection (d)(1) of this Section for any Land proposed to be dedicated or conveyed;

(4) Ar estimate of proposed acquisition or construction costs certified by a registered professional engineer or vendor quotation/invoice; and

(5) A proposed time schedule for completion of the proposed plan of construction, dedication or conveyance.

(c) Upon submission of a complete plan, the County Administrator shall schedule a presentation before the Board at a regularly scheduled meeting or a special meeting called for the purpose of reviewing the proposed plan, and shall

provide the applicant and Owner written notice of the time and place of the presentation. The Board may authorize the county attorney to prepare an impact fee credit agreement with the feepayer only if:

(1) Such proposed plan is in conformity with contemplated improvements and additions to the Fire Rescue System contained in the first five (5) years of the county capital improvement plan or a municipal CIP or otherwise approved by supermajority vote of the Board, and

(2) Such proposed plan, viewed in conjunction with other existing or proposed plans, will not adversely impact the cash flow or liquidity of the Fire Rescue Impact Fee trust account in such a way as to frustrate or interfere with other planned or ongoing growth-necessitated improvements and additions to the Fire Rescue System; and

(3) The proposed plan is consistent with the public interest. Upon approval of a proposed plan of construction or contribution, the County Administrator shall determine the amount of developer credit based upon the standards of valuation described in subsection (d) below, and shall approve the timetable for completion of construction.

(d) The Feepayer credit shall be applied to reduce the Fire Rescue Impact Fee on a dollar-for-dollar basis at fair market value and shall be determined according to the following standards of valuation:

(1) The value of contributed Land shall be based upon a written appraisal of fair market value by a qualified and professional appraiser acceptable to the County and based on an appraisal of the fair market value of the property to be contributed, as of the date of the contribution. However, the County may require submission of an additional appraisal by an appraiser selected by the County, at the expense of the applicant, if the appraisal submitted by the applicant is in excess of the value derived on the basis of the current county property appraiser's assessment multiplied by a factor of 1.50.

(2) The actual cost of construction of other Infrastructure for the Fire Rescue System shall be based upon costs certified by a professional engineer or approved vendor quotation/invoice. However, in no event shall any credit be granted for the donation of Infrastructure in excess of the estimated costs approved by the County unless the acquisition or construction project is competitively bid, in which case the credit shall be the actual cost or one hundred twenty (120) percent of the bid amounts whichever is less.

(e) All cost estimates shall be based upon, and all construction plans and specifications and applicable competitive bidding procedures shall be in conformity with the standards and procedures of the County. All plans and specification shall be approved by the County prior to commencement of construction.

(f) Upon approval for the contribution of Land or acquisition or construction of other Infrastructure, an impact fee credit agreement shall be entered into between the County and the Owner. A nonrefundable processing, review and audit fee of two thousand five hundred dollars ($2,500.00), which fee is equal to or less than the County's anticipated actual costs associated with the processing, review, and audit of the developer contribution credit, shall be due once the plan has been approved and prior to the preparation of an impact fee credit agreement by the county attorney. The agreement shall include, but not be limited to:

(1) Identification of the parties including a listing of all persons or entities who, collectively, own one hundred (100) percent of the fee simple interest in the real property described in the agreement. If requested by the county attorney, the applicant and owner shall provide to the county attorney, at no cost to the County, an attorney's opinion identifying the record owner, his authority to enter into the agreement and identify any lienholder having lien or encumbrance on the real property which is the subject of the agreement. Said opinion shall specifically describe each of the recorded instruments under which the record owner holds title, each lien or encumbrance, and cite appropriate recording information and incorporate by reference a copy of all such reference instruments.

(2) A finding that the construction or contributions contemplated by the agreement are consistent with the comprehensive plan.

(3) A legal description of the site of the Impact Generating Land Development Activity subject to the agreement.

(4) The duration of the agreement shall be for a period of five (5) years unless the applicant requests a longer period in which the Board may approve a period of up to twenty (20) years. All credits available under an impact fee credit agreements shall be transferable within the County. In no event shall the duration exceed twenty (20) years, exclusive of any moratoria, from the date of recording in the official records.

(5) A description of the construction or contributions to the Fire Rescue System to be made pursuant to the agreement.

