

**ORDINANCE NO. 2016 - \_\_\_\_\_**

**AN ORDINANCE OF SANTA ROSA COUNTY, FLORIDA; REPEALING AND REPLACING ORDINANCE 2014-13; ESTABLISHING THE PONDEROSA DRIVE DESIGN/PLANNING AND CONSTRUCTION OF PAVING, WATER AND SEWER MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR THE ASSESSING OF ASSESSMENTS BY THE COUNTY FOR DESIGN/PLANNING AND CONSTRUCTION OF PAVING, WATER AND SEWER IMPROVEMENTS; PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENT BY THE NON-AD VALOREM ASSESSMENT PROCEDURE; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA, AS FOLLOWS:**

It is hereby found and declared by the Board of County Commissioners of Santa Rosa County:

**SECTION 1. FINDINGS.**

1. It is necessary to provide for the financing of the design/planning and construction, paving and construction of a water and sewage collection system to be constructed, owned and operated by the South Santa Rosa Utilities, Inc., for the provision of water and sewer on Ponderosa Drive and for road paving and stormwater management of Ponderosa Drive.

2. The Santa Rosa County Board of County Commissioners finds that the most equitable method of providing such funding is through the creation of the Ponderosa Drive Design/Planning and Construction of Paving, Water and Sewer Municipal Service Benefit Unit (Unit) to include the properties depicted in the attached map.

The Unit will utilize non-ad valorem assessments to insure that all property owners benefiting from the improvements shall fund the complete cost of such service.

Santa Rosa County is authorized by Chapters 125 & 197, Florida Statutes, to implement the provisions of this ordinance.

3. It is the purpose of this Ordinance to implement the provisions of Chapter 125 and 197, Florida Statutes, and the covenants contained in any ordinance, resolution, or indenture securing the issuance of financing for the project. This Ordinance is adopted under the authority and power granted the Board under Section 125.01, Florida Statutes, and Section 197.3631, Florida Statutes and other applicable laws.

**SECTION 2. DEFINITIONS.**

For the purpose of this Ordinance, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent with the context words used in the present tense include the future tense, words in the plural number include the singular, and words in the singular number include the plural. Words used herein and not otherwise defined shall have the meaning given to them in the Act.

1. "ANNUAL DESIGN/PLANNING AND CONSTRUCTION OF PAVING WATER/SEWER ASSESSMENT" means the annual assessment imposed upon a parcel of real property for the provision of design/planning and construction of paving, water and sewer collection system. Said assessment shall be assessed for multiple years to amortize the initial cost of constructing the system.

2. "ANNUAL DESIGN/PLANNING AND CONSTRUCTION OF PAVING WATER/SEWER ASSESSMENT ROLL" means the list prepared by the County and confirmed by the Board containing a summary description of each parcel of real property within the unit, the name and address of the Owner of each such parcel as indicated on the records maintained by the Property Appraiser and the assessment authorized by this Ordinance against each parcel.

3. "BOARD" means the Board of County Commissioners of Santa Rosa County, Florida, or the governing body by any other name in which the general legislative powers of the County are vested.

4. "CLERK" means the Clerk of the Circuit Court of Santa Rosa County, Florida.

5. "COUNTY" means Santa Rosa County, Florida.

6. "GOVERNMENTAL AGENCY" any local, state, or federal agency.

7. "OWNER" means the person or persons owning an interest in real property located within the unit.

8. "PERSON" means an individual, partnership, corporation, joint venture, private or public service company or entity, however organized.

9. "PROPERTY APPRAISER" means the Property Appraiser of Santa Rosa County, Florida.

10. "RATE RESOLUTION" means the resolution adopted under the provisions of Section 6 of this Ordinance incorporating a schedule of annual assessments to be imposed upon the Owners of all Real Property in the Unit.

11. "REAL PROPERTY" means all real property located in the unit.

12. “DESIGN/PLANNING AND CONSTRUCTION OF WATER/SEWER COLLECTION SYSTEM AND ROAD PAVING” the “SYSTEM” shall include the water and sewage collection system constructed and owned by South Santa Rosa Utilities, Inc., and road paving and stormwater management of Ponderosa Drive.

13. “TAX COLLECTOR” means the Tax Collector of Santa Rosa County, Florida.

14. “UNIT” means Ponderosa Drive Design/Planning and Construction of Paving, Water and Sewer Municipal Service Benefit Unit.

**SECTION 3. CREATION OF UNIT.**

Pursuant to Chapter 125, Florida Statutes, there is hereby established the Ponderosa Drive Design/Planning and Construction of Paving, Water and Sewer Municipal Service Benefit Unit. The boundaries of such Unit shall consist of the properties depicted in the attached map.

**SECTION 4. PURPOSE.**

It is the purpose of this Ordinance to establish a schedule of assessments to fund the design/planning and construction of paving, water and sewer improvements and to provide for a method and procedure for the collection of such established assessments.

**SECTION 5. DETERMINATION OF ANNUAL ASSESSMENTS AND CHARGES; PUBLIC HEARING.**

A. It is hereby declared that providing the design/planning, providing of water service and the construction of the sewage collection system, and providing of sewer collection service, and construction of road paving and stormwater management system is a benefit and improvement to all real property in the unit regardless of use and occupancy of such property. The construction, operation and maintenance of the system and road paving and stormwater management system directly improves and benefits all real property by ensuring a source for the disposal of sewage being generated, or potentially to be generated, on such real property that is practical and compatible with the health and safety of all citizens in the unit and provides for paved roads and stormwater management.

B. There is hereby imposed on the Assessment Date against each parcel in the Unit an Assessment for the provision of water service and a sewage collection system and road paving and stormwater management systems as provided under the provisions of this Ordinance.

