

RESOLUTION NO. 2014-322

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA, PERTAINING TO THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR ABATEMENT OF CODE VIOLATIONS; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Parker, Florida ("City"), adopted Ordinance No. 2013-364 on December 17, 2013, which provides that the City may abate violations of the City's Municipal Code ("Code") on lots, parcels and tracts located within the City;

WHEREAS, when the City abates violations of the Code, those properties improved by the City have benefited from the work performed by the City in a manner greater than other properties within the City;

WHEREAS, when the City abates violations of the Code pursuant to Ordinance 2013-364, the owners of the property where the work was performed are required to reimburse the City for the actual costs incurred by the City in bringing the property into compliance with the Code;

WHEREAS, some owners may fail or refuse to reimburse the City when City funds are expended to bring a property into compliance with the Code;

WHEREAS, in order to collect the costs and expenses not timely paid by property owners, the City finds that it is fair

and equitable to levy a non-ad valorem assessment to reimburse the City for costs and expenses incurred;

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632 of the Florida Statutes, allows such assessments to be placed on the tax bills;

WHEREAS, the City has the authority to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments set forth in Chapter 197 of the Florida Statutes; and

WHEREAS, the City finds that the use of this collection method will result in efficient and effective collection of reimbursement of costs and expenses.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, FLORIDA AS FOLLOWS:

Section 1. The City intends to use, and hereby authorizes its Mayor and City Clerk to take necessary actions to use the uniform method of collecting non-ad valorem assessments as provided in Section 197.3632 of the Florida Statutes, as may be amended or superseded, for collecting costs incurred by the City in bringing properties into compliance with the Code pursuant to Ordinance 2013-364, as may be amended or superseded.

Section 2. The City intends to use and will continue from year to year to use the uniform method of collecting non-ad

valorem assessments for the abatement of violations of the Code until otherwise discontinued by the City.

Section 3. The City has determined that non-ad valorem assessments for the abatement of violations of the Code is necessary in order to financially permit and enable the City to take action to ensure that all properties located within the municipal boundaries of the City are in compliance with the Code.

Section 4. The City, in its entirety, as its boundaries exist on the effective date of this Resolution and as they may be expanded or contracted from time to time, is hereby declared a special assessment district for the purpose of collecting unpaid costs and expenses incurred by the City for the abatement of violations of the Code. As of the effective date of this Resolution, the legal description of the real property subject to levy is as follows:

Beginning at a point 33 feet South of the Northwest Corner of Section 13, Township 4 South, Range 14 West; thence East along the South Right-of-way line of Cherry Street to a point 33 feet South and 1,910 feet West of the Northeast Corner of the Northwest Quarter of Section 13, Township 4 South, Range 14 West; thence run South 297 feet; thence run East 1,690 feet; thence run North 297 feet; thence run East to a point 33 feet South of the Northeast Corner of Section 13, Township 4 South, Range 14 West, said point being on the East line of Section 13, Township 4 South, Range 14 West, and said line being the West city limit line of the City of Callaway; thence run South along East boundary line of Sections 13 and 24, and 25, Township 4 South,



Range 14 West to the Channel of the Inter-Coastal Waterway; thence run westerly and Northerly along the Channel of Inter-Coastal Waterway to its intersection with the North/South center section line of Section 23, Township 4 South, Range 14 West; thence run North along the center section line of Sections 23 and 14 to a point 330 feet North of the NW corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 14, Township 4 South, Range 14 West; thence run East to the East section line of said Section 14; thence run North to point of beginning.

Properties may be assessed in the future years for the cost of abatement of violations of the Code including Ordinance 2013-364 (as may be amended or superseded) and shall likewise have their respective assessments collected by the uniform method (unless the assessments are paid timely before the pertinent non-ad valorem assessment roll is certified to the Bay County Tax Collector for collection), and for that purpose the City shall place the legal description of such properties on its non-ad valorem assessment roll each year that the assessments are outstanding and unpaid.

Section 5. In accordance with the requirements of subsection 197.3632(3)(a) of the Florida Statutes, as may be amended or superseded, prior to the adoption of this Resolution, the City held a public hearing that was advertised weekly in a newspaper of general circulation, for four consecutive weeks prior to the public hearing.

Section 6. Each non-ad valorem assessment imposed by the City pursuant to Ordinance 2013-364 (as may be amended or

superseded) and this Resolution shall be included in the assessment roll that will be adopted by the City and certified by the City Clerk prior to September 15, 2014, and successive similar day (or the next previous working day) of each year thereafter.

Section 7. The City Clerk is hereby directed to send a certified copy of this Resolution, by U.S. mail, to the Bay County Property Appraiser, Bay County Tax Collector, and Florida Department of Revenue by March 10, 2014.

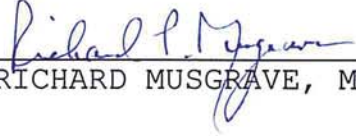
Section 8. If any section, subsection, sentence, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 9. All other resolutions or parts of resolutions of the City in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

Section 10. This Resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED at a Meeting of the City Council of the City of Parker, Florida as of the 4<sup>th</sup> day of February, 2014.

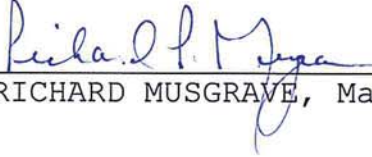
CITY OF PARKER

  
RICHARD MUSGRAVE, Mayor

ATTEST:

  
NANCY ROWELL, City Clerk

Examined and approved by me, this 4<sup>th</sup> day of February, 2014.

  
RICHARD MUSGRAVE, Mayor