

ORDINANCE NO. 09- 58

AN ORDINANCE OF HILLSBOROUGH COUNTY, FLORIDA AMENDING HILLSBOROUGH COUNTY ORDINANCE NO. 05-9 ENTITLED FAMILY CHILD CARE HOMES LICENSING 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 Ferlita, 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 Family Child Care Homes and Large Family Child Care Homes in Hillsborough County; and

WHEREAS, in 2001, the Board, recognizing the need to enhance public safety in child care settings, enacted Ordinance No. 01-14 which provided for the licensing and regulation of Family Child Care Homes and Large Family Child Care Homes operating in Hillsborough County; and

WHEREAS, in 2005, the Board enacted Hillsborough County Ordinance No. 05-9, which replaced Ordinance No. 01-14 and set forth minimum standards for the licensing and regulation of Family Child Care Homes and Large Family Child Care Homes; 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 8.01 of Part II of Ordinance No. 05-9, Rules and Regulations Handbook for Family Child Care Homes and Large Family Child Care Homes ("Handbook"), is hereby deleted in its entirety and is replaced with the following:

Section 8.01 Licensing and other related fees:

- (1) A licensing fee shall be assessed for every license issued by the County to operate a Family Child Care Home and Large Family Child Care Home. This fee must be submitted with the application for license and shall be valid 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 Family Child Care Consultation requested in accordance with the Personnel Training requirements of the Handbook.
- (5) The fees described above shall be as follows:

License fee	\$75.00
Late fee	\$50.00
Change License fee	\$25.00
Consultation fee	\$25.00 per person

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

SECTION 2. The second sentence of Section 8.02(1) of Part II of Ordinance No. 05-9 the Rules and Regulations Handbook for Family Child Care Homes and Large Family Child Care Homes is hereby deleted.

The remaining portion of Section 8.02(1) shall remain in full force and effect.

SECTION 3. Section 10.04 of Part II of Ordinance No. 05-9 the Rules and Regulations Handbook for Family Child Care Homes and Large Family Child Care Homes is amended to add a new paragraph (1) (below):

“(1) The Initial license fee and the renewal license fee shall be one hundred dollars (\$100.00), is payable by check or money order to the Hillsborough County Board of County Commissioners and is non-refundable.”

The remainder of the numbered paragraphs contained in Section 10.04 are renumbered (2) through (5).

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