C. The amount of the Assessment imposed each Fiscal Year against each parcel shall be at the rate established in the Rate Resolution adopted pursuant to this ordinance.

D. It is the intent of the Board that the costs of construction of the water and sewage collection systems and road paving and stormwater management systems shall be amortized over a number of years. The amount of the assessment and number of years to be imposed shall be specified in the rate resolution. Said resolution may be amended or modified as provided by this ordinance and law.

**SECTION 6. ADOPTION OF RATE RESOLUTION AND ANNUAL ASSESSMENT ROLL.**

A. The Rate Resolution shall fix and establish for the specified years:

1. The Assessment to be imposed, and
2. The number of years said assessment will be imposed.

B. On or before August 1 of each year, the Board shall adopt by resolution a tentative Rate Resolution establishing the Assessments proposed to be imposed against each parcel in the Unit for the purpose of providing the design/planning and construction of paving, water and sewage collection systems. Upon adoption by the Board of the tentative Rate Resolution, the County Administrator shall cause to be prepared a preliminary Annual Assessment Roll and upon completion shall file such preliminary roll with the Clerk for public inspection.

C. The Board shall hold a public hearing to adopt the Rate Resolution and the Annual Assessment Roll for the ensuing Fiscal Year. Such hearing shall be held between June 1 and September 15.

At such public hearing, the Board shall hear comments and objections from Owners and other members of the public as to the proposed Assessments and shall review the preliminary Assessment Roll prepared by the County Administrator for preparation in conformity with the tentative Rate Resolution and this Ordinance. The Board shall also hear comments or objections from any Owner or member of the public as to the method of apportionment of the cost of funding the water/sewer collection services and the paving and stormwater management systems against any parcel within the unit. The Board shall make such increase, decrease or revision to any proposed Assessment, as it shall deem necessary or appropriate and shall adopt a Rate Resolution. In addition, the Board shall make such changes, modifications or additions as necessary to conform the preliminary Annual Assessment Roll with the adopted Rate Resolution and this Ordinance. The Board may continue said public hearing to a date and time certain without the necessity of further public notice to allow prior to final adoption increases, decreases or revisions to the tentative Rate Resolution or changes, modification or additions to the

preliminary Assessment Roll or for such other reason deemed necessary in the sole discretion of the Board. If upon completion of such public hearing the Board shall be satisfied that the Annual Assessment Roll has been prepared in conformity with the Rate Resolution and this Ordinance, it shall ratify and confirm such roll and the Chairman of the Board shall certify the roll to the Tax Collector no later than September 15 of each year, unless a subsequent date is approved by the Tax Collector.

D. Notice of the date, time, and place of the public hearing for the adoption of the Rate Resolution and the Assessment Roll shall be as provided in Section 197.3632(4)(b), Florida Statutes (Supp.)(1988).

E. Notwithstanding the mailing or publication of a proposed schedule of assessments, the Board shall have full and absolute discretion at such public hearing to increase, decrease or revise any proposed Assessment.

**SECTION 7. UTILIZATION OF STATUTORY COLLECTION PROCEDURES.**

A. The Collection of the Assessments shall be in the manner provided for the uniform collection of non-ad valorem assessment and in accordance with the provisions of Section 197.3632, Florida Statutes (Supp.)(1988), or its successor in function.

B. The collection of Assessments pursuant to this section shall be subject to all collection procedures of Chapter 197, Florida Statutes, including provisions relating to discount for early payment, prepayment by installment method, deferred payment penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

C. The Tax Collector shall include on the Notice of Ad Valorem Tax and Non-Ad Valorem Assessments mailed under Section 197.3635, Florida Statutes (Supp.)(1988), or its successor in function, the Assessment for each parcel listed on the Real Property Assessment Roll as incorporated on the Annual Assessment Roll.

**SECTION 8. CODIFICATION.**

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the County of Santa Rosa. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

**SECTION 9. SEVERABILITY.**

If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the

validity of any other provision and to that end the provisions of this Ordinance are hereby declared to be severable.

**SECTION 10. EFFECTIVE DATE.**

A certified copy of this Ordinance shall be filed in the office of the Secretary of State within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from that office that said Ordinance has been filed.

**PASSED AND ADOPTED** by a vote of \_\_\_ yeas and \_\_\_ nays, and \_\_\_ absent of the Board of County Commissioners of Santa Rosa County, Florida, this \_\_\_ day of \_\_\_\_\_, 2016.

