



155 E. Pomelo Street
Lake Alfred, FL. 33850-2135

CITY OF LAKE ALFRED

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**AGENDA
CITY COMMISSION MEETING
MONDAY, NOVEMBER 17, 2014
7:30 P.M.
CITY HALL**

CALL TO ORDER: MAYOR NANCY Z. DALEY

INVOCATION: JOHN DAME

PLEDGE OF ALLEGIANCE: MAYOR NANCY Z. DALEY

ROLL CALL: CITY CLERK LINDA BOURGEOIS

CITY MANAGER & CITY ATTORNEY ANNOUNCEMENTS

RECOGNITION OF CITIZENS: ITEMS NOT ON AGENDA

CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 11/3/14

AGENDA

- 1.) PUBLIC HEARING ORDINANCE 1343-14: FINAL BUDGET AMENDMENT 2013/2014
- 2.) PUBLIC HEARING ORDINANCE 1344-14: SCHOOL ZONING
- 3.) PUBLIC HEARING ORDINANCE 1345-14: CAPITAL IMPROVEMENT PLAN
- 4.) ORDINANCE 1346-14: ANIMALS
- 5.) RESOLUTION 17-14: REMOVE TRANSITION SCHEDULE
- 6.) ANNUAL BOARD REAPPOINTMENTS
- 7.) PURCHASE OF MINI-EXCAVATOR

RECOGNITION OF CITIZENS (PLEASE LIMIT YOUR COMMENTS TO 5 MINUTES.)

COMMISSIONER QUESTIONS AND COMMENTS:

**VICE MAYOR LAKE
COMMISSIONER MAULTSBY
MAYOR DALEY
COMMISSIONER DEARMIN
COMMISSIONER DUNCAN**

ADJOURN

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

CONSENT AGENDA

1.) CITY COMMISSION MEETING NOVEMBER 3, 2014

ATTACHMENTS:

- November 3, 2014 Regular Meeting

ANALYSIS: Please review the minutes at your earliest convenience and if there are any questions, comments or concerns please contact the City Clerk, Linda Bourgeois, at (863) 291-5747.

**MINUTES
CITY COMMISSION MEETING
MONDAY, NOVEMBER 3, 2014
7:30 P.M.
CITY HALL**

Call to order – Nancy Z. Daley, Mayor

Invocation: Reverend Mike Jones of the First Baptist Church of Lake Alfred

Pledge of Allegiance: Nancy Z. Daley, Mayor

Roll Call: Those in attendance were Mayor Nancy Z. Daley, Vice Mayor Charles Lake, Commissioner John Duncan, Commissioner Albertus Maultsby, Commissioner Jack Dearmin, City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, and City Clerk Linda Bourgeois.

Staff attendance: Public Works Director John Deaton, Finance Director Amber Deaton, Parks and Recreation Manager Richard Weed, Community Development Director Valerie Ferrell, and Police Chief Art Bodenheimer.

RECOGNITION OF CITIZENS

There were none.

CITY MANAGER ANNOUNCEMENTS

Tomorrow, Tuesday November 4, 2014 is Election Day for the General election; polls will open in City Hall at 7:00 a.m. and close at 7:00 p.m.

The Chamber of Commerce will host the first annual men's forum on Wednesday, November 5, 2014 at the Mackay Gardens and Lakeside Preserve. The guest speaker will be Jon Brown from Jack Brown's Seaplane Base speaking on the subject "Seaplane Flying In Florida". The event will start at 11:30 a.m. and tickets are \$12.00 each.

In addition, on Wednesday, November 5, 2014 at the Mackay Gardens and Lakeside Preserve, the Chamber of Commerce will host their 5th annual women's forum. The event is at 11:30 a.m and the guest speaker will be Jennifer Hall from SEMCO Construction, speaking on the topic of "Serving For Your Own Good". Tickets are \$12.00 each. Please place your reservations through the Lake Alfred Chamber of Commerce.

There will be a Nature Appreciation Tour at the Mackay Gardens and Lakeside Preserve on Sunday, November 9th at 2:00 p.m.; these tours will continue every first Sunday afternoon of each month until May. Please contact the Parks and Recreation Department for additional information.

City offices will be closed on Tuesday, November 11, 2014 in observance of Veteran's Day.

Also that same Tuesday, November 11, 2014 the City of Lake Alfred and the City of Auburndale will host the second co-op Veterans Day celebration at Auburndale City Park beginning at 11:00a.m. honoring all who served.

The employee Thanksgiving Luncheon will be held on Monday, November 24, 2014 at the Highlands Community Center 11:30a.m. – 1:00p.m.

City offices will be closed on Thursday and Friday; November 27th – 28th in observance of the Thanksgiving Holidays.

The Lake Alfred Christmas Parade and Tree Lighting Ceremony will be held on Saturday, December 6th, 2014. The parade will start at 6:30 p.m. beginning at Mackay Boulevard and will end at Gardner Park. Participants in the parade should be at the Mackay Gardens and Lakeside Preserve at 5:30 p.m. for check-in and placement order. For additional information please contact the Parks and Recreation department.

The employee Christmas Party will be held on Friday, December 12, 2014 at 6:00p.m. at the Lions Club. This year all volunteer board members have been invited to show our appreciation for their service to our community.

City Manager Leavengood provided a follow up about a recent citizen request, and the Lake Alfred Little League.

CITY ATTORNEY ANNOUNCEMENTS

Assistant City Attorney Claytor thanked the City Commission, staff, and residents of the City of Lake Alfred. He shared his family recently suffered a loss, and the City went out of their way to make sure his family was in their thoughts and prayers. He said acts like that make the City of Lake Alfred a great place to, not only work, but feel like he is a part of it. Thank you very much to the residents, citizens, and the Commission.

EMPLOYEE RECOGNITION - MIKE DAVIS, PUBLIC WORKS SUPERINTENDENT; 5 YEARS

Mayor Daley said we are here this evening to honor Mike Davis for five (5) years of return (2002-2008) service to the City of Lake Alfred. Mike returned to the City on November 4, 2009 as a service worker within the public works department. He worked hard on obtaining certifications and became the Public Works Superintendent in July of this year. Mike oversees and manages the daily operations of sanitation, streets, landscaping, and stormwater. She continued and said he is a dedicated and hard-working employee. Mike is truly an asset to the City and we hope to have him here for many years. Again we want to thank you for all of your hard work and years of service. Congratulations!

VETERANS DAY 2014 JOINT PROCLAMATION

Mayor Daley read the proclamation into record.

CONSENT AGENDA: APPROVE CITY COMMISSION MEETING MINUTES 10/20/14

Vice Mayor Lake moved to approve the minutes from the October 20, 2014 regular meeting; seconded by **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

AGENDA

1.) PUBLIC HEARING: ORDINANCE 1340-14: ELECTION CHARTER ARTICLE IV; CANDIDACY

Mayor Daley stated the next three items are public hearings, and read the ordinances into record.

City Manager Leavengood said following approval on first reading from the City Commission, these proposed ordinances are being presented as a public hearing. The proposed ordinance would amend Article IV of the City Charter to improve our election procedures and better align them with State Law.

Consistent with the previous discussion, the proposed ordinance improves the provisions in the following areas:

- 1.) 1340-14: Proposes a procedural cleanup for candidate acceptance requirements for City Commission.
- 2.) 1341-14: Proposes to amend the "write-in" candidate procedures to be consistent with the state law.
- 3.) 1342-14: Proposes to amend the "tie" votes election process to be decided by a drawing of lots rather than a having a "second election."

He concluded and said the ultimate approval of the proposed changes will be contingent upon a successful referendum in the April 2015 election.

Mayor Daley opened the public hearing.

There were none.

Mayor Daley closed the public hearing.

Without any comments, **Commissioner Dearmin** moved to approve Ordinance 1340-14 on second and final reading; seconded by **Commissioner Duncan** and **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

2.) PUBLIC HEARING: ORDINANCE 1341-14: ELECTION CHARTER ARTICLE VI; WRITE-IN

Mayor Daley opened the public hearing.

There were none.

Mayor Daley closed the public hearing.

Without any comments, **Commissioner Maulsby** moved to approve Ordinance 1341-14 on second and final reading; seconded by **Commissioner Duncan** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

3.) PUBLIC HEARING: ORDINANCE 1342-14: ELECTION CHARTER ARTICLE VI; TIE VOTES

Mayor Daley opened the public hearing.

Judy Schelfo of 640 Lakeview requested clarification on the drawing of lots.

A discussion ensued about Florida State law allowing for the drawing of lots, and how it saves the expense of a second election. In addition, the procedure would be at the pleasure of the City Commission with approval from the City Attorney.

Assistant City Attorney Claytor said the drawing of lots would be under the direction of the election authorities.

Rodney Thompson 640 N. Pennsylvania Avenue asked if the City ever had a tie.

City Clerk Bourgeois said that according to the minutes for December in 1915, there was a four way tie. In addition, since she has been a clerk, the City of Eagle Lake had to deal with a tie.

Mayor Daley closed the public hearing.

Vice Mayor Lake moved to approve Ordinance 1342-14 on second and final reading; seconded by **Commissioner Duncan** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE

COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

4.) ORDINANCE 1343-14 FINAL BUDGET AMENDMENT 2013/2014

Mayor Daley read the Ordinance 1343-14 into record.

City Manager Leavengood said as a part of the closeout process the previous fiscal year of 2013/2014 the City is required to submit an amended budget that includes any changes made from the original budget. These changes can include unanticipated projects, expenses, or revenues that were not included; or changes to existing line items that did not meet exact revenue or expenditure projections. The proposed budget adjustment accounts for these changes. He presented an overview of the adjustments and said staff's recommendation is for approval of 1343-14.

Without any comments, Commissioner Dearmin moved to approve Ordinance 1342-14 on first reading; seconded by Vice Mayor Lake and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

5.) ORDINANCE 1344-14: SCHOOL ZONING

Mayor Daley read the Ordinance 1344-14 into record.

City Manager Leavengood said the City of Lake Alfred has received a request to assign a Public Building & Grounds (PB) zoning classification to 44.47 acres located east of CR 557 and between Evenhouse Road & Creek Road. Additionally, 11 acres at the center of the site are proposed to be zoned as Conservation (CN).

He continued and said the total 55.47 acre tract of land has a designated future land use of Medium Density Residential (MDR) but does not currently have an assigned zoning classification. For perspective: An R-2 zoning classification would be permitted under the MDR future land use and would allow 12 units per acre or 536 residential units on 44.47 acres.

In addition, the proposed zoning assignment of Public Building/Grounds (PB) is consistent with the future land use designation and surrounding area. Wetland mitigation, stormwater, transportation impacts, permitting and other site specific considerations would be addressed during the site development review process. The Lake Alfred Planning Board would have to approve any proposed site development on the property.

He concluded by saying the proposed zoning assignment request received a recommendation of approval from the Planning Board, and staff has no objections to the approval of ordinance 1344-14.

Steve Lockhart introduced his associate Mardy Castro and Carol Faulks the Executive Director of Discovery Academy. He said Lockhart and Associates were representing A.J. Holdings in regards to the potential high school property. He concluded and said they were here this evening to answer any questions the Commission may have for them.

Commissioner Maultsby asked if the 44 acres would be large enough to accommodate this school in twenty-five years? Would you share facilities with the existing school if there were a stadium?

Carol Faulks said the property is adequate for the needs. The student projection is approximately 600, and in the future there may be a need for growth. There are other areas around if expansion is needed. She said there would be a sharing of staff and facilities as appropriate.

A discussion occurred about the engineers and drainage going east around Lake Haines to prevent flooding the neighbors; concerns about bus traffic; and that there are no bells ringing at the school during the changing of classes.

Vice Mayor Lake asked about the Charter school appeal process and when the high school is anticipated to break-ground.

Carol Faulks said if the governing board decides to appeal, they will still remain on the planned schedule. She continued and said the school board has not approved any Charter schools for the past two years.

Mike Jones of 155 S. Glenn Avenue spoke in favor of the zoning change for the high school, and said it would be beneficial to our community. He concluded by saying this community needs quality schools and he is in favor of the zoning change.

Commissioner Maultsby moved to approve Ordinance 1344-14 on first reading; seconded by **Vice Mayor Lake, Commissioner Duncan, and Commissioner Dearmin** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

6.) ORDINANCE 1345-14: CAPITAL IMPROVEMENT PLAN

Mayor Daley read the Ordinance 1345-14 into record.

City Manager Leavengood said as part of an annual update, the City must review the Capital Improvement Element and the 5-year Schedule of Capital Improvements. This process is mandated by Florida Statutes Section 163.3177. The Schedule is updated every year and transmitted to the Department of Economic Opportunity for review by December of every year. The Schedule includes the capital improvements scheduled for construction within the community during the next five years necessary to meet previous adopted Levels of Service in

the 2030 Lake Alfred Comprehensive Plan. Capital improvements are generally nonrecurring larger scale projects or purchases.

He continued and said the proposed amendment is based on the adopted Capital Improvement Plan as part of the Lake Alfred 2014/2015 Budget. It does not include those capital items within Administration, Police, Fire and any other departments that are not used to meet previously adopted Levels of Service in the Comprehensive Plan. He concluded by saying staff recommends approval of Ordinance 1345-14 on first reading.

Mayor Daley asked about the document.

City Manager Leavengood said this is the same document which was approved within the budget; the only difference is that this one is smaller because it only includes the elements in the Comprehensive Plan that were identified.

Vice Mayor Lake moved to approve Ordinance 1345-14 Capital Improvement Plan, on first reading; seconded by **Commissioner Dearmin and Commissioner Duncan** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

7.) RESOLUTION 16-14: TRAIL NAME

Mayor Daley read the Resolution 16-14 into record.

City Manager Leavengood said On October 20, 2014 the City Commission gave consensus to select the "Lake Alfred Memorial Trail" as the name of the City portion of the Chain of Lakes Trail. The proposed resolution formalizes the selection of the name.

An overview of the trail naming process was shared, and the intention of the City to place markers along the trail was discussed.

There were no public comments.

Commissioner Duncan moved to approve Resolution 16-14;

Commissioner Maultsby asked if at some time the City would have a dedication of the trail or a ribbon cutting?

