

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20051701

1. ACTION REQUESTED/PURPOSE: Conduct a Public Hearing and consider the adoption of an Ordinance amending Lee County Ordinance No. 04-19, entitled, Lee County Cremation Fee Ordinance.

2. WHAT ACTION ACCOMPLISHES: Allows the County to amend Lee County Ordinance No. 04-19 to update the cremation authorization fee from Twenty-Five Dollars (\$25.00) to Thirty Dollars (\$30.00).

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 500 PH1		5. Meeting Date: 01-10-2006	
6. Agenda: <input type="checkbox"/> Consent <input type="checkbox"/> Administrative <input type="checkbox"/> Appeals <input checked="" type="checkbox"/> Public <input type="checkbox"/> Walk-On	7. Requirement/Purpose: (specify)		8. Request Initiated:
	<input type="checkbox"/> Statute	<input type="checkbox"/> Ordinance #04-19	Commissioner
	<input checked="" type="checkbox"/> Admin. Code	<input type="checkbox"/> Other	Department County Attorney
	<input type="checkbox"/>	<input type="checkbox"/>	Division General Services
			By: Andrea R. Fraser, Chief Assistant County Attorney

9. Background:

The Board of County Commissioners adopted Lee County Ordinance No. 04-19, entitled, Lee County Cremation Fee Ordinance on October 26, 2004. The effective date of the Ordinance was November 1, 2004.

The District 21 Medical Examiner contacted Lee County to update Section One: Setting of Fee in Lee County Ordinance No. 04-19 to help defray the rising costs involved with cremation. If the amendment to the Ordinance is approved the effective date of the cremation authorization fee would be February 1, 2006. This date would allow the District 21 Medical Examiner to notify funeral homes of the increase.

ATTACHMENTS: Proposed Ordinance
Notice of Intent
Financial Impact Statement (FAIS)

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
				<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

CO. ATTY.
FORWARDED TO:
[Signature]

RECEIVED BY
COUNTY ADMIN: *[Signature]*
12-20-05
2:48
COUNTY ADMIN
FORWARDED TO: *[Signature]*
12/21/05
[Signature]

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING LEE COUNTY ORDINANCE NO. 04-19, RELATING TO CHARGING AND COLLECTING OF FEES BY THE DISTRICT 21 MEDICAL EXAMINER FOR PROVIDING EXAMINATIONS AND INVESTIGATIONS RELATING TO CREMATION, DISSECTION, AND BURIAL AT SEA; INCREASING THE FEES FROM TWENTY-FIVE DOLLARS (\$25.00) TO THIRTY DOLLARS (\$30.00); PROVIDING FOR THE ESTABLISHMENT OF A SCHEDULE OF FEES BY RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County, Florida, previously adopted Ordinance No. 04-19, relating to the cremation fee; and,

WHEREAS, the effective date of Ordinance No. 04-19 was November 1, 2004; and

WHEREAS, the Board of County Commissioners of Lee County, Florida, now desires to amend Lee County Ordinance No. 04-19 in order to increase the fee from Twenty-Five Dollars (\$25.00) to Thirty Dollars (\$30.00).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA that:

SECTION ONE:

This Ordinance amends Lee County Ordinance No. 04-19, as set forth herein. The amendments and revisions set forth in the following Sections are hereby adopted, with strike-through type being the language deleted and underlined text being language added.

SECTION TWO:

Section One of Lee County Ordinance No. 04-19, is hereby further amendment to read as follows:

SECTION ONE: SETTING OF FEE

The cremation authorization fee is established at ~~Twenty-Five Dollars (\$25.00)~~ Thirty Dollars (\$30.00) for each cremation approval issued by the Medical Examiner's Office for Lee County.

SECTION THREE:

Section Four of Lee County Ordinance No. 04-19, is hereby further amendment to read as follows:

SECTION FOUR: EFFECTIVE DATE

This Ordinance will become effective February 1, 2006.

(Balance of Page Left Intentionally Blank)

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

BOB JANES _____
DOUGLAS ST. CERNY _____
RAY JUDAH _____
TAMMARA HALL _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED THIS _____ day of _____, 2006.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Tammara Hall, Chairwoman

APPROVED AS TO FORM:

BY: _____
Office of the County Attorney

LEE COUNTY, FLORIDA

FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT

PROPOSED COUNTY ORDINANCE:

NAME OF ORDINANCE: Amendment to #04-19 Cremation -
District 21 Medical Examiner

A. Statement of Purpose

Cremation fee revision from Twenty-Five Dollars (\$25.00) to Thirty Dollars (\$30.00) regarding procedures for the charging and collecting of fees by the District 21 Medical Examiner for providing examinations and investigations relating to cremation, dissection, and burial at sea.

B. Narrative Summary of Ordinance (Several Sentence Summary)

Section 406.11(1)(c), Fla Stat., requires the District 21 Medical Examiner determine the cause of death for the District by such examinations, investigations, and autopsies as deemed necessary or as shall be requested by the State Attorney when a body is to be cremated, dissected, or burried at sea. These fees will be used to offset expenses of the Medical Examiner in Lee County.

C. Principal Division(s) or Department(s) Affected (List)

District 21 Medical Examiner
Budget Services

**LEE COUNTY, FLORIDA
 FINANCIAL & ADMINISTRATIVE IMPACT STATEMENT
 PROPOSED COUNTY ORDINANCE:
 AMENDMENT TO MEDICAL EXAMINER CREMATION FEE ORDINANCE**

II. Fiscal Impact on County Agencies/County Funds (This section to be completed by OBS).

A. What is estimated Demand? (Develop Indicators) N/A

B. What is estimated Workload? (Develop Indicators) N/A

C. What are estimated costs?

	<u>1st Year \$'s</u>		<u>2nd Year \$'s</u>	
	<u>Existing</u>	<u>New</u>	<u>Existing</u>	<u>New</u>
Personnel	N/A		N/A	
Fringe	N/A		N/A	
Operating	N/A		N/A	
Capital Outlay	N/A		N/A	
Total	N/A		N/A	

D. List the anticipated revenues to cover costs identified in II, C, above. If a fee is to be charged, answer the following:

1. What is the basis (rationale) for the fee? Offset Medical Examiner expenses.
2. Do the anticipated fees cover the full cost of operation? If not, what percentage of the costs are covered? For FY05-06, \$84,000 in fee revenue is budgeted based on a \$25 fee, which represents approximately 4% of total budgeted expenses.

E. Give a brief narrative analysis of the information contained in II, A-D, above.

Increasing the fee from \$25 to \$30 would generate an additional \$16,800 in fee revenue. The Medical Examiner receives 30% of fees collected; which means the Medical Examiner would earn an additional \$5,040 and the County would retain \$11,760.