**BOARD OF COUNTY COMMISSIONERS  
SANTA ROSA COUNTY, FLORIDA**

By: \_\_\_\_\_  
Lane Lynchard, Chairman

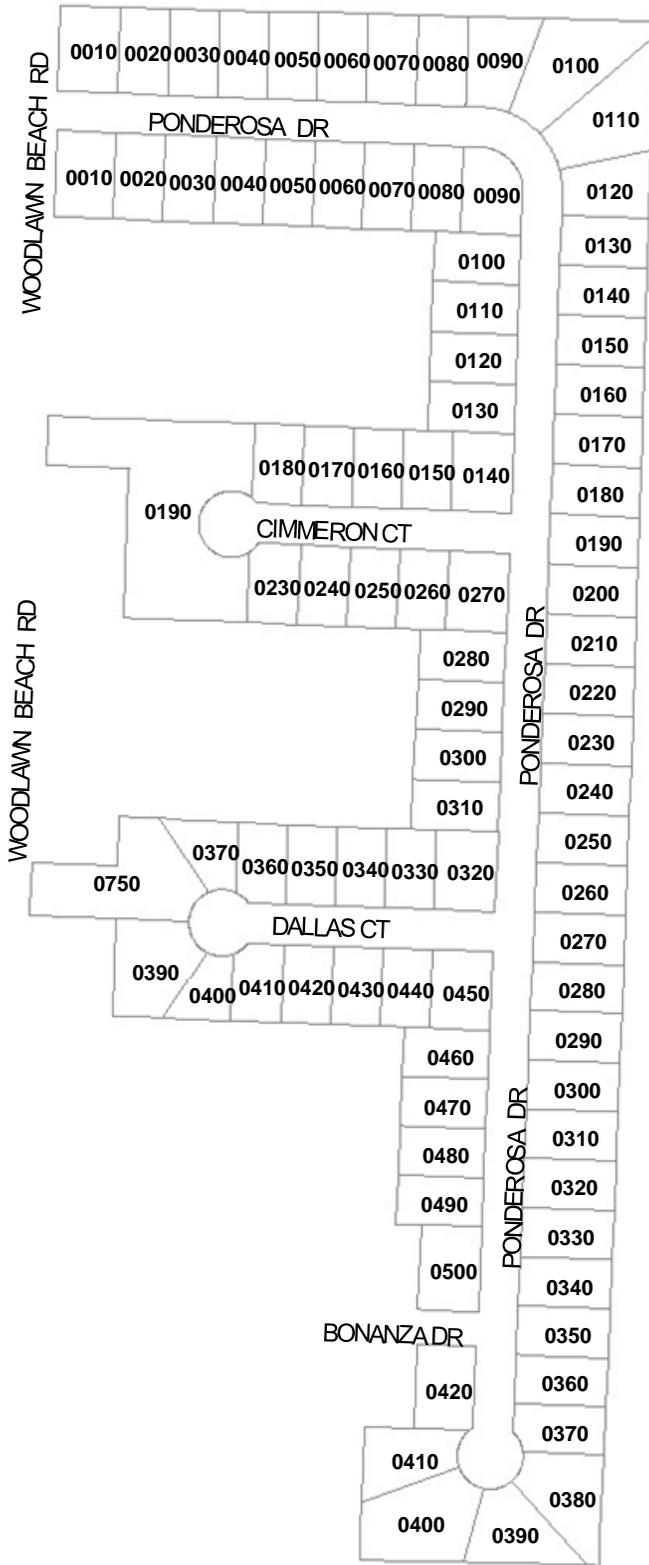
**ATTEST:**

\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

I, Donald C. Spencer, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and sent electronically to the Secretary of State of Florida, on this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

**Ponderosa Drive,  
MSBU**



**ORDINANCE NO. 2016 - \_\_\_\_\_**

**AN ORDINANCE OF SANTA ROSA COUNTY, FLORIDA, ESTABLISHING THE AVALON ESTATES SUBDIVISION STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT, AND DUNCAN RIDGE SUBDIVISION STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENT BY THE NON-AD VALOREM ASSESSMENT PROCEDURE; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. FINDINGS.**

1. It is necessary to provide for the funding mechanism for the provision of street lighting within Avalon Estates Subdivision, and Duncan Ridge Subdivision.

2. The Santa Rosa County Board of County Commissioners finds that the most equitable method of providing such funding is through the creation of the Avalon Estates Subdivision Street Lighting Municipal Service Benefit Unit (Unit), and Duncan Ridge Subdivision Street Lighting Municipal Service Benefit Unit (Unit), to include the properties depicted in the attached maps.

The Units will utilize non-ad valorem assessments to insure that all property owners benefiting from the street lighting shall fund the complete cost of such services.

Santa Rosa County is authorized by Chapters 125 & 197, Florida Statutes, to implement the provisions of this ordinance.

3. It is the purpose of this Ordinance to implement the provisions of Chapter 125 and 197, Florida Statutes, and the covenants contained in any ordinance, resolution, or indenture securing the issuance of financing for the projects. This Ordinance is adopted under the authority and power granted the Board under Section 125.01, Florida Statutes, and Section 197.3631, Florida Statutes and other applicable laws.

**SECTION 2. DEFINITIONS.**

For the purpose of this Ordinance, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent with the context words used in the present tense include the future tense, words in the plural number include the singular, and words

in the singular number include the plural. Words used herein and not otherwise defined shall have the meaning given to them in the Act.

1. "ANNUAL STREET LIGHTING ASSESSMENT" means the annual assessment imposed upon a parcel of real property for the provision of street lighting services.

2. "ANNUAL STREET LIGHTING ASSESSMENT ROLL" means the list prepared by the County and confirmed by the Board containing a summary description of each parcel of real property within the unit, the name and address of the Owner of each such parcel as indicated on the records maintained by the Property Appraiser and the assessment authorized by this Ordinance against each parcel.

3. "BOARD" means the Board of County Commissioners of Santa Rosa County, Florida, or the governing body by any other name in which the general legislative powers of the County are vested.

4. "CLERK" means the Clerk of the Circuit Court of Santa Rosa County, Florida.

5. "COUNTY" means Santa Rosa County, Florida.

6. "GOVERNMENTAL AGENCY" any local, state, or federal agency.

7. "OWNER" means the person or persons owning an interest in real property located within the unit.

8. "PERSON" means an individual, partnership, corporation, joint venture, private or public service company or entity, however organized.

9. "PROPERTY APPRAISER" means the Property Appraiser of Santa Rosa County, Florida.

10. "RATE RESOLUTION" means the resolution adopted under the provisions of Section 6 of this Ordinance incorporating a schedule of annual assessments to be imposed upon the Owners of all Real Property in the Unit.

11. "REAL PROPERTY" means all real property located in the unit.