Mayor Daley said she said during the Centennial Celebration we may unveil the plaques, maybe one at every meeting, or once a month, or just do them all at one time. We can decide this at our next committee meeting.

City Manager Leavengood said city staff will work with the Historical Society to construct a list of names of who they feel would be appropriate for consideration.

With a motion on the floor, **Commissioner Maultsby** and the motion was approved by unanimous voice call vote.

MAYOR DALEY	AYE
VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

8.) PURCHASE: VARIABLE FREQUENCY DRIVE UPGRADES

City Manager Leavengood said the variable frequency drives will allow for the continuation of water flow throughout the City of Lake Alfred in event that water tower is under repair. It will also help reduce wear and tear on the high service pumps allowing for a longer life span. These devices essentially regulate the power output of the high service pumps. Bid submissions were:

Central Electric	\$30,350
Barney's Pumps	\$40,000
Siemens	\$58,000

He concluded by saying \$39,000 was set aside in FY 13/14 for the VFDs and refurbishment of a high service pump, and staff recommendation is for awarding the bid to Central Electric in the amount of \$30,350.

Commissioner Duncan asked if we did not do this service on the pumps.

City Manager Leavengood stated these are in the CIP and we have them in there every couple of years in order to catch and then it is just a judgment call from the Utilities Department.

John Deaton Public Works Director said the City has three high service pumps and currently they are working but they are old and that is why they are in the CIP to update and refurbish them. He provided a summary of what the variable frequency drives function is in conjunction with the water tower, and the difference between the brands and controls which were quoted.

A discussion ensued about the potential of causing stress on the system by switching out new parts, heat loads, power loads, and efficiency.

City Manager Leavengood explained the price differences in the quote, and said Payne was already out here doing another City job.

It was clarified it would be paid for out of the Enterprise Fund.

Vice Mayor Lake moved to approve the purchase of the VFD pumps from Central Electric in the amount of \$30,350.97; seconded by **Commissioner Dearmin** and the motion was approved by unanimous voice call vote.

There were no public comments.

MAYOR DALEY	AYE
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VICE MAYOR LAKE	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

9.) CENTENNIAL LOGO SELECTION

City Manager Leavengood said following the Centennial Workshop, city staff had begun research and planning on the different elements discussed and presented for the City's upcoming Centennial Celebration. One of the key elements discussed was the opportunity to design and select a Centennial Logo. He continued and said City staff reached out to a multimedia design company that assisted the City of Homestead in designing their Centennial Logo. These concepts were generated based upon the City's seal as well as other design concepts that were submitted to the company. He added another consideration the mayor requested, which was a hybrid of logo option one and three combined. He concluded by saying staff's recommendation is at the pleasure of the City Commission.

Vice Mayor Lake shared a concern about the logo being very artistic, and asked how it would translate into an embroidered emblem.

City Manager Leavengood stated we may need to generate a generic emblem that is not too heavy on the detail.

Commissioner Dearmin said he liked the Mayors idea and **Commissioner Duncan** said he liked the orange branches as well.

A consensus was given to use the combination suggested by the Mayor with larger oranges and tree branches.

RECOGNITION OF CITIZENS

Judy Schelfo of 640 East Lakeview requested an update on the wayfinding signage program.

City Manager Leavengood said the plan had been submitted for permitting after City Commission approval, and we have not heard back from them yet. At this time we are drawing up the scope of services for the signs to be built. This will be a sealed bid process, with the bid opening in December, and the bid award in January.

COMMISSIONER QUESTIONS AND COMMENTS

Vice Mayor Lake asked if the City could get dirt for the ball fields from the construction site. He shared he attended the Central Florida Water Management Workshop Meeting and said they were trying to find ways to improve water quality and water supply. He commented that the City Hall oak tree had been removed and said it looked like the City had doubled the size of the road. He said, behind the fruit stand on 17/92 towards Haines City, there is 1904 home which was hidden in the woods. He shared he understood it was a doctor's office and there was somebody named "Uncle Buddy" who used to go there to the doctor to get his medicine. He said Lake Alfred has a hidden jewel, and here we are going into our anniversary year. He suggested having the home listed as a historical home. He concluded by saying the Florida Department of Transportation had finally placed a sign to deter wrong way drivers from turning onto Lake Shore Way.

Commissioner Maultsby asked when did FDOT put the lighted sign up? (Thursday) He shared he had someone coming towards him just last week and then witnessed an accident two blocks away just two weeks before that. He thanked his fellow Commissioners and staff for doing a great job. He concluded by thanking the citizens of Lake Alfred.

Mayor Daley shared about the art work on the wall and said we have some local celebrities here tonight like Margaret Wheaton, Heather Duncan, and John Dame, Sr. She explained we get to keep the art work for an entire year, and said there was a great article in the newspaper about it too. She went on to say last week they attended the Board of County Commissioners work session on CRA. The City Manager did a really nice presentation and she thanked him for his hard work. She went on to say the County Commissioners seemed receptive, they did not ask a lot of questions, but that could be a good thing.

City Manager Leavengood said he believes November 18, 2014 will be when they will consider the CRA plan for approval.

Commissioner Dearmin apologized for missing the last City Commission meeting. He commended his fellow Commissioners on the dedication and hard work that they all put in for the City. He concluded by thanking City staff and said he is proud to be a citizen of Lake Alfred.

Commissioner Duncan echoed the Mayor's statement about the CRA work session. He said to the City Manager that he did a fantastic job. He said the Veterans Park Enhancement Project looks fantastic and said it was fun throwing some grass around. He thanked the Lions Club, Judy and Ron Schelfo for getting the grant and the local restaurants for the food. He thanked the City Manager, Police Chief, and Fire Chief for sitting in the dunk tank chair. He continued and said the art reception was impressive, and the Central Florida Agriculture News came out and took photos of the artwork. He shared the 100th anniversary of the First Presbyterian Church will be held on November 15th 3:00 p.m. and invited everyone to attend.

Mayor Daley shared about the upcoming nature tours, and thanked the audience for their attendance.

Meeting adjourned at 8:53 p.m.

Respectfully Submitted,

Linda Bourgeois, M.M.C.
City Clerk

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

1.) PUBLIC HEARING - ORDINANCE 1343-14: FINAL BUDGET AMENDMENT 2013/2014

ISSUE: The City of Lake Alfred will consider ordinance 1343-14 for the fiscal year 2013/2014 final budget amendment on second and final reading.

ATTACHMENTS:

- Ordinance 1343-14
- Exhibit "A" budget adjustments

ANALYSIS: As a part of the closeout process of the previous fiscal year of 2013/2014 the City is required to submit an amended budget that includes any changes made from the original budget. These changes can include unanticipated projects, expenses, or revenues that were not included; or changes to existing line items that did not meet exact revenue or expenditure projections. The proposed budget adjustment accounts for these changes.

STAFF RECOMMENDATION: Approval of Ordinance 1343-14 on second and final reading.

ORDINANCE NO. 1343-14

AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA AMENDING THE BUDGET OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AMENDING THE APPROPRIATIONS, ALLOCATIONS OF REVENUE AND EXPENDITURES OF THE CITY FOR FISCAL YEAR 2013-2014; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 2.12 of the Charter of the City of Lake Alfred and the general laws of the State of Florida, an amended budget of estimated revenues and expenditures and complete financial plan of all City funds and activities for Fiscal Year 2012-2013 has been prepared and reviewed; and

WHEREAS, the City Commission is of the opinion that all items of anticipated revenues and expenditures for said fiscal year are reasonable and proper for the administration of the affairs of and the proper conduct of the business of the City of Lake Alfred; and

WHEREAS, after further review, the City Commission desires to amend said budget as set forth on Exhibit "A" attached hereto.

NOW THEREFORE BE IT ENACTED by the People of the City of Lake Alfred, Florida, as follows:

SECTION 1. That there is hereby adopted an amended budget for Fiscal Year 2013-2014 for the City of Lake Alfred, Florida, for the period beginning October 1, 2013 and ending September 30, 2014, as set forth on Exhibit "A" attached hereto.

SECTION 2. That a complete copy of the entire budget for Fiscal Year 2013-2014 consisting of estimated revenues and expenditures, as amended, is available for inspection in the office of the City Clerk, and a copy of the same is attached to this ordinance as Exhibit "A" and incorporated herein by reference.

SECTION 3. Any scrivener's error created as a result of the passage of this ordinance may be corrected by the City Manager, without further legislative action, so long as the intent of this ordinance is preserved, by filing a revised copy thereof with the City Clerk's office with the terms "Manager Revised" and the revision version number in the style of the ordinance.

SECTION 4. All ordinances or parts of ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION 5. If any section or portion of a section of this ordinance proves not valid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this ordinance.

SECTION 6. This ordinance shall become effective immediately upon final passage.

INTRODUCED AND PASSED ON FIRST READING the 3rd day of November, 2014.

PASSED AND ENACTED ON SECOND READING, with a quorum present and voting,
by the City Commission of Lake Alfred, Florida this 17th day of November, 2014.

CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION

Nancy Z. Daley, Mayor

ATTEST:

Linda Bourgeois, M.M.C.,
City Clerk

APPROVED AS TO FORM:

Frederick J. Murphy, Jr., City Attorney

Exhibit "A" Ordinance 1343-14
Summary

General Fund

Original	Actual	Increase
4,251,195	4,624,680	373,485
	Public Safety Building	264,563
	Contingency	86,043

Enterprise

Original	Actual	Increase
2,074,500	2,111,143	36,643

Stormwater

Original	Actual	Increase
65,990	60,921	(5,069)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
GENERAL FUND REVENUES				
001.000.0.311.110	Ad Valorem Taxes - (M)	939,640	956,105	16,465
001.000.0.312.300	9th Cent Gas Tax - (M)	20,000	20,584	584
001.000.0.312.410	Local Option Gas Tax - (M/S)	119,750	124,688	4,938
001.000.0.312.420	5th Cent Gas Tax - (M/S)	73,600	79,406	5,806
001.000.0.312.520	Casualty Insurance Tax -(A)	31,535	32,629	1,094
001.000.0.314.100	Electric Service Tax - (M)	280,000	296,385	16,385
001.000.0.314.300	Water Service Tax - (M)	48,000	47,253	(747)
001.000.0.312.510	Insurance Premium Tax - (A)	21,000	26,877	5,877
001.000.0.314.800	Propane Service Tax - (M)	12,000	12,148	148
001.000.0.315.000	Local Comm Tax - (M/S)	145,300	126,061	(19,239)
001.000.0.335.180	Half-Cent Sales Tax - (M/S)	265,425	275,804	10,379
	TOTAL TAXES	1,956,250	1,997,940	41,690
LICENSES AND PERMITS				
001.000.0.321.110	Business Tax	12,000	9,471	(2,529)
001.000.0.322.025	Remittance Fee	500	5,148	4,648
001.000.0.322.200	Education Fee	1,000	1,383	383
001.000.0.322.100	Alarm Permit	125	75	(50)
001.000.0.349.322	Building Inspections	500	525	25
001.000.0.322.300	Archive Fee	1,000	1,383	383
001.000.0.354.000	Liens - Violation of Ordinance	8,000	13,990	5,990
001.000.0.354.100	Lien Searches	2,000	2,135	135
001.000.0.322.000	Building Permits	35,000	87,738	52,738
	TOTAL LICENSES AND PERMITS	60,125	121,848	61,723
INTERGOVERNMENTAL				
001.000.0.335.120	State Revenue Sharing -(M/S)	112,860	119,826	6,966
001.000.0.335.122	8th Cent Motor Fuel Tax - (M/S)	46,140	48,990	2,850
001.000.0.335.140	Mobile Home Licenses - (M)	15,000	14,733	(267)
001.000.0.335.150	Alcohol Beverage Lic - (Q)	3,000	1,736	(1,264)
001.000.0.331.100	Grant - State of Florida	-	36,584	36,584
001.000.0.334.220	Grant - Police Dept	-	7,200	7,200
001.000.0.331.200	Grant - Police	9,770	10,819	1,049
001.000.0.334.260	Right of Way Maint - (Q)	30,000	30,315	315
001.000.0.334.710	Signal Maint -(A)	2,700	2,865	165
001.000.0.334.952	Street Lights Maint -(A)	20,640	20,642	2
001.000.0.331.540	Grant - FMIT Safety Grant	-	1,961	1,961
001.000.0.337.210	SRO Supplement -(Q)	91,000	97,103	6,103
001.000.0.338.350	Library Cooperative -(Q/A)	25,000	25,702	702
001.000.0.342.340	Mutual Fire - (Q/A)	184,920	190,806	5,886
	TOTAL INTERGOVERNMENTAL	541,030	609,282	68,252
FRANCHISE FEES				
001.000.0.323.100	Electric FF - (M)	240,000	250,720	10,720
001.000.0.323.400	Gas FF - (M)	26,000	35,912	9,912
001.000.0.323.700	Solid Waste FF - (M)	22,000	20,322	(1,678)
	TOTAL FRANCHISE FEES	288,000	306,954	18,954

