

ORDINANCE NO. 09- 57

AN ORDINANCE OF HILLSBOROUGH COUNTY, FLORIDA AMENDING HILLSBOROUGH COUNTY ORDINANCE NO. 03-25, AS AMENDED BY ORDINANCE NO. 04-25, ENTITLED CHILD CARE FACILITIES ORDINANCE; PROVIDING FOR INCREASED FEES, NEW FEES AND PENALTIES FOR NON-PAYMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Upon motion by Commissioner Norman, seconded by Commissioner Sharpe, the following ordinance was adopted by a vote of 6 to 0, with Commissioner(s) _____ voting "No."

WHEREAS, the Hillsborough County Board of County Commissioners, ("Board") is empowered, pursuant to Florida Statutes Chapter 402 to administer, enforce, and regulate conditions in Child Care Facilities operating in Hillsborough County; and

WHEREAS, in 1997, the Board, recognizing the need to enhance public safety in child care settings, enacted Ordinance No. 97-3, thereafter amended by Ordinance No. 99-17, which provided for the licensing and regulation of Child Care Facilities operating in Hillsborough County; and

WHEREAS, in 2003, the Board repealed the 1997 ordinance and enacted Hillsborough County Ordinance No. 03-25, thereafter amended by 04-25, and set forth minimum standards for the licensing, regulation, and operation of Child Care Facilities; and

WHEREAS, the Board declares it necessary to increase fees to be more commensurate with the actual cost of services provided by Hillsborough County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 19TH DAY OF AUGUST, 2009, AS FOLLOWS:

SECTION 1. Section 9.02 of Part II of Ordinance No 03-25, as amended by Ordinance No. 04-25, Rules and Regulations Handbook of Hillsborough County Child Care Licensing Office ("Handbook"), is hereby deleted in its entirety and is replaced with the following:

Section 9.02 Licensing and other related fees:

- (1) A licensing fee shall be assessed for every license issued by the County to operate a Child Care Facility. This fee must be submitted with the application for license and shall be valid only for the duration of the license.
- (2) In addition to the license fee, a late fee must be submitted for a renewal application received by the Local Licensing Agency after the deadline for submission.
- (3) Once a license has been issued, any changes shall require a change license for which a fee shall be assessed.
- (4) A per person fee shall be assessed for each Local Licensing Agency's Consultation Session requested in accordance with the Child Care Owner/Operator Training requirements of the Handbook.
- (5) The fees described above shall be as follows:

License fee (10 children or less)	\$75.00
License fee (more than 10 children)	\$75.00 plus \$2.00 for each additional child over 10 children
Late fee	\$50.00
Change License fee	\$30.00
Consultation Session fee	\$25.00 per person
Combined Consultation Session fee for Both Part I and II	\$40.00 per person if paid together

All fees shall be paid by check or money order payable to the Hillsborough County Board of County Commissioners and shall be non-refundable.

- (6) Non-payment of fees related to the application process plus any applicable insufficient funds charge(s) shall render the application incomplete. Non-payment of any other fees shall result in the non-issuance or non-renewal of the license until the fees and any applicable insufficient funds charge(s) have been paid in full.

SECTION 2. Section 11.02 of Part II of Ordinance No. 03-25, as amended by Ordinance No. 04-25, Handbook is hereby deleted in its entirety and is replaced with the following:

Section 11.02 Processing Fee: A fee of fifty dollars (\$50.00) will be charged for the processing of exemption documents. This fee shall be paid by check or money order payable to the Hillsborough County Board of County Commissioners and is non-refundable.

SECTION 4. SEVERABILITY:

If, for any reason, any section, phrase, sentence, clause, part or provision of this Ordinance is held invalid or unconstitutional by a Court of competent jurisdiction, the same shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of this Ordinance as a whole, or any portion thereof, other than the portion declared to be invalid.

SECTION 5. EFFECTIVE DATE:

This Ordinance shall take effect on October 1, 2009.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an ordinance adopted by the Board at its regular meeting of August 19, 2009, as the same appears on record in Minute Book 399 _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of August, 2009.

PAT FRANK
CLERK OF THE CIRCUIT COURT

BY: Beverly Anne Miller
Deputy Clerk

APPROVED BY COUNTY ATTORNEY
AS TO FORM AND LEGAL SUFFICIENCY:

BY: [Signature]
Senior Assistant County Attorney

