

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	<u> **0 </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

ADDITIONAL FTE POSITIONS (Cumulative) 0 0 0 0 0

Is Item Included In Current Budget? Yes No

Budget Account Exp No: Fund Department Unit Object
 Rev No: Fund Department Unit Object

B. Recommended Sources of Funds/Summary of Fiscal Impact:

** The fiscal impact is indeterminable at this time.

Departmental Fiscal Review: Stephanie Sepioha 8/8/14

tv
7/17/14

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Susan Neary 8/19/14
 KP 8/15
 AM 8/19
 OFMB

Dr. J. Jacobson 8/20/14
 Contract Administration
 8-20-14 - BGD/hck

B. Legal Sufficiency:

Renee G. Gilley 8/21/14
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. R- 2014- _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA REPEALING AND REPLACING RESOLUTION NO. R-2000-0246, AS AMENDED BY RESOLUTION R-2005-0595 AND RESOLUTION R-2005-0803 AND ENACTING A NEW SCHEDULE OF FEES AND FINES FOR THE PALM BEACH COUNTY MOVING ORDINANCE, AS CODIFIED IN THE PALM BEACH COUNTY CODE OF ORDINANCES.

WHEREAS, Section 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of the existing and future residents; and

WHEREAS, the Palm Beach County Moving Ordinance, as codified in the Palm Beach County Code Chapter 17, Article VIII (the "Moving Ordinance" or the "Code") requires certain fees and fines to be established by Resolution of the Board of County Commissioners; and

WHEREAS, Section 17-284 of the Code requires a schedule for all fees, including permit fees, moving vehicle fees, decal fees, and appeal fees, to be established by Resolution; and

WHEREAS, Section 17-284 (e) of the Code requires a nonrefundable fee when obtaining a permit, changing a permit, or renewing a permit, including a late fee to renew an operating permit, be established by Resolution; and

WHEREAS, Section 17-304 of the Code requires a schedule of fines and provides that all such fines collected shall be deposited into the general fund for the Division of Consumer Affairs and shall be used for the moving and storage program; and

WHEREAS, the Palm Beach County Moving Ordinance may be amended from time to time.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

A) The Palm Beach County Moving Ordinance schedule of fees and fines applicable to moving and storage businesses is hereby adopted as referenced in the chart entitled "Exhibit "A" – Palm Beach County Moving Ordinance - Moving and Storage Businesses Schedule of Fees and Fines," attached hereto and incorporated herein by reference.

B) Resolution No. R-2000-0246, as amended by Resolution R-2005-0595 and Resolution R-2005-0803, previously adopted for moving and storage businesses fees and fines is hereby repealed and replaced.

Attachment # 1

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The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

PRISCILLA A. TAYLOR, MAYOR _____
PAULETTE BURDICK, VICE MAYOR _____
COMMISSIONER STEVEN L. ABRAMS _____
COMMISSIONER SHELLEY VANA _____
COMMISSIONER HAL R. VALECHE _____
COMMISSIONER JESS R. SANTAMARIA _____
COMMISSIONER MARY LOU BERGER _____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of August, 2014.

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock
Clerk & Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

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Attachment # 1

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**Exhibit "A" – Palm Beach County Moving Ordinance - Moving and Storage
Businesses Schedule of Fees and Fines**

Type of Fee	Amount of Fee	
Annual Operating Permit Fee	\$750	
Operating Permit Late Application Fee	\$75	
Operating Permit Re-filing Fee	\$500	
Annual Moving Vehicle Decal Fee	\$10	
Moving Vehicle Decal Replacement Fee	\$10	
Administrative Appeal Filing Fee	\$50	
<u>Civil Fines:</u>		
<p>1) Violations of the following sections of the code shall be set at: \$500 - first offense, \$500 – second offense and \$500- third offense (with a possible mandatory court appearance) for the following:</p> <p><u>Section 17-284.</u> Operating permit and decal required; denial, suspension and revocation of permit; hearing; appeals, loss, destruction, mutilation or operating permit; annual renewal.</p> <p><u>Section 17-285.</u> Evidence of cargo legal liability and motor vehicle insurance coverage.</p> <p><u>Section 17-290.</u> Charges in excess of written estimate; unlawful charges; Refusal to relinquish goods prohibited.</p> <p><u>Section 17-291.</u> Brokers.</p> <p><u>Section 17-294.</u> Reasonable dispatch.</p> <p><u>Section 17-297.</u> Collection of freight charges on shipments involving loss or destruction in transit.</p> <p><u>Section 17-302.</u> Fraudulent transfer of moving company.</p> <p><u>Section 17-303.</u> Deceptive and unfair trade practices.</p>		
<p>2) Violations for all other sections of the Code (Moving Ordinance) shall be set at: \$250 - first offense \$500 - second offense; and \$500 - third offense (with a possible mandatory court appearance).</p>		

RESOLUTION NO. R-2000-0246

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; APPROVING FEES AND FINES FOR THE MOVING ORDINANCE.