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
CHARGES FOR SERVICES				
001.000.0.341.200	Zoning Fees	-	2,023	2,023
001.000.0.341.400	Varlance	500	-	(500)
001.000.0.341.041	Library Printing	2,000	2,811	811
001.000.0.341.050	Notary Services	200	175	(25)
001.000.0.341.040	Copies & Research	500	86	(414)
001.000.0.343.800	Cemetery Sales	5,000	17,085	12,085
001.000.0.347.208	Summer Rec Program	24,000	20,910	(3,090)
001.000.0.349.030	Filing Fee-City Election	150	24	(126)
001.000.0.349.528	Police Reports & Services	1,000	657	(343)
	TOTAL CHARGES FOR SERVICES	33,350	43,771	10,421
SANITATION				
001.000.0.343.400	Recycling	-	47,107	47,107
001.000.0.343.300	Sanitation - (M)	305,000	305,754	754
001.000.0.343.301	Extra Trash Pickup	1,000	1,997	997
001.000.0.343.307	Fuel Adjustment Fee	90,000	94,069	4,069
001.000.0.343.306	Garbage Late Fees	12,000	14,014	2,014
001.000.0.343.302	Garbage Cans	200	-	(200)
001.000.0.343.901	Sanitation Reserve Fund	250,000	48,597	(201,403)
001.000.0.343.902	Equipment Reserve Fund	19,000	18,893	(107)
	TOTAL SANITATION	677,200	530,431	(146,769)
FINES AND FORFEITURES				
001.000.0.351.000	Police Fines - (M)	30,000	11,903	(18,097)
001.000.0.351.100	Police Education	2,500	759	(1,741)
001.000.0.351.300	Police Detail	2,000	2,863	863
001.000.0.352.000	Library Fines	1,500	1,641	141
001.000.0.349.400	Restitution	3,000	1,630	(1,370)
	TOTAL FINES AND FORFEITURES	39,000	18,796	(20,204)
RENTALS				
001.000.0.362.030	Rental - Highlands	3,000	3,075	75
001.000.0.362.032	Rental - Mackay Estates	12,000	26,747	14,747
001.000.0.362.033	Rental - Cancellation Fee	1,000	1,950	950
001.000.0.362.034	Rental - Lions Park	1,000	1,100	100
001.000.0.362.038	Rental - Tower	130,000	138,111	8,111
001.000.0.362.035	Rental - Ball Field	300	-	(300)
	TOTAL RENTAL	147,300	170,983	23,683
INTEREST EARNED				
001.000.0.361.000	Interest Income	8,000	8,774	774
001.000.0.361.100	Interest - Investments	-	446	446
	TOTAL INTEREST EARNED	8,000	9,220	1,220

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	MISCELLANEOUS			
001.000.0.365.000	Sale of Surplus Property	10,000	1,234	(8,766)
001.000.0.319.100	Motor Fuel Tax Refund - (M)	4,500	5,527	1,027
001.000.0.366.300	Bluegrass Bash	8,000	6,931	(1,069)
001.000.0.366.400	Recreation Donations	1,000	43	(957)
001.000.0.369.000	Miscellaneous Income	12,000	1,673	(10,327)
001.000.0.369.100	Storage	1,200	150	(1,050)
001.000.0.369.200	Grillin & Chillin	3,000	7,888	4,888
001.000.0.369.300	Insurance Proceeds	9,670	20,828	11,158
001.000.0.369.400	Event Reimbursement	1,200	-	(1,200)
001.000.0.369.500	Ridge League Receipts	1,500	4,574	3,074
001.000.0.369.600	Veteran's Memorial	-	2,200	2,200
	TOTAL MISCELLANEOUS	52,070	51,048	(1,022)
	SUBTOTAL PRIOR TO TRANSFERS	3,802,325	3,860,273	57,948
	TRANSFERS			
001.000.0.381.224	Recreation Impact Fees	15,000	15,000	-
001.000.0.381.225	Public Safety Impact Fees	-	218,750	218,750
001.000.0.381.226	Sanitation Reserve	-	201,395	201,395
001.000.0.381.401	General Fund Reserve	25,000	-	(25,000)
001.000.0.381.402	Interfund Transfer	230,210	152,605	(77,605)
001.000.0.381.403	Cost Allocation	176,660	176,660	-
001.000.0.381.850	Reserve - Leet Fund	2,000	-	(2,000)
	TOTAL TRANSFERS	448,870	764,410	315,540
	TOTAL ALL REVENUES	4,251,195	4,624,683	373,488

