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RESOLUTION NO. 2020-44

**RESOLUTION OF THE VILLAGE COMMISSION OF THE
VILLAGE OF BISCAYNE PARK, FLORIDA, SUPPORTING
RENEWABLE ENERGY INSTALLATIONS AND WAIVING
VILLAGE PERMIT FEES FOR SUCH INSTALLATIONS FOR A
PERIOD OF ONE (1) YEAR; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, in August 2013, the Village of Biscayne Park (“Village”) joined the Towns of Bay Harbor Islands and Surfside in creating the Clean Energy Coastal Corridor, a Property Assessed Clean Energy (PACE) Program, to provide upfront financing for Qualifying Improvements, pursuant to Florida Statute §163.08; and

WHEREAS, the PACE Program home improvement projects result in energy conservation by retiring old air conditioning units for new energy efficient HVAC’s, and hurricane mitigation improvements with shutters, high-impact doors and windows and wind-resistant roofing; and

WHEREAS, a primary motivation for entering the Clean Energy Coastal Corridor, was to expand the use of renewable energy in the Village, and that result has yet to be realized; and

WHEREAS, the Village considers it in the interests of its residents to support the use of renewable energy such as solar power, and wishes to provide an incentive by waiving Village building permit fees for renewable energy home improvement projects; and

WHEREAS, the Biscayne Parks Code, provides that all administrative and user fees are established and amended by Resolution and kept by the Village Clerk in one central location as the Master Fee Schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct, and incorporated herein by this

Section 2. Waiver of Fees. Village Commission authorizes the waiver of Village building permit fees related to renewable energy installations for a period of one (1) year, subject to renewal by further resolution of the Commission. This fee waiver shall be incorporated into the Master Fee Schedule and promoted in communications to Village property owners.

Section 3. Severability. If any section, sentence, clause or phrase herein is held to be invalid by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

1 PASSED AND ADOPTED this 1st day of September, 2020.

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

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6 Virginia O'Halpin, Mayor Yes
7 MacDonald Kennedy, Vice Mayor Yes
8 Daniel Samaria, Commissioner Yes
9 Roxanna Ross, Commissioner Yes
10 William Tudor, Commissioner Yes

11 VILLAGE OF BISCAZYNE PARK

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16 Virginia O'Halpin, Mayor

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20 ATTEST:

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24 Roseann Prado, Village Clerk

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27 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
28 USE AND RELIANCE OF THE VILLAGE OF BISCAZYNE PARK ONLY:

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30 
31
32 Edward A. Dion, Village Attorney