WHEREAS, SECTION 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of the existing and future residents; and

WHEREAS, Ordinance No. 2000-010, which is known as the Palm Beach County Moving Ordinance, requires certain fees to be established by Resolution of the Board of County Commissioners; and

WHEREAS, Ordinance No. 2000-010 requires a schedule of civil fines for violations of the Ordinance to be established by Resolution of the Board of County Commissioners; and

WHEREAS, Section 4 of Ordinance No. 2000-010 provides that all such fees and fines collected shall be deposited in a separate account and shall be used exclusively to accomplish the purposes of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

A) The following fees be established:

- 1) Annual Operating Permit Fee \$1,000.00
- 2) Operating Permit Late Fee \$250.00
- 3) Operating Permit Refiling Fee \$500.00
- 4) Annual Moving Vehicle Decal Fee \$10.00
- 5) Moving Vehicle Decal Replacement Fee \$10.00
- 9) Administrative Appeal Filing Fee \$50.00

B) The following civil fines be established:

- 1) Violations of the following sections shall be set at: \$500 - first offense, \$500 - second offense and \$500 - third offense (with a possible mandatory court appearance):

Section 4 - Operating Permit and Decal Required; Denial, Suspension and Revocation of Permit; Hearing; Appeals
Section 5 - Evidence of Cargo Legal Liability Valuation and Insurance Coverage
Section 10 - Charges in Excess of Written Estimate; Unlawful Charges; Refusal to Relinquish Goods Prohibited; Payment of Charges in Excess of Written Estimate or Contract for Service
Section 13 - Reasonable Dispatch
Section 16 - Collection of Freight Charges on Shipments Involving Loss or Destruction in Transit

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R2000 0246

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Section 19 - Fraudulent Transfer of Moving Company

2) Violations for all other sections of the ordinance shall be set at: \$250 - first offense, \$500 - second offense and \$500 - third offense (with a possible mandatory court appearance).

D) The effective date for these fees and fines shall be April 30, 2000.

The foregoing resolution was offered by Commissioner Roberts who moved its adoption. The motion was seconded by Commissioner Newell and upon being put to a vote, the vote was as follows:

COMMISSIONER MAUDE FORD LEE, CHAIR	Aye
COMMISSIONER WARREN NEWELL, VICE CHAIRMAN	Aye
COMMISSIONER KAREN MARCUS	Aye
COMMISSIONER CAROL ROBERTS	Aye
COMMISSIONER MARY McCARTY	Aye
COMMISSIONER BURT AARONSON	Aye
COMMISSIONER TONY MASLOTTI	Absent

The Chair thereupon declared the resolution duly passed and adopted this 15 day of February, 2000.

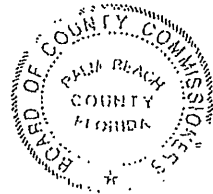
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

Dorothy H. Wilken, Clerk

By: Linda C. Hickman
Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Dawn J. [Signature]
Assistant County Attorney



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RESOLUTION NO. R-2005-0595

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; AMENDING RESOLUTION NO. R-2000-0246 TO APPROVE NEW FEES APPLICABLE TO MOVING ORDINANCE NO. 2000-010 AND ANY SUCCESSIVE MOVING ORDINANCE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

WHEREAS, SECTION 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of the existing and future residents; and

WHEREAS, Ordinance No. 2000-010, which is known as the Palm Beach County Moving Ordinance, requires certain fees to be established by Resolution of the Board of County Commissioners; and

WHEREAS, Section "A) Fees" needs to be revised and amended; and

WHEREAS, this amending resolution shall be applicable to successive amendments to the Palm Beach County Moving Ordinance No. 2000-010.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,

that:

Section A) is revised and amended as follows:

A) The following fees be established:

- 1) Annual Operating Permit Fee \$750.00
- 2) Operating Permit Late Fee \$250.00
- 3) Operating Permit Refiling Fee \$500.00
- 4) Annual Moving Vehicle Decal Fee..... \$10.00
- 5) Moving Vehicle Decal Replacement Fee..... \$10.00
- 6) Administrative Appeal Filing Fee..... \$50.00

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B) The effective date for these fees shall be applicable for the license year which begins June 1, 2005 and shall apply to any amendment to the Palm Beach County Moving Ordinance 2000-010.

The foregoing resolution was offered by Commissioner Koons who moved its adoption. The motion was seconded by Commissioner McCarty, and upon being put to a vote, the vote was as follows:

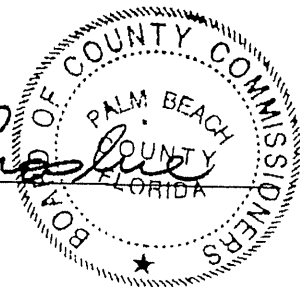
COMMISSIONER TONY MASILOTTI, CHAIRMAN	<u>Aye</u>
COMMISSIONER ADDIE L. GREEN, VICE CHAIRPERSON	<u>Aye</u>
COMMISSIONER KAREN T. MARCUS	<u>Absent</u>
COMMISSIONER JEFF KOONS	<u>Aye</u>
COMMISSIONER WARREN H. NEWELL	<u>Aye</u>
COMMISSIONER MARY McCARTY	<u>Nay</u>
COMMISSIONER BURT AARONSON	<u>Nay</u>

The Chairman thereupon declared the resolution duly passed and adopted this 15th day of March, 2005.