(6) An acknowledgment that the construction or contributions contemplated under the agreement shall be construed and characterized as work done and property rights acquired by the County for the improvement of the Fire Rescue System and that the County has exclusive control of the construction or contributions, including whether or not they are subsequently transferred to another governmental agency.

(7) Adoption of the approved time schedule for completion of the plan.

(8) Determination of the amount of credit to be granted.

(9) A requirement that the Owner keep or provide for retention of adequate records and supporting documentation which concern or reflect total project cost of the Land or other Infrastructure to be contributed. This information

shall be available to the County, or its duly authorized agent or representative, for audit, inspection or copying, for a minimum of five (5) years from the termination of the agreement.

(10) A requirement that the credit for the Fire Rescue Impact Fees identified in the agreement shall run with the land for which the Fire Rescue Impact Fee is being assessed and shall be reduced for each Building Permit issued thereon until the development project is either completed or the credits are exhausted or no longer available.

(11) That the burdens of the agreement shall be binding upon, and the benefits of the agreement shall inure to, all successors in interest to the parties to the agreement.

(12) An acknowledgment that the failure of the agreement to address any permit, condition, term, or restriction shall not relieve either the applicant or the Owner, or their successors, of the necessity of complying with any law, ordinance, rule or regulation governing said permitting requirements conditions, terms or restrictions.

(13) Compliance with the risk management guidelines which may be established by the County's risk management department from time to time, including but not limited to insurance and indemnification language acceptable to the County.

(14) Annual review and audit of performance under the agreement to determine whether or not there has been demonstrated good faith compliance with the terms of the agreement and to report the credit applied toward payment of Fire Rescue Impact Fees and the balance of available and unused credit. If the Board finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the agreement, the agreement may be revoked or modified by the County.

(15) To allow for modification or revocation of the agreement as is necessary to comply with relevant state or federal laws, if state or federal laws are enacted after the execution of the agreement which are applicable to and preclude parties' compliance with the terms of the agreement.

(16) To allow amendment or cancellation by mutual consent of the parties to the agreement or by their successors in interest.

(17) Recording of the agreement in the official records within fourteen (14) days after the County enters into the agreement.

(g) A Feepayer seeking an impact fee credit agreement pursuant to proposed improvements under a municipal Development Order may request Board approval of a written impact fee credit agreement prior to the issuance of a municipal Development Order. Any Feepayer that anticipates seeking a credit pursuant to a municipal Development Order shall contact the County Impact Fee coordinator immediately upon becoming aware of its possible eligibility for a credit. The County shall be entitled to review all studies and participate with the municipality in negotiations with the Feepayer. Prior to municipal approval of the

Development Order, the Feepayer shall prepare and submit a proposed impact fee credit agreement to the County Administrator for review and comment. If the Board approves the impact fee credit agreement and the municipality approves the Development Order, the Feepayer will be entitled to credits as set forth in the impact fee credit agreement pursuant to the provisions of this section without further Board approval. The Board may grant partial credits for proposed improvements under a municipal Development Order.

(h) Any Land to be dedicated to the County shall be dedicated no later than the time at which Fire Rescue Impact Fees are required to be paid under this section. The portion of the fee represented by a credit for acquisition or construction shall be deemed paid when the acquisition or construction is completed and accepted by the County or when Adequate Security for the completion of the construction has been provided.

(i) Any developer contribution credit granted from the Fire Rescue Impact Fee shall only be for construction or contributions made to the Fire Rescue System to accommodate growth within the County. Credits granted under this section shall run with the land and may be assigned to other developments, regardless of ownership, within the County.

(j) If the Fire Rescue Impact Fee rates are increased after a credit is granted under this section, the credit holder shall be entitled to the full benefit of the intensity or density prepaid by the credit amount as of the date the credit was established.

Sec. 10-339. – Use of Funds.