12. "TAX COLLECTOR" means the Tax Collector of Santa Rosa County, Florida.

13. "UNIT" means the Avalon Estates Subdivision Street Lighting Municipal Service Benefit Unit (Unit), and Duncan Ridge Subdivision Street Lighting Municipal Service Benefit Unit (Unit).

**SECTION 3. CREATION OF UNIT.**

Pursuant to Chapter 125, Florida Statutes, there is hereby established the Avalon Estates Subdivision Street Lighting Municipal Service Benefit Unit (Unit), and Duncan Ridge

Subdivision Street Lighting Municipal Service Benefit Unit (Unit). The boundaries of the Units shall consist of the properties depicted in the attached maps.

**SECTION 4. PURPOSE.**

It is the purpose of this Ordinance to establish a schedule of assessments to fund street lighting and to provide for a method and procedure for the collection of such established assessments.

**SECTION 5. DETERMINATION OF ANNUAL ASSESSMENTS AND CHARGES; PUBLIC HEARING.**

A. It is hereby declared that the provision of funding for street lighting is a benefit and improvement to all real property in the Unit regardless of use and occupancy of such property.

B. There is hereby imposed on the Assessment Date against each parcel in the Units and Assessment for the provision of street lighting services.

C. The amount of the Assessment imposed each Fiscal Year against each parcel shall be at the rate established in the Rate Resolution adopted pursuant to this ordinance.

**SECTION 6. ADOPTION OF RATE RESOLUTION AND ANNUAL STREET LIGHTING ASSESSMENT ROLL.**

A. The Rate Resolution shall fix and establish the Assessment to be imposed in each parcel category.

B. The Board shall adopt by resolution a tentative Rate Resolution establishing the Assessments proposed to be imposed against each parcel in the Units for the purpose of providing street lighting. Upon adoption by the Board of the tentative Rate Resolution, the County Administrator shall cause to be prepared a preliminary Annual Assessment Roll.

C. Upon the preparation of the preliminary Annual Assessment Roll, the Board shall hold a public hearing to adopt the Rate Resolution and the Annual Assessment Roll for the ensuing Fiscal Year. Notice of the proposed assessments shall be mailed to owners as required by Florida Statutes specifying the amount of the proposed assessment and the time and location of the public hearing. At such public hearing, the Board shall hear comments and objections from Owners and other members of the public as to the proposed Assessments. The Board shall also hear comments or objections from any Owner or member of the public as to the method of apportionment of the cost of funding the street lighting against any parcel within the unit. The Board shall make such increase, decrease or revision to any proposed Assessment, as it shall deem necessary or appropriate and shall adopt a Rate Resolution. In addition, the Board shall

make such changes, modifications, or additions as necessary to conform the preliminary Annual Assessment Roll with the adopted Rate Resolution and this Ordinance. The Board may continue said public hearing to a date and time certain without the necessity of further public notice to allow prior to final adoption increases, decreases, or revisions to the tentative Rate Resolution or for such other reason deemed necessary in the sole discretion of the Board. Upon completion of such public hearing the Board may approve the final rate resolution.

D. Notwithstanding the mailing or publication of a proposed schedule of assessments, the Board shall have full and absolute discretion at such public hearing to increase, decrease, or revise any proposed Street Lighting Assessment.

**SECTION 7. UTILIZATION OF STATUTORY COLLECTION PROCEDURES.**

A. The Collection of the Assessments shall be in the manner provided for the uniform collection of non-ad valorem assessment and in accordance with the provisions of Section 197.3632, Florida Statutes (Supp.)(1988), or its successor in function.

B. The collection of Assessments pursuant to this section shall be subject to all collection procedures of Chapter 197, Florida Statutes, including provisions relating to discount for early payment, prepayment by installment method, deferred payment penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

C. The Tax Collector shall include on the Notice of Ad Valorem Tax and Non-Ad Valorem Assessments mailed under Section 197.3635, Florida Statutes (Supp.)(1988), or its successor in function, the Assessment for each parcel listed on the Real Property Assessment Roll as incorporated on the Annual Assessment Roll.

**SECTION 8.** All street lighting services provided shall be completely funded by the assessments established pursuant to this ordinance.

**SECTION 9. CODIFICATION.**

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the County of Santa Rosa. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

**SECTION 10. SEVERABILITY.**

If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the

validity of any other provision and to that end the provisions of this Ordinance are hereby declared to be severable.

**SECTION 11. EFFECTIVE DATE.**

This Ordinance shall take effect upon the filing of a certified copy of this Ordinance with the Department of State within ten (10) days after enactment.

**PASSED AND ADOPTED** by a vote of \_\_\_ yeas and \_\_\_ nays, and \_\_\_ absent of the Board of County Commissioners of Santa Rosa County, Florida, this \_\_\_\_ day of May, 2016.

**BOARD OF COUNTY COMMISSIONERS  
SANTA ROSA COUNTY, FLORIDA**

By \_\_\_\_\_  
Lane Lynchard, Chairman

**ATTEST:**

\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

I, Donald C. Spencer, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and sent electronically to the Secretary of State of Florida, on this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

**ORDINANCE NO. 2016 - \_\_\_\_\_**

**AN ORDINANCE OF SANTA ROSA COUNTY, FLORIDA; REPEALING AND REPLACING ORDINANCE 2014-13; ESTABLISHING THE PONDEROSA DRIVE DESIGN/PLANNING AND CONSTRUCTION OF PAVING, WATER AND SEWER MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR THE ASSESSING OF ASSESSMENTS BY THE COUNTY FOR DESIGN/PLANNING AND CONSTRUCTION OF PAVING, WATER AND SEWER IMPROVEMENTS; PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENT BY THE NON-AD VALOREM ASSESSMENT PROCEDURE; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA ROSA COUNTY, FLORIDA, AS FOLLOWS:**

It is hereby found and declared by the Board of County Commissioners of Santa Rosa County:

**SECTION 1. FINDINGS.**

1. It is necessary to provide for the financing of the design/planning and construction, paving and construction of a water and sewage collection system to be constructed, owned and operated by the South Santa Rosa Utilities, Inc., for the provision of water and sewer on Ponderosa Drive and for road paving and stormwater management of Ponderosa Drive.

