

ORDINANCE NO. 14-03

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AMENDING ARTICLE III, "PROPERTY MAINTENANCE STANDARDS" OF CHAPTER 26 "ENVIRONMENT," BY AMENDING SECTION 26-64, "PAYMENT BILLING AND COLLECTION OF COSTS WHEN WORK DONE BY TOWN; LIEN DECLARED", AND SECTION 26-65, "ENFORCEMENT OF ASSESSMENTS" BY PROVIDING FOR AN ANNUAL NON-AD VALOREM BENEFIT ASSESSMENT ROLL AND COLLECTION OF ASSESSMENTS ON THE PROPERTY TAX BILL ; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the Town Council has reviewed certain sections of the Town's Code of Ordinances related to nuisance abatement and has determined that certain changes are needed to facilitate collection of administrative fees and costs incurred by the Town for work performed in cleaning, clearing and repairing parcels of land within the Town to abate nuisances; and

WHEREAS, the Town Council has determined that the collection of costs and administrative fees incurred by the Town in abating nuisances, by utilizing the uniform method of collecting non-ad valorem benefit assessments, would be in the public interest and would be beneficial to the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA, AS FOLLOWS:

SECTION 1. Section 26-64, "Payment, billing and collection of costs when work done by Town; Lien declared," of Article III, "Property Maintenance Standards" of chapter 26, "Environment", of the Code of Ordinances of the Town is hereby amended by adding a new sub-section B. providing for the placement of unpaid non-ad valorem benefit assessments on the property tax bill as follows:

Sec. 26-64. Payment, billing and collection of costs when work done by Town; Lien or assessment declared.

The town council shall appropriate the necessary monies in the general funds of the town to clear and clean the lands as provided in this article. The town council shall authorize payment of expenses incurred from the general funds of the town and shall determine the reasonable costs of the work performed on each parcel of land cleared and cleaned plus \$100 for administrative costs of the town. Upon the reasonable cost of the work performed being determined, the costs and charges, and if the landowner shall not pay said bill,

- A. the indebtedness shall become a lien on the land benefited by the clearing and cleaning thereof, and the lien may be foreclosed in the same manner as is provided for the foreclosure of liens for taxes or as provided in section 82-34, or
- B. the indebtedness shall be placed on an annual non-ad valorem benefit assessment roll and be collected by the town as a non-ad valorem benefit assessment by utilizing the Uniform Method of Collecting non-ad valorem assessments, on the annual property tax bill.

SECTION 2. Section 26-65, “Enforcement of Assessments,” of Article III, “Property Maintenance Standards” of chapter 26, “Environment”, of the Code of Ordinances of the Town is hereby amended by providing for the creation of an annual non-ad valorem benefit assessment roll as follows:

Sec. 26-65. Enforcement of Assessments.

As soon as possible, after either, the adoption of the Resolution assessing a lien under Section 26-64 A, together with interest, or after adoption of the Resolution creating the annual non-ad valorem benefit assessment roll under Section 26-64 B, the collection of the indebtedness shall be enforceable by the town as provided by the general law of the state.

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SECTION 3. The provisions of this Ordinance will be made a part of the Code of Ordinances of the Town of Lake Clarke Shores, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 4. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of the Ordinance.

SECTION 5. The provisions of this Ordinance shall become effective immediately upon adoption.

PASSED this 11th day of February, 2014, on first reading.

PUBLISHED this 20th day of February, 2014 in Lake Worth Herald / Coastal Observer

PASSED AND ADOPTED this 11th day of March, 2014, on second and final reading.

TOWN OF LAKE CLARKE SHORES, FLORIDA

	FOR	AGAINST
BY: <u>[Signature]</u> Valentin Rodriguez, Jr., Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Robert M.W. Shalhoub, Vice Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Gregory Freebold, President Pro Tem	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Malcolm K. Lewis, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Thomas C. Mayes, Jr., Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ATTEST:

By: Mary Pinkerman
Mary Pinkerman, Town Clerk