(a) All Fire Rescue Impact Fee funds collected under this Ordinance and shall be used solely to provide growth-necessitated Infrastructure improvements to the County's Fire Rescue System, and not for maintenance or operations. Funds on deposit in the Fire Rescue Impact Fee trust account shall not be used for any expenditure that would be classified as a maintenance or repair expense. Fire Rescue Impact Fees may be used for the following purposes, including, but not limited to:

(1) Land acquisition, including any cost of acquisition or condemnation;

(2) Fees for professional services, including, but not limited to architecture, engineering, surveying, landscaping, soils and material testing, legal, appraisals, and construction management and consultant fees to study and update this Ordinance;

(3) Design and construction plan preparation;

(4) Site development and on-site and off-site improvements incidental to the construction thereto;

(5) Any permitting or application fees necessary for the construction;

(6) Design and construction of new fire rescue Infrastructure;

(7) Design and construction of new drainage facilities required by the construction new fire rescue Infrastructure;

(8) Relocating utilities required by the construction of fire rescue Infrastructure;

(9) Landscaping;

(10) Construction management and inspection;

(11) Surveying, soils, and materials testing;

(12) Acquisition of qualified apparatus, vehicles, and equipment for the Fire Rescue System;

(13) Repayment of monies borrowed from any budgetary fund of the County which was used to fund growth necessitated Infrastructure improvements to the Fire Rescue System as provided herein.

(c) Proceeds collected from Fire Rescue Impact Fees and all interest accrued on such funds shall be used solely within those areas served by the EMS System and Fire Protection System, respectively.

(d) There is hereby established a Marion County Fire Protection Impact Fee Trust Fund and a Marion County EMS Impact Fee Trust Fund for the purpose of ensuring that the fees collected pursuant to this Ordinance are designated and held separately to provide growth-necessitated Infrastructure improvements for the Fire Protection System and EMS System, respectively. The Fire Protection Impact Fees shall be deposited into the Fire Protection Impact Fee Trust fund immediately upon receipt and the EMS Impact Fees shall be deposited into the EMS Impact Fee Trust Fund immediately upon receipt.

(e) Funds shall be encumbered and expended in the order in which they are collected. Any proceeds in a trust fund account on deposit, not immediately necessary for expenditure, may be invested in interest bearing assets. All income derived from this investment shall be added to and retained in the trust fund account.

(f) Each year, at the time the annual county budget is reviewed, the County Administrator shall propose appropriations to be spent from the Fire Protection

and EMS Impact Fee Trust Funds. After review of the County Administrator's recommendation, the Board shall approve, modify, or deny the recommended expenditures of the trust fund monies. Any amounts not appropriated from a trust fund account, together with any interest earnings, shall be carried over in the specific trust fund account to the following fiscal year.

Sec. 10-340. – Fire Rescue Impact Fee Schedule.

(a) Except as otherwise provided by the terms of this Article, all Impact Generating Land Development Activity within the unincorporated area of the County and within the incorporated areas of the cities of Belleview, Dunnellon, Reddick, and McIntosh shall pay the Fire Protection Impact Fees set forth in the schedule below as a condition of issuance of a Certificate of Occupancy:

Marion County
Fire Protection Impact Fee Rates

ITE	Land Use	Impact Unit	Fire Protection Impact Fee
	RESIDENTIAL:		
210/215	Single Family		
	- 1,500 sf or less	du	$663
	- 1,501 to 2,499 sf	du	$753
	- 2,500 sf and greater	du	$829
220/221/222	Multi-Family	du	$505
210/240	Mobile Home	du	$643
251	Senior Adult Housing - Detached	du	$453
252	Senior Adult Housing - Attached	du	$300
	TRANSIENT, ASSISTED, GROUP:		
253	Congregate/Assisted Care Facility	du	$396
310	Hotel	room	$567
320	Motel	room	$486
620	Nursing Home	bed	$491
	RECREATIONAL:		
411	Public Park	acre	$19
416	RV Park/Campground	site	$219
420	Marina	berth	$57
430	Golf Course	hole	$381
445	Movie Theater	screen	$2,212
492	Racquet Club/Health Spa	1,000 sf	$1,001
495	Recreational Community Center	1,000 sf	$863
	INSTITUTIONAL:		
520	Elementary School (Private)	student	$48
522	Middle School (Private)	student	$43
525	High School (Private)	student	$38