2. The Santa Rosa County Board of County Commissioners finds that the most equitable method of providing such funding is through the creation of the Ponderosa Drive Design/Planning and Construction of Paving, Water and Sewer Municipal Service Benefit Unit (Unit) to include the properties depicted in the attached map.

The Unit will utilize non-ad valorem assessments to insure that all property owners benefiting from the improvements shall fund the complete cost of such service.

Santa Rosa County is authorized by Chapters 125 & 197, Florida Statutes, to implement the provisions of this ordinance.

3. It is the purpose of this Ordinance to implement the provisions of Chapter 125 and 197, Florida Statutes, and the covenants contained in any ordinance, resolution, or indenture securing the issuance of financing for the project. This Ordinance is adopted under the authority and power granted the Board under Section 125.01, Florida Statutes, and Section 197.3631, Florida Statutes and other applicable laws.

**SECTION 2. DEFINITIONS.**

For the purpose of this Ordinance, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent with the context words used in the present tense include the future tense, words in the plural number include the singular, and words in the singular number include the plural. Words used herein and not otherwise defined shall have the meaning given to them in the Act.

1. "ANNUAL DESIGN/PLANNING AND CONSTRUCTION OF PAVING WATER/SEWER ASSESSMENT" means the annual assessment imposed upon a parcel of real property for the provision of design/planning and construction of paving, water and sewer collection system. Said assessment shall be assessed for multiple years to amortize the initial cost of constructing the system.

2. "ANNUAL DESIGN/PLANNING AND CONSTRUCTION OF PAVING WATER/SEWER ASSESSMENT ROLL" means the list prepared by the County and confirmed by the Board containing a summary description of each parcel of real property within the unit, the name and address of the Owner of each such parcel as indicated on the records maintained by the Property Appraiser and the assessment authorized by this Ordinance against each parcel.

3. "BOARD" means the Board of County Commissioners of Santa Rosa County, Florida, or the governing body by any other name in which the general legislative powers of the County are vested.

4. "CLERK" means the Clerk of the Circuit Court of Santa Rosa County, Florida.

5. "COUNTY" means Santa Rosa County, Florida.

6. "GOVERNMENTAL AGENCY" any local, state, or federal agency.

7. "OWNER" means the person or persons owning an interest in real property located within the unit.

8. "PERSON" means an individual, partnership, corporation, joint venture, private or public service company or entity, however organized.

9. "PROPERTY APPRAISER" means the Property Appraiser of Santa Rosa County, Florida.

10. "RATE RESOLUTION" means the resolution adopted under the provisions of Section 6 of this Ordinance incorporating a schedule of annual assessments to be imposed upon the Owners of all Real Property in the Unit.

11. "REAL PROPERTY" means all real property located in the unit.

12. “DESIGN/PLANNING AND CONSTRUCTION OF WATER/SEWER COLLECTION SYSTEM AND ROAD PAVING” the “SYSTEM” shall include the water and sewage collection system constructed and owned by South Santa Rosa Utilities, Inc., and road paving and stormwater management of Ponderosa Drive.

13. “TAX COLLECTOR” means the Tax Collector of Santa Rosa County, Florida.

14. “UNIT” means Ponderosa Drive Design/Planning and Construction of Paving, Water and Sewer Municipal Service Benefit Unit.

**SECTION 3. CREATION OF UNIT.**

Pursuant to Chapter 125, Florida Statutes, there is hereby established the Ponderosa Drive Design/Planning and Construction of Paving, Water and Sewer Municipal Service Benefit Unit. The boundaries of such Unit shall consist of the properties depicted in the attached map.

**SECTION 4. PURPOSE.**

It is the purpose of this Ordinance to establish a schedule of assessments to fund the design/planning and construction of paving, water and sewer improvements and to provide for a method and procedure for the collection of such established assessments.

**SECTION 5. DETERMINATION OF ANNUAL ASSESSMENTS AND CHARGES; PUBLIC HEARING.**

A. It is hereby declared that providing the design/planning, providing of water service and the construction of the sewage collection system, and providing of sewer collection service, and construction of road paving and stormwater management system is a benefit and improvement to all real property in the unit regardless of use and occupancy of such property. The construction, operation and maintenance of the system and road paving and stormwater management system directly improves and benefits all real property by ensuring a source for the disposal of sewage being generated, or potentially to be generated, on such real property that is practical and compatible with the health and safety of all citizens in the unit and provides for paved roads and stormwater management.

B. There is hereby imposed on the Assessment Date against each parcel in the Unit an Assessment for the provision of water service and a sewage collection system and road paving and stormwater management systems as provided under the provisions of this Ordinance.

C. The amount of the Assessment imposed each Fiscal Year against each parcel shall be at the rate established in the Rate Resolution adopted pursuant to this ordinance.

D. It is the intent of the Board that the costs of construction of the water and sewage collection systems and road paving and stormwater management systems shall be amortized over a number of years. The amount of the assessment and number of years to be imposed shall be specified in the rate resolution. Said resolution may be amended or modified as provided by this ordinance and law.