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
GENERAL FUND EXPENDITURES				
GENERAL GOVERNMENT				
001.510.0.422.000	General Employees Retirement	205,340	198,995	6,345
001.510.0.422.100	Public Safety Retirement	115,130	90,954	24,176
001.510.0.423.000	Group Health Insurance	318,500	290,478	28,022
001.510.0.423.100	HRA Deductible Reimbursement	5,000	1,000	4,000
001.510.0.424.000	Workers Comp Insurance	65,000	60,791	4,209
001.510.0.425.000	Unemployment Compensation	1,000	-	1,000
001.510.0.432.000	Accounting & Auditing	46,300	43,403	2,897
001.510.0.434.000	Contractual Services	24,000	29,986	(5,986)
001.510.0.440.200	Employee Christmas Benefit	3,500	3,592	(92)
001.510.0.440.201	Ridge League Dinner	1,000	5,538	(4,538)
001.510.0.445.000	Property & Liability	113,100	105,780	7,320
001.510.0.449.000	Insurance Claims	2,000	3,450	(1,450)
001.510.0.452.300	IT - Software & Hardware	8,000	23,332	(15,332)
001.510.0.464.100	Capital - Phone Upgrade	10,000	21,401	(11,401)
001.510.0.510.979	Fire Truck - Fundbalance	50,000	50,000	-
001.510.0.510.991	Property & Liability Contra	-	(99,799)	99,799
001.510.0.510.992	Workers Comp Contra	-	(60,791)	60,791
001.510.0.510.993	Health Insurance Contra	-	(286,683)	286,683
001.510.0.510.994	Public Safety Retirement- Cont	-	(90,954)	90,954
001.510.0.510.995	General Employees Retirement C	-	(198,995)	198,995
001.510.0.510.997	Sanitation Equipment Reserve	11,000	11,000	-
001.510.0.510.998	Local Option Gas Tax Reserve	73,600	73,600	-
001.510.0.510.999	Contingencies	19,895	105,938	(86,043)
001.510.0.531.000	Donations	5,000	2,000	3,000
	TOTAL GEN GOVERNMENT	1,077,365	384,016	693,349
CITY ATTORNEY				
001.514.0.431.400	Legal	60,000	68,572	(8,572)
	TOTAL ATTORNEY	60,000	68,572	(8,572)
CITY COMMISSION				
001.511.0.411.000	Salaries & Wages	13,200	13,200	-
001.511.0.421.000	FICA Expense	1,010	1,010	-
001.511.0.424.000	Workers Comp Insurance	-	376	(376)
001.511.0.440.300	Training & Travel	8,000	8,670	(670)
001.511.0.443.200	Electric	5,500	5,604	(104)
001.511.0.445.000	Property & Liability	-	14,144	(14,144)
001.511.0.451.000	Office Supplies	500	490	10
001.511.0.452.000	Operating Supplies	500	1,110	(610)
001.511.0.452.940	Uniforms & Shoes	800	707	93
001.511.0.454.000	Subscriptions & Memberships	1,250	1,238	12
	TOTAL CITY COMM	30,760	46,549	(15,789)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	CITY ADMINISTRATION			
001.512.1.412.000	Salaries & Wages	129,525	135,976	(6,451)
001.512.1.414.000	Overtime Pay	100	-	100
001.512.1.421.000	FICA Expense	9,910	13,983	(4,073)
001.512.1.422.000	Retirement	16,500	18,749	(2,249)
001.512.1.423.000	Life & Health Insurance	-	9,556	(9,556)
001.512.1.424.000	Workers Comp Insurance	-	3,789	(3,789)
001.512.1.431.200	Recording Escrow	300	500	(200)
001.512.1.431.500	Employee Exams	50	-	50
001.512.1.434.600	Municipal Code Corp	3,000	2,207	793
001.512.1.440.300	Training & Travel	5,000	4,832	168
001.512.1.441.000	Communications	2,000	2,111	(111)
001.512.1.441.100	Cell Phone	600	516	84
001.512.1.443.200	Electric	2,000	1,727	273
001.512.1.445.000	Property & Liability	-	243	(243)
001.512.1.446.000	R & M Services	500	-	500
001.512.1.446.100	R & M - Auto	500	-	500
001.512.1.446.120	R & M - Copier	4,000	2,843	1,157
001.512.1.446.348	R & M - Software	2,200	2,191	9
001.512.1.449.000	Legal Advertisement	7,500	8,467	(967)
001.512.1.451.000	Office Supplies	500	527	(27)
001.512.1.452.000	Operating Supplies	3,500	2,321	1,179
001.512.1.452.700	Fuel	500	318	182
001.512.1.453.100	City Election	1,800	24	1,776
001.512.1.454.000	Subscriptions & Memberships	1,900	1,547	353
	CITY ADMINISTRATION TOTAL	191,885	212,427	(20,542)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	FINANCE			
001.513.0.412.000	Salaries & Wages	84,840	84,753	87
001.513.0.414.000	Overtime Pay	-	51	(51)
001.513.0.421.000	FICA Expense	6,500	6,345	155
001.513.0.422.000	Retirement	-	14,828	(14,828)
001.513.0.423.000	Life & Health Insurance	-	9,556	(9,556)
001.513.0.424.000	Workers Comp Insurance	-	2,459	(2,459)
001.513.0.431.500	Employee Exams	50	42	8
001.513.0.433.000	Bank Service Charges	500	228	272
001.513.0.440.300	Training & Travel	500	979	(479)
001.513.0.441.000	Communications	2,800	2,189	611
001.513.0.443.200	Electric	2,000	1,727	273
001.513.0.446.000	R & M Services	1,500	1,109	391
001.513.0.446.348	R & M - Software	6,700	6,700	-
001.513.0.451.000	Office Supplies	1,000	944	56
001.513.0.452.000	Operating Supplies	2,000	1,586	414
001.513.0.452.940	Uniforms & Shoes	800	621	179
001.513.0.454.000	Subscriptions & Memberships	195	230	(35)
	TOTAL FINANCE	109,385	134,347	(24,962)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	POLICE DEPT			
001.521.1.412.000	Salaries & Wages	567,335	503,154	64,181
001.521.1.414.000	Overtime Pay	4,000	9,053	(5,053)
001.521.1.421.000	FICA Expense	43,400	38,843	4,557
001.521.1.422.000	Retirement	31,535	67,008	(35,473)
001.521.1.422.100	State Contribution	-	32,629	(32,629)
001.521.1.423.000	Life & Health Insurance	-	76,449	(76,449)
001.521.1.424.000	Workers Comp Insurance	-	15,792	(15,792)
001.521.1.431.500	Employee Exams	1,000	1,459	(459)
001.521.1.440.300	Training & Travel	4,500	2,880	1,620
001.521.1.441.000	Communications	8,000	7,525	475
001.521.1.441.100	Cell Phone	1,800	1,592	208
001.521.1.443.200	Electric	8,500	10,819	(2,319)
001.521.1.445.000	Property & Liability	-	5,166	(5,166)
001.521.1.445.500	Special Risk Ins.	550	538	12
001.521.1.446.000	R & M Services	1,500	1,454	46
001.521.1.446.100	R & M - Auto	12,000	11,245	755
001.521.1.446.120	R & M - Copier	2,700	2,436	264
001.521.1.446.200	R & M - Radios	3,500	3,670	(170)
001.521.1.446.700	R & M - IT Contract	3,000	2,550	450
001.521.1.449.000	Contractual Services	2,500	5,157	(2,657)
001.521.1.451.000	Office Supplies	1,000	1,144	(144)
001.521.1.452.000	Operating Supplies	3,000	2,213	787
001.521.1.452.012	K-9 Expenses	1,500	722	778
001.521.1.452.100	Computer Replacement	2,500	3,389	(889)
001.521.1.452.700	Fuel	28,000	25,570	2,430
001.521.1.452.940	Uniforms & Shoes	4,000	1,571	2,429
001.521.1.454.000	Subscriptions & Memberships	300	370	(70)
001.521.1.464.100	Capital - Vehicle	30,000	29,617	383
001.521.1.464.200	Capital - Grant Equipment	9,770	18,372	(8,602)
	TOTAL POLICE DEPT	775,890	882,387	(106,497)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	FIRE DEPT			
001.522.1.412.000	Salaries & Wages	351,635	347,558	4,077
001.522.1.413.000	Part Time Wages	40,000	61,751	(21,751)
001.522.1.414.000	Overtime Pay	2,000	5,396	(3,396)
001.522.1.421.000	FICA Expense	29,960	31,540	(1,580)
001.522.1.422.000	Retirement	21,000	44,608	(23,608)
001.522.1.422.100	State Contribution	-	26,877	(26,877)
001.522.1.423.000	Life & Health Insurance	-	47,781	(47,781)
001.522.1.424.000	Workers Comp Insurance	-	11,029	(11,029)
001.522.1.431.500	Employee Exams	3,000	5,519	(2,519)
001.522.1.440.300	Training & Travel	3,000	2,477	523
001.522.1.441.000	Communications	1,500	1,403	97
001.522.1.441.100	Cell Phone	1,200	1,114	86
001.522.1.443.200	Electric	8,000	8,553	(553)
001.522.1.445.000	Property & Liability	-	5,651	(5,651)
001.522.1.445.500	Special Risk Ins.	550	538	12
001.522.1.446.000	R & M Services	3,000	2,607	393
001.522.1.446.100	R & M - Auto	12,000	17,051	(5,051)
001.522.1.446.110	R & M - SCBA	1,500	831	669
001.522.1.446.200	R & M - Radio	3,000	3,000	-
001.522.1.446.348	R & M - Software	2,000	720	1,280
001.522.1.451.000	Office Supplies	500	426	74
001.522.1.452.000	Operating Supplies	3,000	1,814	1,186
001.522.1.452.140	Fire Prevention Program	1,000	982	18
001.522.1.452.700	Fuel	6,000	6,707	(707)
001.522.1.452.800	Diesel	2,500	4,557	(2,057)
001.522.1.452.940	Uniforms & Shoes	4,000	4,258	(258)
001.522.1.452.941	Bunker Gear - Replacements	5,000	3,488	1,512
001.522.1.454.000	Subscriptions & Memberships	400	389	11
001.522.1.464.100	Capital - Equipment	3,000	39,791	(36,791)
001.522.1.464.200	Capital - Bunker Gear	-	293	(293)
	TOTAL FIRE DEPT	508,745	688,709	(179,964)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	COMMUNITY DEVELOPMENT			
001.524.1.412.000	Salaries & Wages	116,765	115,503	1,262
001.524.1.414.000	Overtime Pay	100	259	(159)
001.524.1.421.000	FICA Expense	8,935	8,856	79
001.524.1.422.000	Retirement	-	13,388	(13,388)
001.524.1.423.000	Life & Health Insurance	-	9,556	(9,556)
001.524.1.424.000	Workers Comp Insurance	-	4,166	(4,166)
001.524.1.431.000	Professional Services	5,000	6,338	(1,338)
001.524.1.431.100	CFRPC Contract	18,000	20,750	(2,750)
001.524.1.431.200	Way Finding Sign Program	40,000	5,930	34,070
001.524.1.431.250	CRA - Finding of Necessity	30,000	30,000	-
001.524.1.431.500	Employee Exams	100	-	100
001.524.1.434.660	Contractual Service - Magistra	4,000	3,278	722
001.524.1.440.300	Training & Travel	2,000	1,578	422
001.524.1.441.000	Communications	2,400	2,311	89
001.524.1.441.100	Cell Phone	1,200	809	391
001.524.1.443.200	Electric	12,000	11,209	791
001.524.1.445.000	Property & Liability	-	1,146	(1,146)
001.524.1.446.000	R & M Services	500	603	(103)
001.524.1.446.100	R & M - Auto	500	448	52
001.524.1.446.120	R & M - Copier	6,000	7,080	(1,080)
001.524.1.446.348	R & M - Software	1,400	900	500
001.524.1.451.000	Office Supplies	500	478	22
001.524.1.452.000	Operating Supplies	1,000	1,448	(448)
001.524.1.452.700	Fuel	1,000	802	198
001.524.1.454.000	Subscriptions & Memberships	200	265	(65)
001.524.1.464.100	Capital - Machinery & Equipmen	-	12,283	(12,283)
	TOTAL COMMUNITY DEVELOPMENT	251,600	259,384	(7,784)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	PUBLIC WORKS ADMIN			
001.540.1.412.000	Salaries & Wages	39,440	47,730	(8,290)
001.540.1.421.000	FICA Expense	3,020	3,369	(349)
001.540.1.422.000	Retirement	-	8,386	(8,386)
001.540.1.423.000	Life & Health Insurance	-	4,778	(4,778)
001.540.1.431.500	Employee Exams	300	42	258
001.540.1.440.300	Training & Travel	1,000	450	550
001.540.1.441.000	Communications	1,500	2,644	(1,144)
001.540.1.441.100	Cell Phone	1,200	1,050	150
001.540.1.443.200	Electric	1,600	1,335	265
001.540.1.445.000	Property & Liability	-	938	(938)
001.540.1.446.000	R & M Services	500	889	(389)
001.540.1.446.120	R & M - Copier	1,000	697	303
001.540.1.451.000	Office Supplies	500	284	216
001.540.1.452.000	Operating Supplies	1,000	517	483
001.540.1.452.940	Uniforms & Shoes	3,400	5,562	(2,162)
001.540.1.454.000	Subscriptions & Memberships	200	125	75
001.540.1.458.903	Cost Allocation - Stormwater	(11,130)	(11,130)	-
	TOTAL PW ADMIN	43,530	67,666	(24,136)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	BUILDING MAINT			
001.519.1.412.000	Salaries & Wages	28,495	28,522	(27)
001.519.1.414.000	Overtime Pay	50	-	50
001.519.1.421.000	FICA Expense	2,180	2,182	(2)
001.519.1.422.000	Retirement	-	4,995	(4,995)
001.519.1.423.000	Life & Health Insurance	-	4,778	(4,778)
001.519.1.431.300	Engineering	5,000	8,771	(3,771)
001.519.1.441.000	Communications	1,400	1,632	(232)
001.519.1.443.200	Electric	500	620	(120)
001.519.1.445.000	Property & Liability	-	3,117	(3,117)
001.519.1.446.000	R & M Services	20,000	36,112	(16,112)
001.519.1.452.000	Operating Supplies	3,500	17,738	(14,238)
001.519.1.452.940	Uniforms & Shoes	100	-	100
001.519.1.464.100	Capital - Bldg Improvements	-	264,563	(264,563)
	TOTAL BLDG MAINT	61,225	373,030	(311,805)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	SANITATION			
001.534.1.412.000	Salaries & Wages	92,125	82,304	9,821
001.534.1.414.000	Overtime Pay	1,000	2,124	(1,124)
001.534.1.421.000	FICA Expense	7,050	6,440	610
001.534.1.422.000	Retirement	-	14,824	(14,824)
001.534.1.423.000	Life & Health Insurance	-	14,334	(14,334)
001.534.1.424.000	Workers Comp Insurance	-	2,102	(2,102)
001.534.1.431.500	Employee Exams	750	378	372
001.534.1.434.100	Contractual Services	-	5,393	(5,393)
001.534.1.434.200	Recycling - City Portion	1,000	47,406	(46,406)
001.534.1.445.000	Property & Liability	-	5,849	(5,849)
001.534.1.446.000	R & M Services	1,000	777	223
001.534.1.446.100	R & M - Auto	25,000	23,161	1,839
001.534.1.449.110	Disposal Fees - Polk County	60,000	69,060	(9,060)
001.534.1.449.150	Disposal Fees - Brush	24,000	24,731	(731)
001.534.1.452.000	Operating Supplies	2,000	834	1,166
001.534.1.452.800	Diesel	23,000	34,416	(11,416)
001.534.1.464.100	Capital - Equipment	8,000	7,186	814
001.534.1.464.200	Capital- Vehicle	250,000	249,989	11
	TOTAL SANITATION	494,925	591,308	(96,383)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	ROADS AND STEETS			
001.541.1.412.000	Salaries & Wages	114,960	116,151	(1,191)
001.541.1.414.000	Overtime Pay	3,000	4,267	(1,267)
001.541.1.421.000	FICA Expense	8,795	9,100	(305)
001.541.1.422.000	Retirement	-	21,138	(21,138)
001.541.1.423.000	Life & Health Insurance	-	23,890	(23,890)
001.541.1.424.000	Workers Comp Insurance	-	4,410	(4,410)
001.541.1.431.300	Engineering	1,000	-	1,000
001.541.1.431.500	Employee Exams	400	639	(239)
001.541.1.443.200	Electric	56,000	56,220	(220)
001.541.1.444.100	Rental Equipment	1,000	-	1,000
001.541.1.445.000	Property & Liability	-	1,752	(1,752)
001.541.1.446.000	R & M Services	10,000	14,126	(4,126)
001.541.1.446.020	R & M - Traffic Signs	3,000	2,767	233
001.541.1.446.080	R & M - Traffic Signals	10,000	7,344	2,656
001.541.1.446.100	R & M - Auto	10,000	12,943	(2,943)
001.541.1.446.200	R & M - Street Sweeper Contrac	10,000	6,920	3,080
001.541.1.446.280	R & M - Street Lights	3,000	2,132	868
001.541.1.446.290	R & M - Tree Maint	1,000	2,274	(1,274)
001.541.1.446.500	R & M - Cemeteries	4,000	3,393	607
001.541.1.452.000	Operating Supplies	3,000	7,820	(4,820)
001.541.1.452.700	Fuel	13,000	19,526	(6,526)
001.541.1.452.800	Diesel Charges	2,000	3,646	(1,646)
001.541.1.453.000	Road & Sidewalk Repair	12,000	15,521	(3,521)
	TOTAL STREETS	266,155	335,979	(69,824)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	CENTRAL GARAGE & MOTOR POOL			
001.589.1.412.000	Salaries & Wages	33,900	36,321	(2,421)
001.589.1.414.000	Overtime Pay	300	190	110
001.589.1.421.000	FICA Expense	2,595	2,793	(198)
001.589.1.422.000	Retirement	-	6,442	(6,442)
001.589.1.423.000	Life & Health Insurance	-	4,778	(4,778)
001.589.1.424.000	Workers Comp Insurance	-	970	(970)
001.589.1.431.000	Employee Exams	100	225	(125)
001.589.1.441.000	Communications	500	258	242
001.589.1.443.200	Electric	3,000	2,994	6
001.589.1.445.000	Property & Liability	-	11,816	(11,816)
001.589.1.446.000	R & M Services	500	3,371	(2,871)
001.589.1.446.100	R & M - Auto	500	58	442
001.589.1.452.000	Operating Supplies	1,000	12,102	(11,102)
001.589.1.452.300	IT - Software & Hardware	100	-	100
001.589.1.452.700	Fuel	100	133	(33)
001.589.1.452.800	Supplies - Diesel	29,600	56,110	(26,510)
001.589.1.452.900	Supplies - Gas & Oil	79,700	102,372	(22,672)
001.589.1.454.000	Subscriptions & Memberships	1,500	1,500	-
001.589.1.458.900	Reimbursement - Labor	(15,000)	(12,589)	(2,411)
001.589.1.458.901	Reimbursement - Fuel	(79,700)	(83,958)	4,258
001.589.1.458.902	Reimbursement - Diesel	(29,600)	(44,711)	15,111
001.589.1.464.200	Capital - Machinery & Equipmen	-	9,399	(9,399)
	TOTAL CGMP	29,095	110,574	(81,479)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	PARKS			
001.572.1.412.000	Salaries & Wages	116,515	118,152	(1,637)
001.572.1.414.000	Overtime Pay	1,000	1,049	(49)
001.572.1.421.000	FICA Expense	8,915	9,106	(191)
001.572.1.422.000	Retirement	-	19,554	(19,554)
001.572.1.423.000	Life & Health Insurance	-	23,933	(23,933)
001.572.1.424.000	Workers Comp Insurance	-	3,829	(3,829)
001.572.1.431.500	Employee Exams	300	1,122	(822)
001.572.1.440.300	Training & Travel	300	429	(129)
001.572.1.441.000	Communications	1,500	2,721	(1,221)
001.572.1.441.100	Cell Phone	600	517	83
001.572.1.443.200	Electric	8,000	7,275	725
001.572.1.444.100	Rental Equipment	500	60	440
001.572.1.445.000	Property & Liability	-	2,534	(2,534)
001.572.1.446.000	R & M Services	7,000	13,660	(6,660)
001.572.1.446.100	R & M - Auto	2,500	3,398	(898)
001.572.1.446.120	R & M - Copier	1,200	2,203	(1,003)
001.572.1.452.200	Operating Supplies	11,000	15,955	(4,955)
001.572.1.452.700	Fuel	6,000	8,851	(2,851)
001.572.1.452.800	Diesel	800	432	368
001.572.1.452.940	Uniforms & Shoes	750	1,822	(1,072)
001.572.1.464.100	Capital - Equipment	-	25,074	(25,074)
001.572.1.464.200	Capital - Improvements	19,000	20,448	(1,448)
001.572.1.464.300	Veteran's Memorial	-	6,059	(6,059)
	TOTAL PARKS	185,880	288,183	(102,303)
	MACKAY ESTATES			
001.572.2.441.000	Communications	600	600	-
001.572.2.443.200	Electric	6,000	6,503	(503)
001.572.2.445.000	Property & Liability	-	5,300	(5,300)
001.572.2.446.000	R & M Services	4,000	6,107	(2,107)
001.572.2.449.000	Contractual Maint Services	1,200	1,800	(600)
001.572.2.452.000	Operating Supplies	4,000	3,683	317
	TOTAL MACKAY ESTATES	15,800	23,993	(8,193)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	LIBRARY			
001.571.1.413.000	Salaries & Wages	74,200	70,637	3,563
001.571.1.421.000	FICA Expense	5,675	5,404	271
001.571.1.422.000	Retirement	-	5,426	(5,426)
001.571.1.423.000	Life & Health Insurance	-	4,778	(4,778)
001.571.1.424.000	Workers Comp Insurance	-	2,145	(2,145)
001.571.1.431.500	Employee Exams	100	126	(26)
001.571.1.440.300	Training & Travel	500	-	500
001.571.1.441.000	Communications	5,480	2,073	3,407
001.571.1.443.200	Electric	6,000	6,782	(782)
001.571.1.445.000	Property & Liability	-	1,851	(1,851)
001.571.1.446.000	R & M Services	500	2,055	(1,555)
001.571.1.446.120	R & M - Copier	3,000	3,042	(42)
001.571.1.446.438	R & M - Software	1,500	944	556
001.571.1.451.000	Office Supplies	1,000	503	497
001.571.1.452.000	Operating Supplies	3,000	2,314	686
001.571.1.452.160	Youth Programs	2,000	2,069	(69)
001.571.1.454.000	Subscriptions & Memberships	1,000	1,304	(304)
001.571.1.466.000	Books	15,000	15,726	(726)
	TOTAL LIBRARY	118,955	127,179	(8,224)
	RECREATION			
001.572.3.440.200	Employee Quarterly Meetings	1,500	1,872	(372)
001.572.3.446.000	R & M Services	2,500	2,293	207
001.572.3.448.000	Promotional Activities	15,000	16,125	(1,125)
001.572.3.451.000	Office Supplies	500	223	277
001.572.3.452.000	Operating Supplies	3,500	1,854	1,646
001.572.3.452.100	Summer Recreation Expenses	7,000	8,013	(1,013)
	TOTAL RECREATION	30,000	30,380	(380)
	TOTAL GEN FUND EXPENDITURE	4,251,195	4,624,683	(373,488)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
STORMWATER REVENUE				
401.000.0.343.900	Stormwater Revenue	55,000	54,964	36
401.000.0.381.538	Storm Water Reserve	10,990	5,957	5,033
	TOTAL STORMWATER	65,990	60,921	5,069
STORMWATER				
401.538.1.431.300	Engineering	10,000	10,458	(458)
401.538.1.434.000	Contractual Services	3,000	1,917	1,083
401.538.1.440.300	Training & Travel	500	452	48
401.538.1.443.200	Electric	160	-	160
401.538.1.446.000	R & M Services	4,000	4,040	(40)
401.538.1.446.100	R & M - Auto	1,000	-	1,000
401.538.1.446.200	Street Sweeping Cont	10,000	9,737	263
401.538.1.452.000	Operating Supplies	500	237	263
401.538.1.452.700	Fuel	1,200	1,125	75
401.538.1.454.000	Subscriptions & Memb	-	400	(400)
401.538.1.458.903	Cost Allocation	11,130	11,130	-
401.538.1.464.200	Capital - Machinery	24,500	21,426	3,074
	TOTAL STORMWATER	65,990	60,922	5,068

