

ORDINANCE NO. 81- 21

AN ORDINANCE AMENDING ORDINANCE NO. 75-59 AND PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL SERVICE TAXING DISTRICT FOR ALL THE UNINCORPORATED AREAS OF NASSAU COUNTY, FLORIDA, FOR THE PURPOSES OF COUNTY PLANNING, FIRE PROTECTION, BUILDING AND ZONING, ANIMAL CONTROL AND POLICE PROTECTION: SAID SERVICE TO BE PROVIDED BY FUNDS DERIVED FROM TAXES WITHIN THE SAID UNIT; PROVIDING FOR LEVYING AND COLLECTING OF TAXES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in order to secure the beneficial interest and purposes of public health, safety and general welfare, it is necessary for the County of Nassau to provide services to its residents, and

WHEREAS, to provide such services, it is necessary to create a taxing district for the unincorporated areas,

NOW THEREFORE, be it enacted that Ordinance No. 81- be adopted amending Ordinance No. 75-59 as follows:

SECTION 9-16. TITLE: This municipal service taxing unit shall be known as the "~~Nassau-County-Fire-Protection-Service-Unit-~~" "~~Municipal Service Taxing District Unit~~" for all of the unincorporated areas of Nassau County, Florida.

SECTION 9-17. PURPOSE: ~~It-is-hereby-declared-that-the purpose-of-this-fire-protection-unit-is-to-provide-services-to-protect the-citizens-of-the-unincorporated-areas-of-commissioner-district number-3-of-Nassau-County-from-the-ravages-of-fire-~~ The purposes of this ordinance is to provide funding of the following: County planning, fire control, building and zoning, animal control and Sheriff's department. These are vital services for the citizens of the unincorporated areas of Nassau County.

SECTION 9-18. ESTABLISHMENT OF DISTRICT: The board of county commissioners, hereinafter referred to as the board, establishes ~~one-fire-protection-service-unit-in-Nassau-County~~ a municipal service taxing district unit. This district consists of all ~~of-the-areas-of commissioner-district-number-3-of-such-county;~~ the unincorporated areas of Nassau County, provided, however, that no lands located within the territorial boundaries of any city, town or other municipality in said

county shall be included within such district except upon the adoption or enactment of an ordinance by the governing body of such city, town or other municipality consenting to and approving the inclusion or such lands in the district.

SECTION 9-19. GOVERNING BODY OF DISTRICT: The board of county commissioners of Nassau County shall be the governing body of such ~~fire-protection-unit~~ municipal service taxing district unit. Such unit shall be a body corporate and politic, exercising essential governmental functions and shall have the power to sue and be sued; to contract; to adopt and use a common seal and alter the same at pleasure; to purchase, hold, lease or otherwise acquire and convey such real property and personal property and interest therein as may be necessary or proper to carry out the purposes of this ordinance, and do all things as allowed by the law of the State of Florida. The clerk of the board shall be ex-officio clerk and treasurer of the ~~fire-protection-unit~~ municipal service taxing district unit.

SECTION 9-20. PRELIMINARY EXPENSES: The preliminary expenses for the creation and establishment of any such ~~fire-protection-unit~~, municipal service taxing district unit, including expenses for legal, financial or other services in connection with the preliminary report undertaken, shall be payable out of general funds of the county, but shall be a reimbursable expense to be paid from any fund of said ~~fire-protection-unit~~ municipal service taxing district unit raised to accomplish the purpose of this ordinance.

SECTION 9-21. POWERS OF FIRE-PROTECTION-UNIT MUNICIPAL SERVICE TAXING DISTRICT UNIT: The board of county commissioners for and on behalf of the ~~fire-protection-unit~~ municipal service taxing district unit created hereunder in addition to and supplementing other powers granted in this ordinance, is hereby authorized and powered:

(1) Rules. To make rules and regulations for its own government and proceedings and to adopt an official seal for the ~~fire protection-unit~~, municipal service taxing district unit;

(2) Employment. To employ engineers, attorneys, accountants, financial or other experts and such other agents and employees as said commission may require or deem necessary to effectuate the purpose of this ordinance or to contract for any such services;

(3) Fire protection facilities. To acquire, construct, reconstruct or improve fire protection facilities in and for said ~~fire-protection-unit~~ municipal service taxing district unit including the acquisition of any fire protection facilities heretofore constructed by any person, firm, corporation or other body, or heretofore partially constructed by any person, firm, corporation, or other body, and the completion of such fire protection facilities by such ~~fire-protection-unit~~ municipal service taxing district unit and to have the exclusive control and jurisdiction of such fire protection facilities;

(4) Acquisition of lands. To acquire by purchase, gift, lease, condemnation or eminent domain or any other manner, such lands within the territorial extent of the ~~fire-protection-unit~~ municipal service taxing district unit as may be reasonably necessary, for constructing and maintaining the facilities and making the improvements required to carry out the intent of this ordinance, including without limiting the meaning of the foregoing general terms, the right to acquire by condemnation or eminent domain such lands and any interest therein, reasonably necessary for any such purpose that may already be devoted to public use for county, municipal, district, railroad or public utility purposes where and to the extent that the same may cross, intersect or be situate upon or within the area of such land hereinbefore referred to, and the ~~fire-protection-unit~~ municipal service taxing district unit shall also have the right to acquire by purchase, gift, lease, condemnation or eminent domain, or in any other manner, land, timber, earth, rock and other materials or property, and property rights, including riparian rights, in such amounts as may be reasonably necessary or useful in the development of the works or improvements before referred to. Condemnation or eminent domain proceedings shall be maintained by and in the name of the ~~fire-protection-unit~~ municipal service taxing district unit and the procedure shall be, except insofar as is altered hereby, that prescribed for use by counties in Florida;