**SECTION 6. ADOPTION OF RATE RESOLUTION AND ANNUAL ASSESSMENT ROLL.**

A. The Rate Resolution shall fix and establish for the specified years:

1. The Assessment to be imposed, and
2. The number of years said assessment will be imposed.

B. On or before August 1 of each year, the Board shall adopt by resolution a tentative Rate Resolution establishing the Assessments proposed to be imposed against each parcel in the Unit for the purpose of providing the design/planning and construction of paving, water and sewage collection systems. Upon adoption by the Board of the tentative Rate Resolution, the County Administrator shall cause to be prepared a preliminary Annual Assessment Roll and upon completion shall file such preliminary roll with the Clerk for public inspection.

C. The Board shall hold a public hearing to adopt the Rate Resolution and the Annual Assessment Roll for the ensuing Fiscal Year. Such hearing shall be held between June 1 and September 15.

At such public hearing, the Board shall hear comments and objections from Owners and other members of the public as to the proposed Assessments and shall review the preliminary Assessment Roll prepared by the County Administrator for preparation in conformity with the tentative Rate Resolution and this Ordinance. The Board shall also hear comments or objections from any Owner or member of the public as to the method of apportionment of the cost of funding the water/sewer collection services and the paving and stormwater management systems against any parcel within the unit. The Board shall make such increase, decrease or revision to any proposed Assessment, as it shall deem necessary or appropriate and shall adopt a Rate Resolution. In addition, the Board shall make such changes, modifications or additions as necessary to conform the preliminary Annual Assessment Roll with the adopted Rate Resolution and this Ordinance. The Board may continue said public hearing to a date and time certain without the necessity of further public notice to allow prior to final adoption increases, decreases or revisions to the tentative Rate Resolution or changes, modification or additions to the

preliminary Assessment Roll or for such other reason deemed necessary in the sole discretion of the Board. If upon completion of such public hearing the Board shall be satisfied that the Annual Assessment Roll has been prepared in conformity with the Rate Resolution and this Ordinance, it shall ratify and confirm such roll and the Chairman of the Board shall certify the roll to the Tax Collector no later than September 15 of each year, unless a subsequent date is approved by the Tax Collector.

D. Notice of the date, time, and place of the public hearing for the adoption of the Rate Resolution and the Assessment Roll shall be as provided in Section 197.3632(4)(b), Florida Statutes (Supp.)(1988).

E. Notwithstanding the mailing or publication of a proposed schedule of assessments, the Board shall have full and absolute discretion at such public hearing to increase, decrease or revise any proposed Assessment.

**SECTION 7. UTILIZATION OF STATUTORY COLLECTION PROCEDURES.**

A. The Collection of the Assessments shall be in the manner provided for the uniform collection of non-ad valorem assessment and in accordance with the provisions of Section 197.3632, Florida Statutes (Supp.)(1988), or its successor in function.

B. The collection of Assessments pursuant to this section shall be subject to all collection procedures of Chapter 197, Florida Statutes, including provisions relating to discount for early payment, prepayment by installment method, deferred payment penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

C. The Tax Collector shall include on the Notice of Ad Valorem Tax and Non-Ad Valorem Assessments mailed under Section 197.3635, Florida Statutes (Supp.)(1988), or its successor in function, the Assessment for each parcel listed on the Real Property Assessment Roll as incorporated on the Annual Assessment Roll.

**SECTION 8. CODIFICATION.**

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the County of Santa Rosa. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

**SECTION 9. SEVERABILITY.**

If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the

validity of any other provision and to that end the provisions of this Ordinance are hereby declared to be severable.

**SECTION 10. EFFECTIVE DATE.**

A certified copy of this Ordinance shall be filed in the office of the Secretary of State within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgment from that office that said Ordinance has been filed.

**PASSED AND ADOPTED** by a vote of \_\_\_ yeas and \_\_\_ nays, and \_\_\_ absent of the Board of County Commissioners of Santa Rosa County, Florida, this \_\_\_ day of \_\_\_\_\_, 2016.