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	UTILITY BILLING			
401.000.0.343.302	Water Revenue	600,000	592,180	7,820
401.000.0.343.303	Water Adjustments	-	(1,932)	1,932
401.000.0.343.308	Temp Water Service	2,000	1,950	50
401.000.0.343.305	Irrigation	125,000	121,969	3,031
401.000.0.343.500	Sewer Revenue	1,165,000	1,213,240	(48,240)
401.000.0.343.503	Sewer Adjustment	-	(749)	749
401.000.0.343.550	Tap Fees	1,500	5,700	(4,200)
401.000.0.343.304	Turn On Fee	22,000	20,955	1,045
401.000.0.365.000	Scrap Metal	10,000	423	9,577
401.000.0.365.100	Hay Proceeds	500	1,632	(1,132)
401.000.0.369.000	Non Payment Fees	35,000	34,209	791
401.000.0.369.200	Miscellaneous Revenu	-	1,214	(1,214)
401.000.0.343.314	Water Meter Fee	8,000	38,625	(30,625)
401.000.0.343.310	NSF Check Fee	2,000	1,620	380
401.000.0.343.306	Late Fees	50,000	50,387	(387)
401.000.0.343.312	Turn Off Fee	16,000	15,730	270
401.000.0.343.317	Service Work Orders	500	932	(432)
401.000.0.343.311	Bad Debt Collections	2,000	2,773	(773)
401.000.0.361.000	Interest - Bank	10,000	9,217	783
401.000.0.361.100	Interest - Investmen	-	1,198	(1,198)
401.000.0.384.100	WasteWater Reserve	25,000	-	25,000
401.000.0.349.110	Cash Over/Short	-	(130)	130
	TOTAL UTILITY REVENUE	2,074,500	2,111,143	(36,643)

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	DEBT SERVICE			
401.000.0.517.716	Loan F-EF Refinanced	238,445	238,443	2
401.000.0.517.719	Wastewater Loan 7190	315,645	315,646	(1)
	TOTAL DEBT SERVICE	554,090	554,089	1
	WATER OPERATIONS			
401.533.2.412.000	Salaries & Wages	10,075	11,051	(976)
401.533.2.421.000	FICA Expense	775	765	10
401.533.2.431.300	Engineering	20,000	5,922	14,078
401.533.2.434.000	Contractual Services	5,000	9,439	(4,439)
401.533.2.434.100	Engineering- Water M	14,000	15,500	(1,500)
401.533.2.440.100	Land Leases	1,500	1,701	(201)
401.533.2.440.300	Training & Travel	500	420	80
401.533.2.443.200	Electric	38,000	40,074	(2,074)
401.533.2.445.000	Property & Liability	-	8,207	(8,207)
401.533.2.446.000	R & M Services	30,000	20,579	9,421
401.533.2.446.100	R & M - Auto	1,000	165	835
401.533.2.446.200	R & M - Water Tower	500	-	500
401.533.2.452.000	Operating Supplies	1,500	355	1,145
401.533.2.452.600	Chemicals	43,000	45,585	(2,585)
401.533.2.452.700	Fuel	3,000	586	2,414
401.533.2.454.000	Subscriptions & Memb	600	560	40
401.533.2.463.800	Water Improvements	-	6,402	(6,402)
401.533.2.464.200	Capital - Equipment	59,000	41,154	17,846
401.533.2.533.910	Cost Allocation - General	203,435	164,634	38,801
	TOTAL WATER OPERATIONS	431,885	373,099	58,786

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	WASTE WATER OPERATIO			
401.535.1.412.000	Salaries & Wages	85,270	86,972	(1,702)
401.535.1.414.000	Overtime Pay	4,000	1,711	2,289
401.535.1.421.000	FICA Expense	6,525	6,655	(130)
401.535.1.422.000	Retirement	-	15,515	(15,515)
401.535.1.423.000	Life & Health Insura	-	14,334	(14,334)
401.535.1.424.000	Workers Comp Insuran	-	2,528	(2,528)
401.535.1.431.300	Engineering	15,000	14,758	242
401.535.1.431.500	Employee Exams	300	56	244
401.535.1.434.100	Contractual Services	500	-	500
401.535.1.434.500	Sampling of Wells	16,000	10,983	5,017
401.535.1.434.510	Sludge Hauling	3,000	5,480	(2,480)
401.535.1.440.300	Training & Travel	500	110	390
401.535.1.441.000	Communications	8,000	7,447	553
401.535.1.441.100	Cell Phone	-	269	(269)
401.535.1.443.200	Electric	80,000	84,679	(4,679)
401.535.1.445.000	Property & Liability	-	28,904	(28,904)
401.535.1.446.000	R & M Services	35,000	65,988	(30,988)
401.535.1.446.100	R & M - Auto	2,000	335	1,665
401.535.1.452.000	Operating Supplies	2,500	1,983	517
401.535.1.452.600	Chemicals	90,000	90,563	(563)
401.535.1.452.700	Fuel	500	108	392
401.535.1.452.800	Diesel Fuel	200	-	200
401.535.1.452.940	Uniforms & Shoes	750	385	365
401.535.1.464.100	Capital - Equipment	39,500	21,620	17,880
401.535.1.535.910	Cost Allocation - Ge	203,435	164,632	38,803
	TOTAL WASTE WATER	592,980	626,015	(33,035)
	SUMMIT GROVE			
401.535.2.443.200	Electric	5,000	7,469	(2,469)
401.535.2.445.000	Property & Liability	-	3,794	(3,794)
401.535.2.446.000	R & M - Services	16,000	189	15,811
401.535.2.452.000	Operating Supplies	500	-	500
	TOTAL SUMMIT GROVE	21,500	11,452	10,048

BUDGET ADJUSTMENT

FISCAL YEAR 13/14

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL	ACTUAL	VARIANCE
	SERVICE			
401.536.1.412.000	Salaries & Wages	236,735	238,428	(1,693)
401.536.1.414.000	Overtime Pay	6,000	1,258	4,742
401.536.1.421.000	FICA Expense	18,110	18,295	(185)
401.536.1.422.000	Retirement	-	41,873	(41,873)
401.536.1.423.000	Life & Health Insura	-	38,254	(38,254)
401.536.1.424.000	Workers Comp Insuran	-	7,196	(7,196)
401.536.1.431.300	Engineering	5,000	2,494	2,506
401.536.1.431.500	Employee Exams	500	416	84
401.536.1.440.300	Training & Travel	2,000	719	1,281
401.536.1.441.000	Communications	21,000	22,057	(1,057)
401.536.1.441.100	Cell Phone	1,800	1,902	(102)
401.536.1.443.200	Electric	2,500	2,302	198
401.536.1.444.100	Rental Equipment	500	-	500
401.536.1.446.100	R & M - Auto	10,000	5,299	4,701
401.536.1.446.120	R & M - Copier	1,400	1,352	48
401.536.1.446.348	Annual Software Main	3,500	3,450	50
401.536.1.446.350	R & M - Water Lines	20,000	28,187	(8,187)
401.536.1.446.360	R & M - Fire Hydrant	1,000	-	1,000
401.536.1.446.370	R & M - Lift Station	70,000	50,122	19,878
401.536.1.446.380	R & M - Sewer Lines	10,000	5,190	4,810
401.536.1.452.000	Operating Supplles	3,000	7,405	(4,405)
401.536.1.452.700	Fuel	20,000	20,362	(362)
401.536.1.452.800	Diesel	1,500	1,304	196
401.536.1.452.900	Meter & Fittings - N	18,000	39,598	(21,598)
401.536.1.452.940	Unlforms & Shoes	3,000	4,026	(1,026)
401.536.1.464.200	Capital - Machinery	8,500	4,999	3,501
401.536.1.536.999	Contingencies	10,000	-	10,000
	TOTAL SERVICE	474,045	546,488	(72,443)
	TOTAL EXPENDITURES	2,074,500	2,111,143	(36,643)

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

2.) PUBLIC HEARING - ORDINANCE 1344-14: SCHOOL ZONING

ISSUE: The City of Lake Alfred will consider an ordinance assigning a zoning classification on 44.47 acres of land located east of CR 557 between Evenhouse Road & Creek Road on second and final reading.

ATTACHMENTS:

- Ordinance 1344-14
- Surrounding Uses
- Map

ANALYSIS: The City of Lake Alfred has received a request to assign a Public Building & Grounds (PB) zoning classification to 44.47 acres located east of CR 557 and between Evenhouse Road & Creek Road. Additionally, 11 acres at the center of the site are proposed to be zoned as Conservation (CN).

The total 55.47 acre tract of land has a designated future land use of Medium Density Residential (MDR) but does not currently have an assigned zoning classification. For perspective: An R-2 zoning classification would be permitted under the MDR future land use and would allow 12 units per acre or 536 residential units on 44.47 acres.

The proposed zoning assignment of Public Building/Grounds (PB) is consistent with the future land use designation and surrounding area. Wetland mitigation, stormwater, transportation impacts, permitting and other site specific considerations would be addressed during the site development review process. The Lake Alfred Planning Board would have to approve any proposed site development on the property.

The proposed zoning assignment request received a recommendation of approval from the Planning Board.

STAFF RECOMMENDATION: No objections to Ordinance 1344-14 on second and final reading.

ORDINANCE NO. 1344-14

AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ALFRED TO ASSIGN THE ZONING CLASSIFICATION OF "PB" PUBLIC BUILDINGS AND GROUNDS ZONING DISTRICT AND "CN" CONSERVATION ZONING DISTRICT ON THE PROPERTY MORE COMMONLY KNOWN AS THE A & J LAKE ALFRED HOLDINGS, INC. PROPERTY; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE. (General Location: EAST OF CR 557 BETWEEN CREEK ROAD AND EVENHOUSE ROAD CONSISTING OF APPROXIMATELY 55.47 ACRES).

WHEREAS, the property currently owned by A & J Lake Alfred Holdings, Inc. was annexed into the City of Lake Alfred city limits on December 6, 2004 by the adoption of Ordinance 1090-04; and

WHEREAS, the property was assigned a Future Land Use Designation of Medium Density Residential on July 5, 2006 by the adoption of Ordinance 1144-06; and

WHEREAS, the property owners chose not to pursue the assignment of a zoning district immediately following the establishment of a land use designation; and

WHEREAS, schools are permitted in all land uses except Conservation, pursuant to Policy 1.1.21 of the Future Land Use Element of the Lake Alfred 2030 Comprehensive Plan; and

WHEREAS, the property owner is requesting the assignment of Public Buildings and Grounds (PB) and Conservation (CN) zoning districts on the property depicted on Exhibit "A" attached hereto and described with a legal description on Exhibit "B" attached hereto both of which exhibits are incorporated herein by reference; and

WHEREAS, the assignment of Public Buildings and Grounds (PB) and Conservation (CN) zoning districts as contemplated herein and more particularly set forth in Exhibits "A" and "B" attached hereto will further the general health, safety, and welfare and be a benefit to the City as a whole and is consistent with the City's Comprehensive Plan; and

WHEREAS, the City of Lake Alfred Planning Board and City Commission have held public meetings and hearings regarding the assignment of Public Buildings and Grounds (PB) and Conservation (CN) zoning districts for the property depicted on Exhibits "A" and "B" attached hereto.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE ALFRED, FLORIDA:

Section 1. The official zoning map of the City of Lake Alfred is amended so as to assign zoning districts for the property owned by A & J Lake Alfred Holdings, Inc. generally located east of CR 557 between Creek Road and Evenhouse Road, to "PB" Public Buildings and Grounds Zoning District on 44.47 acres and "CN" Conservation Zoning District on approximately 11 acres, as shown on the Map attached as Exhibit "A" and with a legal description set forth in Exhibit "B" all of which are incorporated herein by reference.

Section 2. Conflicts. All Ordinances in conflict herewith are hereby repealed.

Section 3. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Effective date. The effective date of this Ordinance shall be immediately upon passage at Second Reading/Public Hearing.

INTRODUCED AND PASSED on First Reading at the regular meeting by the City of Lake Alfred City Commission held on this 3rd day of November, 2014.

PASSED AND ENACTED ON SECOND AND FINAL READING at a regular meeting by the City of Lake Alfred City Commission held on this 17th day of November, 2014.

**CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION**

Nancy Z. Daley, Mayor

ATTEST:

Linda Bourgeois, M.M.C.
City Clerk

Approved as to Form:

Frederick J. Murphy, Jr., City Attorney

Ordinance 1344-14
Exhibit A

CITY OF LAKE ALFRED ZONING MAP - PROPOSED PROPOSED CHARTER SCHOOL

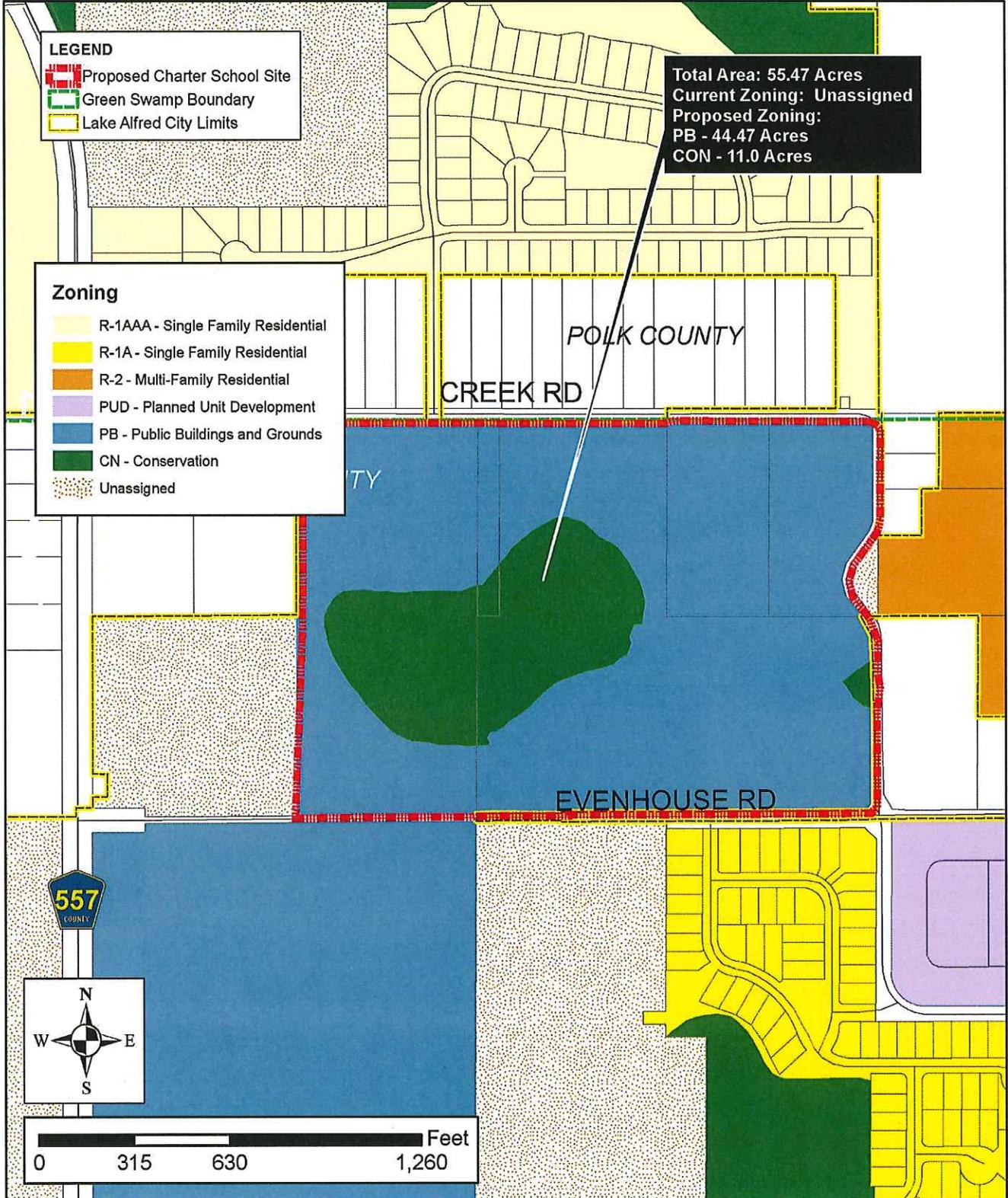
LEGEND

-  Proposed Charter School Site
-  Green Swamp Boundary
-  Lake Alfred City Limits