540	University/Junior College (7,500 or fewer students) (Private)	student	$48
550	University/Junior College (more than 7,500 students) (Private)	student	$38
560	Church	1,000 sf	$224
565	Day Care Center	1,000 sf	$405
590	Library	1,000 sf	$977
	MEDICAL:		
610	Hospital	1,000 sf	$610
640	Animal Hospital/Veterinary Clinic	1,000 sf	$648
	OFFICE:		
710	Office	1,000 sf	$453
720	Medical Office/Clinic	1,000 sf	$553
770	Business Park	1,000 sf	$439
	RETAIL:		
822	Retail 6,000 sfgla or less	1,000 sfgla	$939
822	Retail 6,001 to 40,000 sfgla	1,000 sfgla	$939
821	Retail 40,001 to 150,000 sfgla	1,000 sfgla	$1,306
820	Retail greater than 150,000 sfgla	1,000 sfgla	$896
840/841	New/Used Auto Sales	1,000 sf	$701
850	Supermarket	1,000 sf	$1,077
862	Home Improvement Superstore	1,000 sf	$863
880/881	Pharmacy/Drug Store with or w/o Drive-Thru	1,000 sf	$806
890	Furniture Store	1,000 sf	$148
	SERVICES:		
911	Bank/Savings Walk-In	1,000 sf	$524
912	Bank/Savings Drive-In	1,000 sf	$677
931	Restaurant	1,000 sf	$2,731
n/a	Small Local Restaurant	1,000 sf	$2,340
941	Quick Lube	service bay	$724
942	Automobile Care Center	1,000 sf	$739
944	Gas Station w/Convenience Store <2,000 sq ft	fuel pos.	$629
945	Gas Station w/Convenience Store 2,000 to 5,499 sq ft	fuel pos.	$991
	Gas Station w/Convenience Store 5,500+ sq ft	fuel pos.	$1,292
947	Self-Service Car Wash	service bay	$415
948	Automated Car Wash	car tunnel	$4,585
	INDUSTRIAL:		
110	General Light Industrial	1,000 sf	$214

140	Manufacturing	1,000 sf	$253
150	Warehousing	1,000 sf	$48
151	Mini-Warehouse	1,000 sf	$14
154	High-Cube Transload and Short-Term Warehouse	1,000 sf	$67

(b) Except as otherwise provided by the terms of this Article, all Impact Generating Land Development Activity within the unincorporated and all incorporated areas of the County shall pay the EMS Impact Fee set forth in the schedule below as a condition of issuance of a Certificate of Occupancy:

Marion County
EMS Impact Fee Rates

ITE	Land Use	Impact Unit	EMS Impact Fee
	RESIDENTIAL:		
210/215	Single Family		
	- 1,500 sf or less	du	$208
	- 1,501 to 2,499 sf	du	$238
	- 2,500 sf and greater	du	$261
220/221/222	Multi-Family	du	$173
210/240	Mobile Home	du	$198
251	Senior Adult Housing - Detached	du	$143
252	Senior Adult Housing - Attached	du	$103
	TRANSIENT, ASSISTED, GROUP:		
253	Congregate/Assisted Care Facility	du	$131
310	Hotel	room	$176
320	Motel	room	$151
620	Nursing Home	bed	$152
	RECREATIONAL:		
411	Public Park	acre	$6
416	RV Park/Campground	site	$68
420	Marina	berth	$18
430	Golf Course	hole	$118
445	Movie Theater	screen	$685
492	Racquet Club/Health Spa	1,000 sf	$310
495	Recreational Community Center	1,000 sf	$267
	INSTITUTIONAL:		
520	Elementary School (Private)	student	$15
522	Middle School (Private)	student	$13
525	High School (Private)	student	$12
540	University/Junior College (7,500 or fewer students) (Private)	student	$15