**BOARD OF COUNTY COMMISSIONERS  
SANTA ROSA COUNTY, FLORIDA**

By: \_\_\_\_\_  
Lane Lynchard, Chairman

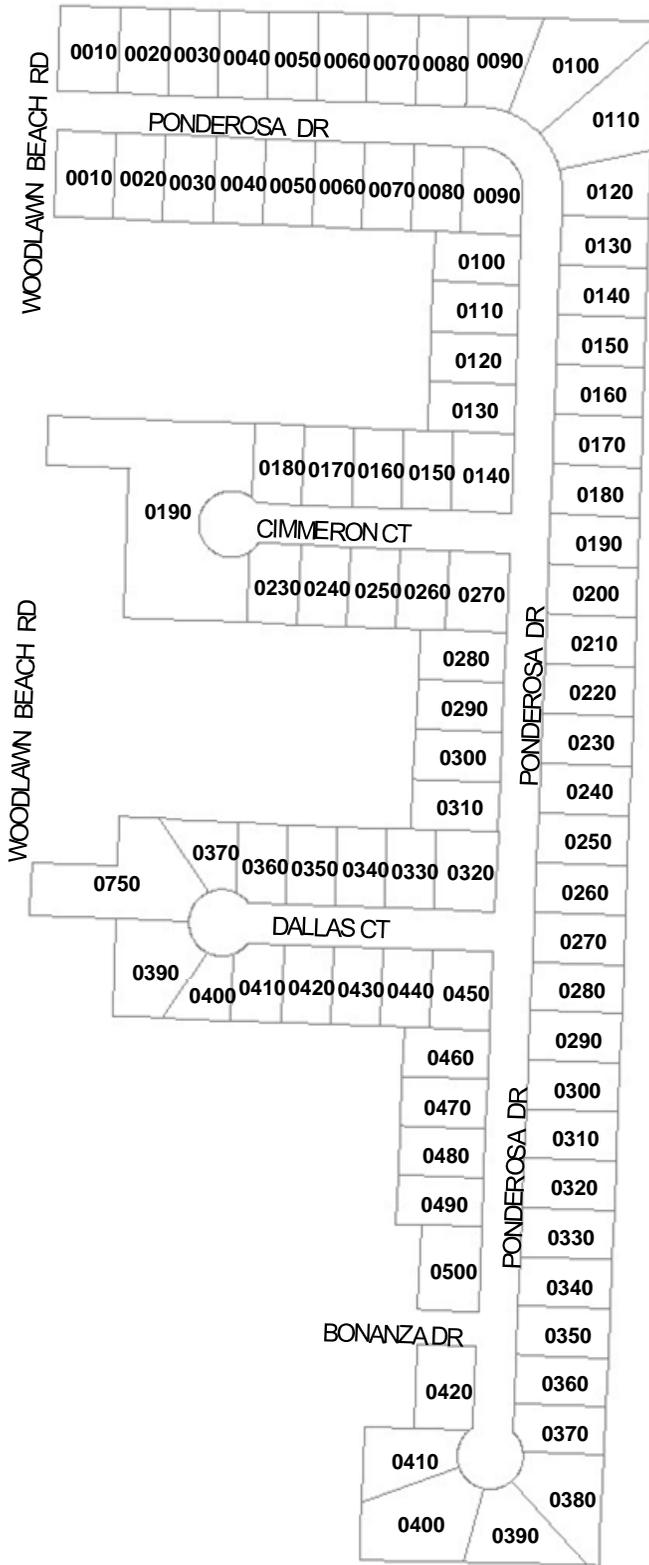
**ATTEST:**

\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

I, Donald C. Spencer, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and sent electronically to the Secretary of State of Florida, on this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

**Ponderosa Drive,  
MSBU**





# SANTA ROSA COUNTY BOARD OF COMMISSIONERS

Administrative Offices | 6495 Caroline Street, Suite M | Milton, Florida 32570-4592

JAYER WILLIAMSON, District 1  
ROBERT A. "BOB" COLE, District 2  
W. D. "DON" SALTER, District 3  
ROB WILLIAMSON, District 4  
R. LANE LYNCHARD, District 5

TONY GOMILLION, County Administrator  
ROY V. ANDREWS, County Attorney  
JAYNE BELL, OMB Director

## MEMORANDUM

TO: Board of Commissioners  
FROM: Tony Gomillion, County Administrator  
DATE: April 18, 2016  
SUBJECT: Camden Drive MSBU

### DISCUSSION

Discussion of request for a public hearing to be held for a paving MSBU for that section of Camden Drive from Hartland Street to Castlewood Street.

### BACKGROUND

Ms. Patricia Hoog modified an original Camden Drive paving MSBU request to the above referenced two block area. The new petition request was submitted which falls one signature short of the required 66% threshold, if the Holley By the Sea Improvement Association parcel is included. If the Board determines that this parcel (and other future conservation restricted parcels) should not be included, the required petition threshold would be met (72%). The estimated seven year annual assessment on this project would increase from \$351 to \$401 if the one parcel is eliminated from assessment. The project information is attached.

### ACTIONS TO BE CONSIDERED:

- 1) Direction to staff on inclusion of conservation parcels in MSBU petition and assessment requirements.
- 2) Direction as to whether the above request should be approved for public hearing.

**RESOLUTION NO. 2016 - \_\_\_\_**

Pursuant to Santa Rosa County Ordinances 90-33 and 99-15, the Board of County Commissioners hereby creates the following specified Road Paving and Improvement Municipal Service Benefit Unit (MSBU):

- 1. Camden Drive Road Paving MSBU as shown on the map attached as Exhibit A.**

**PASSED AND ADOPTED** by a vote of \_\_\_\_ yeas and \_\_\_\_ nays and \_\_\_\_ absent of the Board of County Commissioners of Santa Rosa County, Florida, this 12<sup>th</sup> day of May, 2016.

**BOARD OF COUNTY COMMISSIONERS,  
SANTA ROSA COUNTY, FLORIDA**

By: \_\_\_\_\_  
Lane Lynchard, Chairman

**ATTEST:**

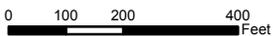
\_\_\_\_\_  
Donald C. Spencer, Clerk of Court

# Camden Dr Paving MSBU



Road frontage was determined by using the measure tool in GIS and the SRCPA parcel data from December, 2015.  
**NOTE: ALL MEASUREMENTS ARE IN FEET.**

Disclaimer:  
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## January 2016

- Request from Patricia Hoog to pave Camden Drive, a county maintained road, from Admiral Street to Leisure Street.
  - Estimate provided by Greg Cotton, R&B, to pave 6,685 feet
  - Camden already paved between Kempton and Elmdale

## February 2016

- Petition initially identified 44 property owners (44 parcels)
  - 66% = 29.04 or 30 signatures required
  - Did not include parcels owned by Holley by the Sea Improvement Association. After inquiry by Ms. Hoog as to why these parcels weren't included, Mr. Andrews was asked about it and he saw no reason why they should not be included.
- Petition rewritten to include 45 property owners (56 parcels)
  - 66% = 29.7 or 30 signatures required
- Notices mailed to all 45 property owners about circulation of petition