Zoning

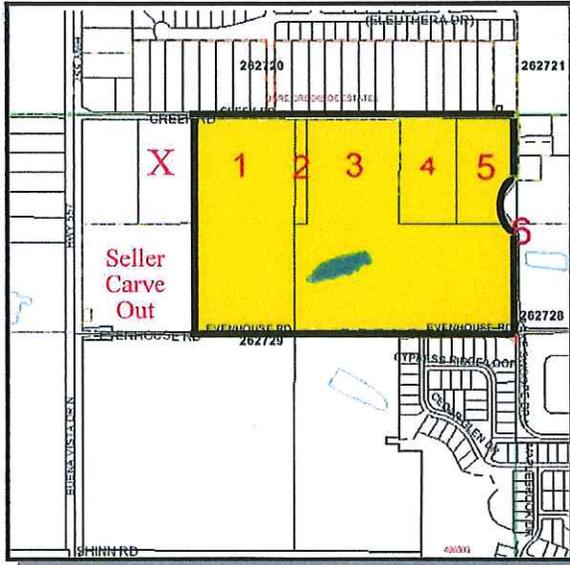
-  R-1AAA - Single Family Residential
-  R-1A - Single Family Residential
-  R-2 - Multi-Family Residential
-  PUD - Planned Unit Development
-  PB - Public Buildings and Grounds
-  CN - Conservation
-  Unassigned

Total Area: 55.47 Acres
Current Zoning: Unassigned
Proposed Zoning:
PB - 44.47 Acres
CON - 11.0 Acres



Ordinance 1344-14
Exhibit B

Legal Description
A&J Lake Alfred Holdings Inc.



Parcel 1: 26-27-29-000000-013030

NW1/4 OF NE1/4 E OF HWY LESS N 75 FT OF S 140 FT OF W 50 FT & LESS S 40 FT OF W 175 FT FOR R/W & LESS MAINT R/W & LESS BEG NW COR OF NE1/4 RUN E 49.21 FT S 15.50 FT TO POB RUN S 650.15 FT E 670.11 FT N 649.17 FT W 670.13 FT TO POB & LESS ADDNL R/W PER MB 15 PGS 16-22 & LESS RW FOR EVENHOUSE RD PER MB 14 PG 87 & LESS ADDL RW AS DESC IN OR BK 1253 PG 383 **LESS AND EXCEPT THE WESTERLY 671.11 +/- FEET THEREOF** (Buyer's surveyor shall create the westerly boundary line of Parcel 1 by extending the existing boundary with Parcel "X" southerly to Evenhouse Road, thus creating the "Seller Carve Out.").

Parcel 2: 26-27-29-000000-011060: W 71.67 FT OF NW1/4 OF NE1/4 OF NE1/4 OF SEC LESS RD R/W & LESS ADDNL R/W PER MB 15 PGS 16-22

Parcel 3: 26-27-29-000000-011010: NE1/4 OF NE1/4 LESS MAINT R/W & LESS LOTS 7 & 7A OF UNREC SURVEY & LESS COMM AT NE COR OF SEC RUN S 28.31 FT W 15.51 FT TO A PT AT CORNER OF SLY & WLY R/W CREEK RD N 85 DEG 04 MIN 14 SEC W ALONG R/W 57.06 FT N 88 DEG 16 MIN 54 SEC W ALONG R/W 100.04 FT N 88 DEG 51 MIN 15 SEC W 189.27 FT TO POB N 16.21 FT TO N BNDRY OF SEC W 336.65 FT S 663.49 FT E 336.65 FT N 646.9 FT TO POB & LESS THAT PART LYING E OF MAINT R/W OF CREEK RD & LESS W 71.67 FT OF NW1/4 OF NE1/4 OF NE1/4 & LESS ADDNL R/W PER MB 15 PGS 16-22 & LESS RW FOR EVENHOUSE RD PER MB 14 PG 87

Parcel 4: 26-27-29-000000-011030: COMM AT NE COR OF SEC RUN S 28.31 FT W 15.51 FT TO A PT AT CORNER OF SLY & WLY R/W CREEK RD N 85 DEG 04 MIN 14 SEC W ALONG R/W 57.06 FT N 88 DEG 16 MIN 54 SEC W ALONG R/W 100.04 FT N 88 DEG 51 MIN 15 SEC W 189.27 FT TO POB N 16.21 FT TO N BNDRY OF SEC W 336.65 FT S 663.49 FT E 336.65 FT N 646.9 FT TO POB LESS MAINT R/W & LESS ADDNL R/W PER MB 15 PGS 16-22

Parcel 5: 26-27-29-000000-011020: BEG 15 FT S & 27.90 FT W OF NE COR OF SEC RUN S 300 FT S 23 DEG 06 MIN 46 SEC W 108.46 FT S 26 DEG 53 MIN 43 SEC W 111.80 FT S 16 DEG 22 MIN 08 SEC E 104.40 FT S 28 DEG 55 MIN 07 SEC E 40.23 FT S 89 DEG 56 MIN 12 SEC W 305.70 FT N 646.90 FT S 88 DEG 51 MIN 15 SEC E 189.27 FT S 88 DEG 16 MIN 54 SEC E 100.04 FT S 85 DEG 04 MIN 14 SEC E 57.06 FT TO POB BEING LOT 7 OF UNRE SURVEY LESS ADDNL R/W PER MB 15 PGS 16-22

Parcel 6: 26-27-29-000000-011040: NE1/4 OF NE1/4 LYING E OF MAINT R/W LESS LOT 7A OF UNRE SURVEY & LESS ADDL R/W PER MB 15 PGS 16-22

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

3.) PUBLIC HEARING - ORDINANCE 1345-14: CAPITAL IMPROVEMENT PLAN

ISSUE: The City of Lake Alfred will consider ordinance 1345-14, adopting the City's Capital Improvement Plan for transmittal to the state on second and final reading.

ATTACHMENTS:

- Ordinance 1345-14
- Exhibit A – CIP

ANALYSIS: As part of an annual update, the City must review the Capital Improvement Element and the 5-year Schedule of Capital Improvements. This process is mandated by Florida statutes and the schedule is updated and transmitted to the Department of Economic Opportunity for review by December of each year. The Schedule includes the capital improvements scheduled for construction within the community to meet the Levels of Service adopted in the 2030 Lake Alfred Comprehensive Plan.

The proposed amendment is based on the Capital Improvement Plan that was adopted as a part of the FY 14/25 Budget. It does not include those capital items within Administration, Police, Fire and any other departments that are not specified for the Levels of Service in the Comprehensive Plan.

STAFF RECOMMENDATION: Approval of Ordinance 1345-14 on second and final reading.

ORDINANCE 1345-14

AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LAKE ALFRED, FLORIDA, REVISING THE ADOPTED CAPITAL IMPROVEMENT ELEMENT AND UPDATING THE 5-YEAR CAPITAL IMPROVEMENTS PLAN, PROVIDING FOR TRANSMISSION OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR NOTIFICATION; PROVIDING FOR CORRECTION OF SCRIVENERS ERRORS, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 Florida Statutes, the Community Planning Act, empowers and mandates the City of Lake Alfred, Florida, (the "City") to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

WHEREAS, Section 163.3177, Florida Statutes, requires local governments, except where specifically exempted, to review on an annual basis and modify as necessary the Capital Improvements Element and 5-Year Capital Improvements Plan in order to maintain a financially feasible 5-Year Schedule of Capital Improvements; and

WHEREAS, the City Commission (the "Commission") of the City has determined that it is in the best interest of the public health, safety, and general welfare of the residents of the City to amend the Comprehensive Plan (the "Plan") consistent with the requirements of Section 163.3184, Florida Statutes, by amending the Capital Improvements Element of the Plan; and

WHEREAS, in exercise of its authority the Commission has determined it necessary to adopt this amendment to the Plan, which is attached hereto as **Exhibit "A"** and by this reference made a part hereof, to insure that the Plan is in full compliance with the laws of the State of Florida; and

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE ALFRED, FLORIDA THAT:

SECTION 1. The City of Lake Alfred hereby amends the following Element of its Comprehensive Plan: Capital Improvements Element (the "CIE") including the annual update of the 5-Year Capital Improvements Plan (the "CIP"). Said amendment is set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, void, or unenforceable, then such section, subsection, sentence, clause or phrase shall be severed from this Ordinance and all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 3. CONFLICTS WITH OTHER ORDINANCES. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect upon the adoption of this Ordinance.

SECTION 4. This ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Commission. Sections of this Ordinance may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 5. EFFECTIVE DATE. The effective date of this plan amendment shall be: the date a final order is issued by the State Land Planning Agency (Florida Department of Economic Opportunity's Community Planning and Development Office) finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

INTRODUCED FOR PASSAGE ON FIRST READING by the City Commission of the City of Lake Alfred, Florida, meeting in Regular Session this 3rd day of November, 2014.

PASSED AND DULY ADOPTED ON SECOND AND FINAL READING by the City Commission of the City of Lake Alfred, Florida, meeting in Regular Session this 17th day of November, 2014.

**CITY OF LAKE ALFRED
CITY COMMISSION**

By: _____
Nancy Z. Daley, Mayor

ATTEST:

By: _____
Linda Bourgeois, M.M.C.
City Clerk

APPROVED AS TO FORM:

By: _____
Frederick J. Murphy Jr., City Attorney

CITY OF LAKE ALFRED

EXHIBIT "A"

**AMENDED
CAPITAL IMPROVEMENTS ELEMENT**

UPDATED 5-YEAR CAPITAL IMPROVEMENT IMPROVEMENTS PLAN

CAPITAL IMPROVEMENTS ELEMENT

GOAL: IT SHALL BE A GOAL OF THE CITY OF LAKE ALFRED TO IMPROVE GOVERNMENTAL EFFICIENCY AND TO RESOLVE CONFLICTS BY ESTABLISHING EFFECTIVE COORDINATION MEASURES WITH VARIOUS GOVERNMENTAL, PUBLIC, AND PRIVATE ENTITIES. ~~{9J-5.015(3)(A)}~~

GOAL: IT SHALL BE A GOAL OF THE CITY OF LAKE ALFRED TO PROVIDE PUBLIC FACILITIES IN A TIMELY AND EFFICIENT MANNER.

OBJECTIVE 1: MEET EXISTING AND FUTURE NEEDS FOR CAPITAL FACILITIES

THE CITY OF LAKE ALFRED WILL USE THE CAPITAL IMPROVEMENTS ELEMENT TO GUIDE THE PROVISION OF PUBLIC FACILITIES TO ACCOMMODATE FUTURE GROWTH, MEET THE CITY'S NEED FOR CAPITAL FACILITIES, AND REPLACE WORN OUT FACILITIES. ~~{9J-5.005(3)(B)1}~~

Measurable Targets: Annual update and adoption of the 5-Year CIP; number of developments approved with availability of public facilities should be 100%.

Policy 1.1: The City will ensure that proposed capital improvements projects shall be ranked and evaluated according to the following criteria:

- a. The project is needed to protect public health and safety, fulfill the City's legal obligation to provide facilities and services, achieve maximum usage of existing facilities;
- b. The project increases the efficiency of existing facilities, promotes infill development;
- c. The project represents the logical extension of facilities and services consistent with the Future Land Use Element, or is compatible with the plans of State agencies and the Southwest Florida Water Management District;

- d. Other priority criteria, as established in other elements of this Comprehensive Plan, shall be incorporated into the annual capital improvements prioritization.
- e. Capital improvement projects shall be consistent with this Comprehensive Plan, including the Future Land Use Map Series and Future Transportation Map Series, shall be demonstrated to be financially feasible, and shall be consistent with debt management practices as established in this Element. ~~{9J-5.005(3)(e)1-a-g}~~

Policy 1.2:

The City Commission shall be responsible to ensure that the City's fiscal policies are consistent with this Comprehensive Plan. Capital improvement expenditures shall not jeopardize the fiscal integrity of the City. Unless necessary for the immediate health and safety of the residents of Lake Alfred, capital improvement expenditures shall be demonstrated to have adequate funding from a reliable revenue source prior to City Commission approval for expenditure of funds. ~~{9J-5.005(3)(e)9}~~

Policy 1.3:

The City of Lake Alfred hereby adopts, by reference, the Polk County School District's ~~2010/2011~~ 2014/2015 through ~~2014/2015~~ 2018/2019, 5-Year Work Program, as approved annually by the School Board, which includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities and based on the adopted level of service standards for public schools. The 5-year schedule of improvements ensures the level of service standards for public schools are achieved and maintained within the 5-year period. Annual updates to the schedule shall ensure levels of service standards are achieved and maintained within each year of subsequent 5-year schedule of capital improvements. Annual updates by the School Board shall be adopted by reference as the City annually updates its CIE and CIP.