550	University/Junior College (more than 7,500 students) (Private)	student	$12
560	Church	1,000 sf	$69
565	Day Care Center	1,000 sf	$126
590	Library	1,000 sf	$303
	MEDICAL:		
610	Hospital	1,000 sf	$189
640	Animal Hospital/Veterinary Clinic	1,000 sf	$201
	OFFICE:		
710	Office	1,000 sf	$140
720	Medical Office/Clinic	1,000 sf	$171
770	Business Park	1,000 sf	$136
	RETAIL:		
822	Retail 6,000 sfgla or less	1,000 sfgla	$291
822	Retail 6,001 to 40,000 sfgla	1,000 sfgla	$291
821	Retail 40,001 to 150,000 sfgla	1,000 sfgla	$405
820	Retail greater than 150,000 sfgla	1,000 sfgla	$278
840/841	New/Used Auto Sales	1,000 sf	$217
850	Supermarket	1,000 sf	$334
862	Home Improvement Superstore	1,000 sf	$267
880/881	Pharmacy/Drug Store with or w/o Drive-Thru	1,000 sf	$250
890	Furniture Store	1,000 sf	$46
	SERVICES:		
911	Bank/Savings Walk-In	1,000 sf	$162
912	Bank/Savings Drive-In	1,000 sf	$210
931	Restaurant	1,000 sf	$846
n/a	Small Local Restaurant	1,000 sf	$725
941	Quick Lube	service bay	$225
942	Automobile Care Center	1,000 sf	$229
944	Gas Station w/Convenience Store <2,000 sq ft	fuel pos.	$195
945	Gas Station w/Convenience Store 2,000 to 5,499 sq ft	fuel pos.	$307
	Gas Station w/Convenience Store 5,500+ sq ft	fuel pos.	$400
947	Self-Service Car Wash	service bay	$129
948	Automated Car Wash	car tunnel	$1,421
	INDUSTRIAL:		
110	General Light Industrial	1,000 sf	$66
140	Manufacturing	1,000 sf	$78
150	Warehousing	1,000 sf	$15

151	Mini-Warehouse	1,000 sf	$4
154	High-Cube Transload and Short-Term Warehouse	1,000 sf	$21

SECTION 2. AMENDMENT OF SECTION 10-282 OF THE MARION COUNTY CODE. Section 10-282 of the Marion County Code, Adoption of Impact Fee Technical Studies, is hereby amended as follows:

Sec. 10-282. Adoption of Impact Fee Technical Studies.

* * *

(b) The Board hereby adopts and incorporates by reference the Technical Study entitled "Marion County Fire Rescue & EMS Impact Fee Study," dated February 28, 2025 and prepared by Benesch, including the assumptions, conclusions, supporting data sources, and findings therein as to the determination of the anticipated costs of Infrastructure improvements to the County Fire Rescue System required to accommodate growth, which Technical Study is on file with the office of the County Administrator and available for public inspection.

[underline indicates additions; ~~strikethrough~~ indicates deletions]

SECTION 3. NOTICE OF IMPACT FEE RATES.

(a) In accordance with Section 10-284 of the Marion County Code, no later than July 1, 2025, the County Administrator is hereby directed to publish a notice once in a newspaper of general circulation within the County which notice shall include: (A) a brief and general description of the Fire Rescue Impact Fees, (B) a description of the geographic area in which the Fire Rescue Impact Fees will be collected; (C) the Fire Rescue Impact Fees rates to be imposed for each Impact Fee Land Use Category; and (D) that the Fire Rescue Impact Fees rates will go into effect for all Building Permit applications received on October 1, 2025 and thereafter.

(b) In the event, this notice is not published at least ninety (90) prior to the initial October 1, 2025 implementation date for the Fire Rescue Impact Fees, then the October 1, 2025 implementation date shall be adjusted to ensure that the Fire Rescue Impact Fees rates are not implemented earlier than ninety (90) days after the date of publication of the notice.

(c) The obligations herein for the payment of the Fire Rescue Impact Fees shall apply to all Impact Generating Land Development Activity that applies for a Building Permit on or after the applicable implementation date.

SECTION 4. MISCELLANEOUS.

(a) If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

(b) It is the intention of the Board, and it is hereby ordained that the relevant provisions of this Ordinance shall become and be made a part of the Marion County Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Article" or other appropriate word.

(c) The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

(d) A copy of this Ordinance as enacted shall be filed by the Clerk of the Board by email with the Office of the Secretary of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official

acknowledgment from the Secretary of State that this Ordinance has been filed with such office; provided the revisions to the Fire Rescue Impact Fees rates shall become effective as provided in Sections 1 and 3 hereof.

DULY ADOPTED this 23 day of May, 2025.

MARION COUNTY BOARD OF COUNTY COMMISSIONERS

Kathy Bryant, Chairman

RECEIVED NOTICE FROM SECRETARY OF STATE ON JUNE 3, 2025 ADVISING ORDINANCE WAS FILED ON JUNE 2, 2025.

Attest:

Gregory C. Harrell
Clerk of the Circuit Court

APPROVED AS TO FORM:

County Attorney