## March 2016

- Ms. Hoog conveys her inability to collect enough signatures to pave Camden as originally proposed. It is suggested she might try to pave a smaller section as the precedence had been established when the two block section between Kempton and Elmdale was paved.
- Scaled down project to run from Hartland to Codell to Castlewood.  
This scaled down project was presented to R&B. There were no issues and a new cost estimate was provided.
- New petition identified 8 property owners (8 parcels)
  - 66% = 5.28 or 6 signatures required
  - Parcels subject to assessment:
    - 18-2S-26-1920-0000-0U00 – corner of Camden Drive and Castlewood / Holley by the Sea Improvement Association
    - 18-2S-26-1920-09300-0010 – 6684 Codell Street / Pruden, Michael and Dena **YES**
    - 18-2S-26-1920-09000-0250 – 6683 Codell Street / Repke Jeffrey
    - 18-2S-26-1920-09000-0010 – 6688 Hartland Street / Kasperek Sean and Alba **YES**
    - 18-2S-26-1920-09100-0090 – 6702 Hartland Street / Rench, Dianne et al **YES**
    - 18-2S-26-1920-09100-0100 – 6697 Codell Street / Crystal, Lee **YES**
    - 18-2S-26-1920-09200-0090 – 2792 Camden Drive / Hoog, Michael and Patricia **YES**
    - 18-2S-26-1920-09200-0100 – 6701 Castlewood Street / Manning, Cary
- New petition returned with 5 signatures (see above)

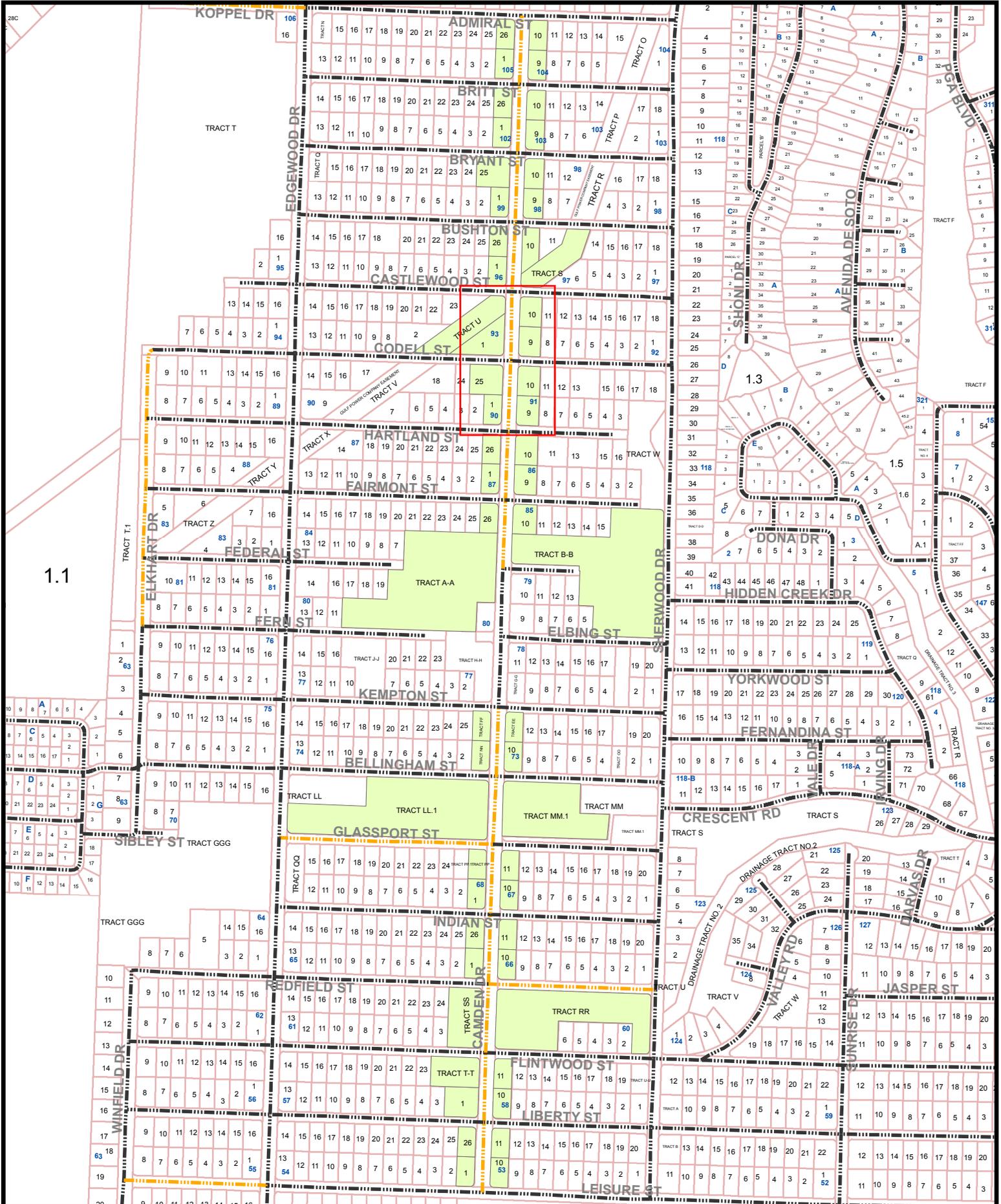
## APRIL 2016

- Received email from John Bordelon, Bordelon Law Firm, requesting conference call regarding whether parcels owned by Holley by the Sea Improvement Association are subject to the proposed assessment. Forwarded to Mr. Andrews.

If all eight parcels are subject to the assessment: \$351 / year / seven years.

# Camden Dr Paving MSBU

revised project area



Road frontage was determined by using the measure tool in GIS and the SRCPA parcel data from December, 2015.  
 NOTE: ALL MEASUREMENTS ARE IN FEET.

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