BOARD OF PALM BEACH COUNTY, FLORIDA, BY ITS
COUNTY COMMISSIONERS

Sharon R. Bock
Clerk & Comptroller

By: Judith Caspary
Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: [Signature]
Assistant County Attorney

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RESOLUTION NO. R-2005- 0803

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; AMENDING RESOLUTION NO. R-2000-0246 TO APPROVE A NEW SCHEDULE OF CIVIL FINES APPLICABLE TO MOVING ORDINANCE NO. 2000-010 AND ANY SUCCESSIVE MOVING ORDINANCE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

WHEREAS, SECTION 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare and safety of the existing and future residents; and

WHEREAS, the Moving Ordinance requires a schedule of civil fines for violations of the Ordinance to be established by Resolution of the Board of County Commissioners; and

WHEREAS, Section "B) Fines" needs to be revised and amended; and

WHEREAS, this amending resolution shall be applicable to successive amendments to the Palm Beach County Moving Ordinance No. 2000-010.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section B) is revised and amended as follows:

1. Violations of the following sections shall be set at: \$500 - first offense, \$500 - second offense and \$500 - third offense (with a possible mandatory court appearance):

Section 4 - Operating Permit and Decal Required; Denial, Suspension and Revocation of Permit; Hearing; Appeals; Loss, Destruction, Mutilation of Operating Permit, Annual Renewal

Section 5 - Evidence of Cargo Legal Liability and Motor Vehicle Insurance Coverage

Section 10 - Charges in Excess of Written Estimate; Unlawful Charges; Refusal to Relinquish Goods Prohibited

Section 11 - Brokers

Section 14 - Reasonable Dispatch

Section 17 - Collection of Freight Charges on Shipments Involving Loss or

Destruction in Transit
Section 22 - Fraudulent Transfer of Moving Company
Section 23 - Deceptive and Unfair Trade Practices

2. Violations for all other sections of the ordinance shall be set at: \$250 - first offense, \$500 - second offense and \$500 - third offense (with a possible mandatory court appearance).
3. The effective date for these fines shall be May 1, 2005.

The foregoing resolution was offered by Commissioner Marcus who moved its adoption. The motion was seconded by Commissioner Koons, and upon being put to a vote, the vote was as follows:

COMMISSIONER TONY MASILOTTI, CHAIRMAN	<u>Aye</u>
COMMISSIONER ADDIE L. GREEN, VICE CHAIR	<u>Absent</u>
COMMISSIONER KAREN T. MARCUS	<u>Aye</u>
COMMISSIONER JEFF KOONS	<u>Aye</u>
COMMISSIONER WARREN H. NEWELL	<u>Aye</u>
COMMISSIONER MARY McCARTY	<u>Nay</u>
COMMISSIONER BURT AARONSON	<u>Absent</u>

The Chairman thereupon declared the resolution duly passed and adopted this 19th day of April, 2005.

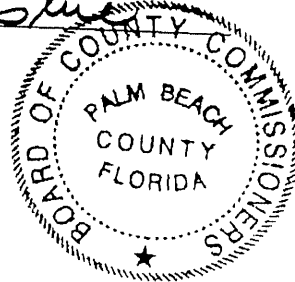
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock
Clerk & Comptroller

By: Judith Crosbie
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: [Signature]
Assistant County Attorney



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R2005 0803

ATTACHMENT #3 – COMPARISON CHART

Palm Beach County Moving Ordinances – Comparison Chart Between Current Fees and New Proposed Fees for Moving and Storage Businesses Fees and Fines

Type of Fee	Current	Proposed
Annual Operating Permit Fee	\$750	No Change
Operating Permit Late Application Fee	\$250	\$75
Operating Permit Re-filing Fee	\$500	No change
Annual Moving Vehicle Decal Fee	\$10	No change
Moving Vehicle Decal Replacement Fee	\$10	No change
Administrative Appeal Filing Fee	\$50	No change

Civil Fines: NO CHANGE

1) Violations of the following sections of the code shall be set at: \$500 - first offense, \$500 – second offense and \$500- third offense (with a possible mandatory court appearance) for the following:

Section 17-284. Operating permit and decal required; denial, suspension and revocation of permit; hearing; appeals, loss, destruction, mutilation or operating permit; annual renewal.

Section 17-285. Evidence of cargo legal liability and motor vehicle insurance coverage.

Section 17-290. Charges in excess of written estimate; unlawful charges; Refusal to relinquish goods prohibited.

Section 17-294. Reasonable dispatch.

Section 17-297. Collection of freight charges on shipments involving loss or destruction in transit.

Section 17-302. Fraudulent transfer of moving company.

2) Violations for all other sections of the code shall be set at:

\$250 - first offense

\$500 - second offense; and

\$500 - third offense (with a possible mandatory court appearance).