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SECTION 9-22. TAXATION: The purpose for which this ~~fire~~
~~protection-unit~~ municipal service taxing district unit is created,
as set out in section 9-17, is hereby declared to be a county purpose,
for the accomplishment of which taxes upon all real and personal pro-
perty within the territorial limits of the authority are by this
ordinance and state law authorized to be levied, assessed and
collected.

SECTION 9-23. Deleted.

SECTION 9-24. LEVY, ASSESSMENT AND COLLECTION OF TAXES:
The board shall have and is hereby granted the power to determine
annually ~~on-or-before-July-15-beginning-July-15,-1976,~~

by resolution the amount of money that will be required to
carry on development ... (which fiscal year shall be the same as
that of Nassau County), ~~and-the-millage-not-exceeding-two-(2)-mills~~
~~on-the-dollar-of-the-taxable-real-and-personal-property-within-the~~
~~fire-protection-unit~~ that will be required to be levied ... enforce
taxes upon all taxable, real and personal property within the ~~fire~~
~~protection-unit~~ municipal service taxing district; ~~provided-that-in~~
~~no-event-shall-the-board-of-county-commissioners-levy-for-the-fire~~
~~protection-unit;-taxes-in-any-one-year-in-excess-of-two-(2)-mills~~
~~on-the-dollar-of-all-taxable-real-and-personal-property-within-the~~
~~fire-protection-unit.~~ The procedure to be following to accomplish
the purpose of this section shall be as hereinafter set out, to wit:

(1) The county tax assessor ... and all other taxable
property within said ~~fire-protection-unit~~ municipal service taxing
district over which ... value of taxable property of said ~~fire~~
~~protection-unit~~ municipal service taxing district unit for the year...

(2) The board shall immediately thereupon ... property
within the ~~fire-protection-unit~~, municipal service taxing district unit,
and shall ... taxable real and personal property within the ~~fire-pre-~~
~~tection-unit~~ municipal service taxing district unit; provided that the
~~fire-protection-unit~~ municipal service taxing district unit shall not
direct the county commissioners ... ~~within-the-fire-protection-unit~~ muni-
cipal service taxing district unit and the board of county commissioners
shall not within any one year ... the ~~fire protection-unit~~ municipal
service taxing district unit more than two (2) mills ... within the
~~fire-protection-unit~~ municipal service taxing district unit.

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(3) A certified copy of such tax resolution ...
the ~~fire-protection-unit~~ municipal service taxing district unit by
its chairman ...

(4) It shall be the duty of said board of county
commissioners ... within the ~~fire-protection-unit~~ municipal service
taxing district unit as set forth in ... personal property within
said ~~fire-protection-unit~~ municipal service taxing district unit for
said year, and said levies ... the board of county commissioners for
the said ~~fire-protection-unit~~ municipal service taxing district unit
in lawful money of the United States ...

(5) It shall be the duty of the comptroller ...
located within the ~~fire-protection-unit~~ municipal service taxing
district unit, a tax at the rate prescribed ...

(6) The tax assessor, tax collector and ...

SECTION 9-25. ENFORCEMENT OF TAXES: All taxes levied and
assessed by the board of county commissioners of Nassau County for
the ~~fire-protection-unit~~ municipal service taxing district unit (be-
ginning with the year 1976 19) shall be collected and the enforce-
ment thereof shall be at the same time in the same manner as
other county taxes are collected and enforced and when so collected
shall be paid over to the board for its use pursuant to this ordinance.

SECTION 9-26. LOANS ... (Delete)

SECTION 9-27. PUBLICATION OF ANNUAL FINANCIAL STATEMENT.

At least once a year, the board shall publish in some newspaper
published in Nassau County a complete detailed statement of its
financial condition including a list of all moneys received and dis-
bursed by the board during the preceding year.

SECTION 9-28. EXEMPTION OF FIRE-PROTECTION-UNIT MUNICIPAL
SERVICE TAXING DISTRICT UNIT FROM TAXATION: All real and personal
property owned, leased, controlled or used by the ~~fire-protection-unit~~
municipal service taxing district unit shall be exempt from all
county, municipal, taxing district and other ad valorem taxes and
special assessment for benefits.

SECTION 9-29. ADOPTION: This Ordinance shall become effective
when adopted by the County Commission of Nassau County, Florida.

ADOPTED this 15th day of September, 1981.

BOARD OF COUNTY COMMISSIONERS
OF NASSAU COUNTY

By: John F. Armstrong, Sr.
John F. Armstrong, Sr.
Its: Chairman

ATTEST:

T. J. Greeson
T. J. Greeson
Its: Ex-Officio Clerk