OBJECTIVE 2:

DESIGN/OPERATIONAL CRITERIA AND LEVEL OF SERVICE STANDARDS

THE CITY OF LAKE ALFRED WILL COORDINATE LAND USE DECISIONS WITH THE SCHEDULE OF CAPITAL IMPROVEMENTS IN A MANNER THAT MAINTAINS THE ESTABLISHED LEVEL OF SERVICE STANDARDS AND MEETS EXISTING AND FUTURE FACILITY NEEDS. ~~{9J-5.005(3)(B)3}~~

Measurable Targets: Meet or exceed adopted Level of Service standards during the planning period; number of deficiencies corrected to meet or exceed deficiencies; number of times the system dropped below the operational minimums.

Policy 2.1:

As established in the various elements of the City of Lake Alfred Comprehensive Plan, the City will use the following level of service standards in reviewing the impacts of new development and redevelopment. ~~[9J-5.005(3)(e)4]~~

Facility	Level of Service
Sanitary sewer treatment	76 gallons per capita per day
Potable water treatment	130 gallons per person per day
Solid waste	8.00 pounds per person per day
Principal arterials: SIS facilities	C
Non-SIS facility	D
Minor arterials	D
Collector and local roadways	D
Recreation and open space	5.5 acres per 1,000 residents
Stormwater Management Facilities LOS for <i>existing</i> development	Designed for a 3-year, 24-hour storm event
Stormwater Management Facilities LOS for NEW development	Designed for a 25-year, 24-hour storm event

Policy 2.2:

Stormwater management facilities shall be designed to accommodate the 25-year, 24-hour design storm to meet the water quality and quantity standards that follow:

a. Water Quantity:

Peak post-development runoff shall not exceed peak pre-development runoff rates.

b. Water Quality:

Treatment of stormwater runoff shall be required for all development, redevelopment and, when expansion occurs, existing developed areas. The stormwater treatment system or systems can be project specific, serve sub-areas within the City or be a system to serve the entire City. Regardless of the area served and in accordance with Chapter 62-25, F.A.C., the stormwater treatment systems must provide a level of treatment for the runoff from the first one (1) inch

of rainfall for projects in natural drainage basins of 100 acres or more, or as an option, for projects or project subunits in natural drainage basins of less than 100 acres, the first one-half (1/2) inch of runoff, from the design storm in accordance with Rule 16-25, F.A.C. in order to meet the receiving water quality standards of Rule 62-302, section 62-302.500, F.A.C. Stormwater discharge facilities shall be designed so as to not lower the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in Chapter 62-302, F.A.C. It is intended that all standards in these citations are to apply to all development and redevelopment and that any exemptions or exceptions in these citations, including project size thresholds, do not apply for concurrency determinations.

Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this Comprehensive Plan must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the run-off from the entire improved area or subdivision to degrade receiving water bodies and their water quality as stated above. ~~{9J-5.011(2)(e)2.e}~~

- Policy 2.3:** The City establishes a stormwater management level of service for existing development equal to a 3-year, 24-hour storm event. Stormwater will be handled by, and contained within existing stormwater management facilities. ~~{9J-5.011(2)(e)2.e}~~
- Policy 2.4:** No development permit will be issued if it will result in the inability of the City to maintain the Levels of Service at or above the levels established in this plan. ~~{9J-5.015(2)(b)3}~~
- Policy 2.5:** The City shall adopt the conservation standards established by SWFWMD and its SWUCA for per capita, per day consumption.
- Policy 2.6:** The City will only issue development orders and permits when the public facilities are operating at the established level of service, or will be available concurrent with the impacts of the development. ~~{9J-5.005(3)(b)6}~~
- Policy 2.7:** Consistent with the Interlocal Agreement for Public School Facilities, the uniform, district-wide level-of service standards are established as a percent of permanent Florida Inventory of School Houses (FISH) capacity. The LOS standards are set as follows: of 100% of FISH capacity will be in effect for all schools.

TIERED LEVEL OF SERVICE – SCHOOL YEAR 2011-2015					
Facility Type	Year	Year	Year	Year	Year
	2010-11	2011-12	2012-13	2013-14	2014-15
Elementary	115%	100%	100%	100%	100%
Middle	110%	100%	100%	100%	100%
High School	105%	100%	100%	100%	100%

a. Magnet and School of Choice:

One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.

b. Other:

K-8, 6th grade centers, 9th grade centers, 6-12 are at one hundred percent (100%) of permanent DOE FISH capacity.

c. Special:

Including alternative education or special programmatic facilities will be determined by the type and use of programs for each facility.

d. Conversion Charter Schools:

The capacity is set during contract negotiations and the School Board has limited control or no over how many students the schools enroll.

Policy 2.8:

The City hereby adopts by reference, the Southwest Florida Water Management District Regional Water Supply Plan and District Water Management Plan, the Polk County Transportation Planning Organization Transportation Improvement Plan, and the Florida Department of Transportation 5-Year Work Program 2011-2015 2014-2018 into the City's 5-Year Schedule of Capital Improvements.

Policy 2.9:

The City shall not allow exceptions for developments of de minimis impact.

**OBJECTIVE 3: EQUITABLE DISTRIBUTION OF COSTS ASSOCIATED WITH
NEW DEVELOPMENT**

TO MAINTAIN THE ADOPTED LEVEL OF SERVICE STANDARD, THE CITY OF LAKE ALFRED WILL ENSURE THAT FUTURE DEVELOPMENT SHALL BEAR A PROPORTIONATE COST OF FACILITY IMPROVEMENTS NECESSITATED BY THE IMPACTS OF THE DEVELOPMENT. ~~{9J-5.005(3)(B)4}~~

Measurable targets: Impact fees collected, proportionate share figure paid for by developers to fund new public facilities.

Policy 3.1: The City shall continue to collect impact fees for water and sewer services. Impact fees shall be equitably allocated to the specific group(s) which will directly benefit from the capital improvement, and the assessment levied must fairly reflect the true costs of these improvements. ~~{9J-5.005(3)(b)3}~~

Policy 3.2: As part of the land development regulations, the City shall require, as part of land subdivision or development, the dedication of land, or payment in lieu of dedication, or some other form of exaction, to retain easements for utilities and roadways. ~~{9J-5.005(3)(e)8}~~

Policy 3.3: The City shall continue to apply for grants or private funds (when available) to finance municipal operations and capital improvements for the City.

Policy 3.4: School facility concurrency mitigation options shall be available to address the impacts of residential developments when applicable elementary, middle, or high schools to which the development is assigned or districted by the PCSB Polk County School Board are at maximum capacity and/or exceed adopted levels of service standards. The school concurrency mitigation options shall be incorporated into the City's ordinance for concurrency management and shall be consistent with those options identified within the Polk County Interlocal Agreement for Public School Facility Planning and Chapter 163.3180, but at a minimum include donation, construction or funding of school improvements sufficient to offset the demand created by the proposed development. School facility mitigation must be reflected in the PCSB Polk County School Board's adopted 5 Year Program of Work, or approved as an update to same. The City's annual CIE update will include this Program of Work by reference.

OBJECTIVE 4: MANAGEMENT OF FISCAL RESOURCES CONSISTENT WITH COMPREHENSIVE PLAN

THE CITY OF LAKE ALFRED SHALL MANAGE ITS FISCAL RESOURCES IN A MANNER THAT ENSURES THAT NEEDED CAPITAL IMPROVEMENT FUNDING IS PROVIDED FOR PREVIOUSLY ISSUED DEVELOPMENT ORDERS AND FUTURE PERMITS FOR DEVELOPMENT AND REDEVELOPMENT. ~~{9J-5.005(3)(B)5}~~

Measurable Targets: Annual adoption of a capital budget, number of times levels of service were compromised to accommodate new development.

- Policy 4.1:** The City will ensure that existing and future public and private capital facilities shall operate and provide services at the level of service established in this plan. ~~{9J-5.005(3)(e)5}~~
- Policy 4.2:** Debt service shall not exceed 24% of annually budgeted revenues. ~~{9J-5.005(3)(e)2.e}~~
- Policy 4.3:** The City will adopt a capital budget as part of the annual budgeting process, to reserve funding for the capital improvement needs of the City. ~~{9J-5.005(3)(e)7}~~
- Policy 4.4:** The City Commission will continue to direct the City Finance Officer, and appropriate department heads, to submit their needs and the capital needs of the City in a five-year capital improvement program format, to be presented to the Governing Body annually.
- Policy 4.5:** The City shall review, on an annual basis, the status of all public facilities. This review shall consider available and projected capacity for purposes of concurrency management, and shall assess the need for the replacement or renewal of capital facilities. Identified needs shall be prioritized, and included in the City's capital budget and/or Five-Year Schedule of Capital Improvements as appropriate. Funding sources for identified capital improvements shall also be identified. This annual review shall consider adopted policies and amendments of all other elements of this Comprehensive Plan. ~~{9J-5.016(3)(e)3}~~
- Policy 4.6:** The City shall inventory all development orders issued and that have not yet requested or been granted a certificate of occupancy. Public facility capacity shall be allocated to these developments for a period of one year, after which time they must adhere to level of service, concurrency and fair share standards established in this plan. Unless terms of the

development order state otherwise, it shall be the responsibility of the City of Lake Alfred to ensure that adequate public facilities are available for such development. ~~[9J-5.005(3)(e)5]~~

CITY OF LAKE ALFRED

CAPITAL IMPROVEMENTS PROGRAM (CIP)

FY 2014/2015 - FY 2018/2019

	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	Funding
PARKS AND RECREATION						
Lion's Park Deck		\$30,000				General Fund
Tennis Court Relocation			\$100,000			FRDAP Grant
Mackay Upstairs Balcony			\$30,000			Grant/General Fund Reserves Match
Baseball Scoreboard			\$15,000			General Fund
Football Lighting				\$150,000		County MSTU
Civic Center					\$1,000,000	Grants/General Fund Reserves Match
Multisports Complex					\$1,000,000	Grants/General Fund Reserves Match
Total:	\$0	\$30,000	\$145,000	\$150,000	\$2,000,000	
TRANSPORTATION						
Street Resurfacing	\$150,000		\$150,000		\$150,000	Local Gas Tax
Total:	\$150,000	\$0	\$150,000	\$0	\$150,000	
STORMWATER DRAINAGE						
Stormwater Sampler		\$16,000				Stormwater Reserves
Total:	\$0	\$16,000	\$0	\$0	\$0	
SANITATION						
Total:	\$0	\$0	\$0	\$0	\$0	
POTABLE WATER						
Tri-City Cooperative - Well			\$350,000			Enterprise Funds
Water Tank Mixer				\$50,000		Enterprise Funds
Total:	\$0	\$0	\$350,000	\$50,000	\$0	
WASTEWATER						
Refurbish High Service Pumps		\$30,000		\$30,000		Enterprise Funds
Ramona L/S Improvements				\$30,000		Enterprise Funds
Total:	\$0	\$30,000	\$0	\$60,000	\$0	
Total Capital	\$150,000	\$76,000	\$645,000	\$260,000	\$2,150,000	

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

4.) ORDINANCE 1346-14: ANIMALS

ISSUE: The City of Lake Alfred will consider ordinance 1346-14 animals, amending Chapter 10 of the Code of Ordinances on first reading.

ATTACHMENTS:

- Ordinance 1346-14
- Polk County Animal Polk County Animal Control and Animal Services Ordinance
- Staff Summary: Polk County Animal Control
- FWC Nuisance Wildlife Guide [http://myfwc.com/conservation/you-
conserve/assitnuisance-wildlife/](http://myfwc.com/conservation/you-
conserve/assitnuisance-wildlife/)

ANALYSIS: As a part of a comprehensive review of the City Charter, City codes, and policies, city staff has identified an opportunity to clean-up and improve Chapter 10 of the Code of Ordinances related to animals.

The existing provisions within Chapter 10 tie back to state law and county ordinances related to the regulation of animals. However, the code has specific reference to a city issued permit for the destruction of nuisance animals and separate regulations for dogs. Florida Fish and Wildlife already have definitions and procedures in place for addressing nuisance wildlife. Additionally, the county animal control ordinance that we previously adopted by reference already provides regulations and penalties related to dogs and other animals.

The proposed ordinance removes these provisions within our code and better aligns it with state law and county ordinances related to the regulation of animals within the City.

STAFF RECOMMENDATION: Approval of Ordinance 1346-14 on first reading.

