

RESOLUTION NO. 2025-22

**A RESOLUTION OF THE VILLAGE OF ESTERO, FLORIDA,
ESTABLISHING A NEW PUBLIC WORKS DEPARTMENT
FEE SCHEDULE; RESCINDING PRIOR FEE RESOLUTIONS;
MAKING RELATED FINDINGS; AND PROVIDING FOR
SEVERABILITY AND FOR AN EFFECTIVE DATE.**

WHEREAS, Florida Statutes § 337.401(1)(a) authorizes governmental authorities, including municipalities, to prescribe and enforce reasonable rules or regulations with reference to the placing and maintaining across, on, or within the right-of-way limits of any road or publicly owned rail corridors under the municipality's jurisdiction any electric transmission, voice, telegraph, data, or other communications services lines or wireless facilities; pole lines; poles; railways; ditches; sewers; water, heat, or gas mains; pipelines; fences; gasoline tanks and pumps; or other structures (collectively called "utilities"); and

WHEREAS, Florida Statutes § 337.401(2)(a) authorizes municipalities to grant to any person who is a resident of this state, or to any corporation which is organized under the laws of this state or licensed to do business within this state, the use of a right-of-way for a utility in accordance with such rules or regulations as the municipality may adopt, and provides that a utility may not be installed, located, or relocated unless authorized by a written permit issued by the authority; and

WHEREAS, the Village Council adopted Resolution 2017-02 to create a fee schedule to allow for the Village's costs of administering its right-of-way management activities, including permitting and inspection activities, to be offset so as to prevent or minimize such activities being subsidized by the Village's general fund; and

WHEREAS, the Village staff have examined the Village's actual costs of such activities along with the existing fee schedule and have determined that certain of the fees must be adjusted to account for inflation over the passage of time; and

WHEREAS, the Village Council, after having reviewed the statutory provisions set forth above, having been advised by the Village's professional management staff, and having been advised by its counsel, finds that the fee schedule to be adopted by this Resolution complies with all statutory requirements and is necessary and reasonable to ensure the Village's public works right of way management function is funded primarily with fees from users so as to minimize the need for subsidization from the Village's general fund; and

WHEREAS, the Village Council further finds that the fee schedules adopted by this Resolution are in the best interests of the Village, its residents, property owners, and businesses.

NOW, THEREFORE BE IT RESOLVED by the Village Council of the Village of Estero, Florida, that:

Section 1. Establishment of Right of Way Management Fee Schedule.

The Right of Way Management Fee Schedule attached hereto as **Exhibit "A"** is hereby adopted

as the Village of Estero's Right of Way Management Fee Schedule.

Section 2. Fee Schedule Effective Date.

To allow the Village administration and contracted building department vendor to make the necessary adjustments to forms, websites and payment platforms to reflect the new fees adopted by this Resolution, the fee schedules adopted herein shall become effective at 11:59 p.m. on Saturday, **November 1st 2025**. Any applications either pending on that date or thereafter submitted shall be subject to the new fee schedule.

Section 3. Recission of prior Resolution.

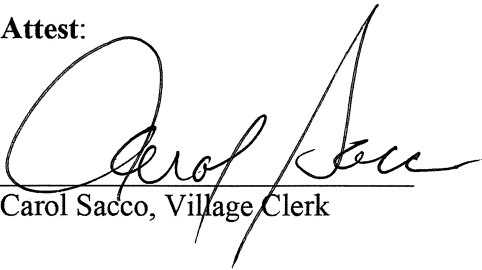
Resolution 2017-02 is hereby rescinded concurrent with the Fee Schedule Effective Date set forth in Section 2 of this Resolution.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, provision or word of this Resolution is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Resolution shall not be affected by such invalidity, such that any remainder of the Resolution shall withstand any severed provision, as the Village Council would have adopted the Resolution even absent the invalid part.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

DULY ADOPTED with a quorum present and voting this 17th day of September, 2025.

Attest:


Carol Sacco, Village Clerk

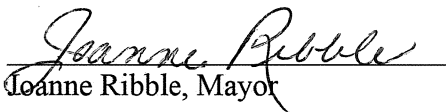

Joanne Ribble, Mayor

Exhibit "A"
Right of Way Management Fee Schedule

Residential ROW Permit Fees

New Single Driveway- \$200.00

New Double Driveway - \$250.00

Replacement/Widening Single Driveway - \$200.00

Replacement/Widening Double Driveway - \$250.00

Commercial ROW Permit Fees

New Single Driveway- \$250.00

New Double Driveway - \$300.00

Replacement/Widening Single Driveway - \$250.00

Replacement/Widening Double Driveway - \$300.00

Utility - Water Line - \$100.00 first mile; \$15.00 for each 0.25 miles after and MOT - \$100

Utility – Sanitary Sewer Line \$100.00 first mile; \$15.00 for each 0.25 miles after and MOT - \$100

Turn Lane - \$300.00

Streetlights- Basic - \$ 100.00 and MOT - \$100.00

Sidewalks/Pathways - \$ 100.00 and MOT - \$100.00

Signage- Basic - \$ 100.00 and MOT - \$100.00

Other - \$150.00

Landscaping - \$150.00 and MOT - \$100.00

Drainage - \$100.00 and MOT - \$100.00

NO FEE

Wireless Facilities

Utilities – Power, Cable TV, Telephone, Fiber, Potable Water, Irrigation/reclaimed Water, Gas, Other