

1 capital improvements necessary to accommodate such development. This must be done in
2 order to protect the public health, safety, and welfare.

3 D. The imposition of impact fees is consistent with the Town of Lady Lake Comprehensive
4 Plan.

5 E. The type of land development described in Section 13-59, will create demand for the
6 expansion of water, wastewater and reclaimed water improvements.

7 F. The implementation of water, wastewater and reclaimed water impact fees to require
8 future growth to contribute its fair share of the cost of required capital improvements and
9 additions is an integral and vital element of the regulatory plan of growth management in the
10 Town.

11 G. The fees established by Section 13-59 are derived from, are based upon, and do not
12 exceed the costs of providing additional water, wastewater and reclaimed water
13 improvements necessitated by the new land developments for which the fees are levied.

14 H. The 2020 report entitled “Water, Wastewater and Reclaimed Water Impact Fee Study:
15 Prepared by Stantec” sets forth a reasonable methodology and analysis for the determination
16 of the impact of new development on the need for and costs for additional water, wastewater
17 and reclaimed water facilities and capital improvements in the Town.

18 **SECTION 2. Amendment.**

19 Chapter 13 entitled “Special Assessments, Impact Fees, Supplemental Fees” of the Town of
20 Lady Lake Code Of Ordinances is hereby amended as follows:

21 **Sec. 13-59: Rates**

22 A. At the option of the fee payer, the amount of the water, wastewater and/or reclaimed
23 water impact fees may be determined by the following fee schedule attached hereto as
24 Exhibit “A.”

25 **EXHIBIT “A” — SCHEDULE OF WATER, SEWER, AND RECLAIMED WATER IMPACT FEES**

Water	Impact Fee per ERU	\$1,435
Wastewater	Impact Fee per ERU	\$3,322
Reclaimed Water	Impact Fee per ERU	\$152

26 The payment of the water, wastewater and reclaimed water impact fees shall be in addition
27 to all other fees, charges or assessments due for the issuance of a building permit or final
28 development order. These fees were calculated based on a model developed by Stantec in

1 their 2020 study, “Town of Lady Lake Water, Wastewater and Reclaimed Water Impact Fee
2 Study.” This model was crafted to meet the common law and statutory requirement that the
3 fee (1) have a rational nexus between the anticipated need for additional capital facilities and
4 growth and population, and (2) have a rational nexus between the expenditure of funds
5 collected and the benefits accruing to the growth. See § 163.31801, Florida Statutes; St. Johns
6 County v. Northeast Florida Builder’s Association, Inc.

7 **SECTION 3. Severability.**

8 The provisions of this ordinance are declared to be separable and if any section, sentence,
9 clause or phrase of this ordinance shall for any reason be held to be invalid or
10 unconstitutional, such decision shall not affect the validity of the remaining sections,
11 sentences, clauses or phrases of this ordinance, but they shall remain in effect, it being the
12 legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

13 **SECTION 4. Conflicts.**

14 All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are
15 hereby repealed.

16 **SECTION 5. Codification.**

17 The provisions of this Ordinance shall be codified as and become part of the Codes of
18 Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-
19 lettered to accomplish such intention and the word "Ordinance", or similar words, may
20 be changed to "Section", "Article", or other appropriate word.

21 **SECTION 6. Applicability.**

22 This Ordinance does not have retroactive applicability and does not apply to applications
23 filed prior to the effective date of this Ordinance.

24 **SECTION 7. Effective Date.**

25 This ordinance shall become effective on the ninetieth day after final reading and adoption by
26 the Town Commission of Town of Lady Lake, Florida as provided by law.

1 **PASSED AND ORDAINED** this 6th day of **July, 2020** by the Town Commission of the Town of
2 Lady Lake, Lake County, Florida, upon Second and Final Reading.

3 Town of Lady Lake, Florida

4 _____
5 Jim Richards, Mayor

6 Attest:

7 _____
8 Kristen Kollgaard, Town Clerk

9 Approved as to form:

10 _____
11 Derek Schroth, Town Attorney