ORDINANCE 1346-14

AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF LAKE ALFRED, FLORIDA, REGARDING ANIMALS WITHIN THE CITY OF LAKE ALFRED, FLORIDA; PROVIDING FOR THE CORRECTION OF SCRIVENERS ERRORS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Lake Alfred, Florida, was adopted in 1959 and prescribed regulations as related to animals; and

WHEREAS, as originally adopted by the City Commission of the City of lake Alfred, Florida, the regulations governing animals within the municipal boundaries of the City of Lake Alfred, Florida, were codified in Sections 10-1 through 10-38, Chapter 10, Code of Ordinances; and

WHEREAS, the City Commission of the City of Lake Alfred, Florida, has adopted certain amendments to the Code of Ordinances of the City of Lake Alfred, Florida, as related the regulations governing animals in order to maintain consistency with Florida law; and

WHEREAS, the City Commission of the City of Lake Alfred, Florida, has determined that the Code of Ordinances of the City of Lake Alfred, Florida, and the regulations governing animals must be amended in order to maintain consistency with Florida law, the regulations prescribed by the Florida Fish and Wildlife Conservation Commission, and the regulations prescribed by Polk County, Florida; and

WHEREAS, amending Chapter 10 of the Code of Ordinances of the City of Lake Alfred, Florida, in order to maintain consistency with Florida law and incorporate the regulations prescribed by the Polk County Animal Control and Animal Services Ordinance will advance the health, safety and welfare of the residents and citizens of the City of Lake Alfred, Florida.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Lake Alfred, Florida, that this Ordinance is hereby passed for the protection and welfare of the residents and citizens of the City of Lake Alfred, and that:

Section 1. Chapter 10 of the Code of Ordinances of the City of Lake Alfred, Florida, is hereby amended to read as follows (language stricken is shown in ~~strikethrough~~ format; language added is shown as underlined format):

Chapter 10 ANIMALS

ARTICLE I. IN GENERAL

- Section 10-1.** ~~Wild game and birds protected.~~; ~~permit to destroy nuisances.~~
Section 10-2. ~~Adoption of county animal control ordinance.~~
Sections 10-3 – 10-35 ~~Reserved.~~

Sec. 10-1. Wild game and birds protected. ~~permit to destroy nuisances.~~

It shall be unlawful to shoot, trap or destroy birds, wild game or other wildlife within the corporate limits of the city. ~~However, the city manager may issue a permit for the destruction of hawks, squirrels or other wild bird or animal upon application and a showing by any person that any such bird, animal or rodent is destroying or damaging the property of such person or has become a nuisance. However, subject to applicable Florida law, any animal that has become nuisance wildlife (as defined by the Florida Administrative Code) may be trapped and disposed of in strict compliance with rules and regulations prescribed by the Florida Fish and Wildlife Conservation Commission.~~

Sec. 10-2. Adoption of county animal control ordinance.

There is adopted and incorporated by reference into this Code for the purpose of animal control, ~~the provisions of Ordinance Number 82-33, enacted by the board of county commissioners, which became effective March 1, 1983, as amended by Ordinance Number 83-10, enacted by the board of county commissioners on April 28, 1983, and as may be further amended by ordinances of the board of county commissioners. Three copies of these ordinances, with any subsequent amendments, shall be on file as required by law in the office of the city clerk. the regulations prescribed by the Polk County Animal Control and Animal Services Ordinance, as may be amended by the Board of County Commissioners of Polk County, Florida.~~

For purposes of animal control, the Polk County Animal Services Division shall be the enforcement agency within the municipal boundaries of the City of Lake Alfred, Florida.

ARTICLE II. DOGS

- ~~**Section 10-36.** Dogs running at large prohibited.
Section 10-37. Regulation of vicious dogs.
Section 10-38. Penalties.~~

Sec. 10-36. Dogs running at large prohibited.

~~No person shall cause or permit any dog to run or roam off the premises or property of the owner unless such dog is under the actual physical restraint of a leash or chain or confined within a vehicle.~~

~~Sec. 10-37. Regulation of vicious dogs.~~

~~It shall be unlawful for any person to own or keep a vicious dog within the city unless such dog is used for guard purposes and is in a substantial fence enclosure or under the direct physical control of the owner or other person in lawful charge and custody of such dog. The owner of any such dog shall be fully responsible for any injury or damage caused by the dog. A dog shall be considered vicious within the meaning of this section if such dog snaps at or bites any person or otherwise demeans itself in a vicious manner. Any such dog shall constitute a nuisance to the general public. Dogs used by city, county, state or federal officials for law enforcement purposes shall be exempt from this section.~~

~~Sec. 10-38. Penalties.~~

~~The owner or other person having charge of any dog who violates or fails to comply with the provisions of sections 10-36 or 10-37 shall be subjected to a fine as provided in addition to the daily impounding maintenance fees.~~

Section 2. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances, unless such repeal is explicitly set forth herein.

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Alfred; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code of Ordinances of the City of Lake Alfred is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing corrected or re-codified copy of same with the City Clerk.

Section 5. The effective date of this Ordinance shall be immediately upon adoption at Second Reading.

INTRODUCED AND PASSED on first reading at a regular meeting of the City Commission of Lake Alfred, Florida held this 17th day of November, 2014.

PASSED AND ENACTED ON SECOND READING, with a quorum present and voting, at the regular City Commission meeting of Lake Alfred, Florida, this 1st day of December, 2014.

**CITY OF LAKE ALFRED
CITY COMMISSION**

ATTEST:

By: _____
Nancy Z. Daley, Mayor

By: _____
Linda Bourgeois, M.M.C.
City Clerk

APPROVED AS TO FORM:

By: _____
Frederick J. Murphy Jr., City Attorney

Polk County Animal Services and Animal Control Ordinance

ARTICLE II. - ANIMAL CONTROL AND SERVICES

FOOTNOTE(S):

--- (2) ---

Editor's note— Section 30 of Ord. No. 10-001, repealed Ord. No. 05-047, from which Art. II, §§ 4-21—4-46 derived. Sections 1—29, of Ord. No. 10-001, enacted similar provisions which have been codified to read as herein set out.

Sec. 4-21. - Title.

This article shall be known and may be cited as the "Polk County Animal Control and Animal Services Ordinance."

(Ord. No. 10-001, § 1, 1-6-09 [1-6-10])

Sec. 4-22. - Definitions.

In construing this article, the singular shall include the plural and the masculine shall include the feminine.

Altered animal or *sterilized animal* shall be defined as an animal that has been rendered permanently incapable of reproduction (i.e., spayed or neutered).

Animal shall be held to include every living dumb creature as defined under Florida Law.

Animal control administrator shall be defined as that person in charge of the administration of animal control.

Animal control authority shall be defined as the administrative and governing body tasked with animal control and animal services for Polk County. The animal control authority shall be designated by the board of county commissioners as an entity acting alone or in concert with other local governmental units and authorized by them to enforce the animal control laws of the city, county, or state.

Animal control officer, shall be defined as any person, pursuant to Section 828.03, Florida Statutes, employed by the animal control authority for animal control purposes or appointed by a county or municipality who is authorized to investigate, on public or private property, civil infractions relating to animal control or cruelty and to issue citations as provided in this section. An animal control officer is not authorized to bear arms or make arrests; however, such officer may carry a device to chemically subdue and tranquilize an animal, provided that such officer has successfully completed a minimum of sixteen (16) hours of training in marksmanship, equipment handling, safety and animal care, and can demonstrate proficiency in chemical immobilization of animals in accordance with guidelines prescribed in the Chemical Immobilization Operational Guide of the American Humane Association.

At large shall be defined as an animal found off the premises of the owner or custodian, and not under the direct control, custody, charge, or possession of the owner or other custodian. This animal is identified at the time of impoundment or thereafter.

Business days shall be defined as the hours of operation for the business office of the animal control authority.

Cat shall be defined as the domestic cat, *Felis catus*.

Companion animal shall be defined as any animal that lives with and about the habitat of a human, as a pet, and that is dependent upon that human for its survival. Excluded from this definition is

Polk County Animal Services and Animal Control Ordinance

indigenous and nonindigenous wildlife, under the exclusive jurisdiction of the state, animals used in connection with parimutuel wagering, or animals raised in connection with food or fiber industries.

County, county commissioners, board or board of county commissioners shall be defined as the board of county commissioners of Polk County, Florida.

Dangerous dogs shall be defined in accordance with Section 767.11, Florida Statutes.

Direct control shall be defined as immediate and continuous physical control of an animal at all times such as by means of a fence, leash, cord or chain of sufficient strength to restrain the same; or in the case of specifically trained or hunting animals which immediately respond to such commands, direct control shall also include aural or oral control, if the controlling person is at all times clearly and fully within the unobstructed sight and hearing of the animal.

Dog shall be defined as, but is expressly not limited to, domestic dog, *Canis familiaris*, and any genetic hybridization thereof, including, but not limited to, wolf hybrids and coyote hybrids that are not regulated by the Florida Wildlife Commission.

Domestic animal shall be defined as set forth in Section 585.01, Florida Statutes.

Feral animal shall be defined as any animal that is born wild or has reverted to the wild and that is unsocialized, untamed, or unable to be approached or handled.

Guard dog shall be defined as any type of dog used primarily for the purpose of defending, patrolling, or protecting individuals or property at any commercial establishment. It does not include any dog that is owned, or the service of which is employed, by a law enforcement agency, used as a service dog for blind, hearing impaired, disabled persons, or any stock dog used primarily for handling and controlling livestock or farm animals.

Hearing officer shall be an attorney, retired judge, certified mediator, or certified legal intern appointed by resolution of the board of county commissioners to serve as an impartial mediator for a term of one year; they may be reappointed at the end of each term. An appointment to fill a vacancy shall be for the remainder of the unexpired term of office. Hearing officers shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by the board of county commissioners, or as otherwise provided by law.

Livestock shall be defined as set forth in Section 585.01, Florida Statutes.

Notification shall be defined as animal control's ability to notify the owner or custodian of an animal through the following methods; personal notification, notification by mail, posting the owner or custodian's property, or posting of the owner or custodian's residence.

Officer, when used alone, shall have the same meaning as provided under Section 828.27, Florida Statutes: Any law enforcement officer defined in Section 943.10, Florida Statutes, or any animal control officer.

Offense shall be defined as any violation of this article.

Overcrowding of the animal control facility [shall mean that the] the animal control administrator or designee shall monitor the occupancy rate of the facility to ensure the kennel area used to house animals is adequate to provide care for the animals taking into account the health of the animals, the desire to adopt and/or rescue as many as possible and the resources available to manage and care for the animals.

Owner/custodian shall be defined as any person, firm, corporation, partnership, trust, estate, business, or other legal entity, harboring, keeping or having control or custody of an animal. In the case the owner is under eighteen (18) years of age, that person's parent or legal guardian will be responsible.

Service shall be defined as the delivery of judicial process in accordance with Chapter 48, Florida Statutes.

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Stray shall be defined as all non-feral domestic animals found off of its owner's property without the owner's consent and without the consent to be on the property where the animal is found.

Valid license tag shall be defined as a current Polk County license tag that is approved by the animal control authority. Each tag issued will be valid for a period of time that is determined by the type of license tag issued, either single or multiyear. The validity of such license tag shall not exceed the validity of the vaccine issued to the animal.

Veterinarian shall be defined as a person who is duly licensed to engage in the practice of veterinary medicine under the authority of Chapter 474, Florida Statutes.

(Ord. No. 10-001, § 2, 1-6-09 [1-6-10]; Ord. No. 13-035, § 1, 8-6-2013)

Sec. 4-23. - Scope.

This article shall apply in all unincorporated areas of Polk County, and within the incorporated limits of each Polk County municipality, the governing body of which shall certify to the board of county commissioners that no charter provision or ordinance is in conflict with this article.

(Ord. No. 10-001, § 3, 1-6-09 [1-6-10]; Ord. No. 13-035, § 2, 8-6-2013)

Sec. 4-24. - Rabies vaccination and tags.

- (a) Every owner of a dog or cat four (4) months of age and over shall cause such dog or cat to be vaccinated against rabies as frequently as required based on the effective period and the method of administration of the approved vaccine used. The approved vaccine may be for either a one-year or three-year period, depending on the vaccine used. The vaccination will be properly administered and boosted where appropriate by a licensed veterinarian.
- (b) Every owner of each dog or cat so vaccinated is required to purchase a valid license tag, as evidence of vaccination. The owner shall cause the dog or cat to wear a collar with a valid license tag at all times or implant the dog or cat with a RFID microchip, registered with the animal control authority. License tags shall be valid for a maximum of twelve (12) months, or until the expiration date of the vaccine, whichever is shorter. In the event a multiyear license tag is used the tag shall be valid for a maximum of three (3) years or until the expiration of the vaccine, whichever is shorter.
- (c) Cat owners may purchase cat identification collars approved by the county and allow their cat to wear said collars in lieu of tags. All identification collars must be marked in indelible black ink with the number of the cat's license tag. The price of the approved collars shall be set by the animal control authority.
- (d) Evidence of vaccination shall consist of an appropriate certificate signed by the licensed veterinarian administering the vaccine and will contain pertinent data for identification of the specific dog or cat. The veterinarian shall provide one copy of the certificate to the owner, one copy to the animal control license program authority, and one copy will be retained by the licensed veterinarian, as described in paragraph (a) above, administering vaccine.
- (e) Proof of altered status for all animals for purposes of this article shall consist of a sterilization certificate issued by a licensed veterinarian, given to the animal's owner, stating that the specific animal has been sterilized. The certificate must contain data identifying the specific animal including the name, type, age, sex, color, and breed of the animal; the name and address of the owner; the veterinarian that altered the animal and his or her address and phone number. A rabies vaccination certificate, as certified by an appropriately licensed veterinarian, in which the licensed veterinarian certifies that an animal has been spayed or neutered, shall also constitute proof of sterilization.
- (f) The license tag shall be furnished by the animal control license program authority to the pet owner. The license tag will be furnished after the pet owner provides proper documentation of the animal's

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current vaccination. A license tag shall be purchased for each dog or cat each year, or in the event a multiyear license is used, at the expiration of the previous license tag.

- (g) A genetic hybrid of dog not regulated by the Florida Wildlife Commission, such as the wolf-dog, is exempt from the rabies vaccination requirements of this section due to the Florida Rabies Control Compendium not recognizing a rabies vaccination for wildlife. However, all owned genetic hybrid dogs residing in Polk County shall be implanted with an RFID microchip and the owner shall purchase an annual nonvaccination license tag from the animal control license program authority and cause it to be worn by their hybrid at all times.
- (h) No later than the fifteenth day of each month, each veterinarian practicing in Polk County shall submit to the animal control license program authority form 51 "Rabies Vaccination Certificate" or an equivalent form approved by the animal control authority for each domestic animal they have vaccinated against rabies for the previous month. The list shall be in accordance with Section 828.30, Florida Statutes.

(Ord. No. 10-001, § 4, 1-6-09 [1-6-10])

Sec. 4-25. - Vaccination, sterilization and implantation of radio frequency identification (RFID) microchips for animals before release from animal control shelter; adoption.

- (a) All animals four (4) months of age or older which are impounded, quarantined or otherwise in the possession of animal control, and which do not have proof of a current rabies vaccination shall receive a rabies vaccination and license tag prior to being released from the custody of animal control. If animal control is unable to vaccinate the animal for any reason, the owner or custodian of the animal is required to sign a form agreeing to have the animal vaccinated by a licensed veterinarian within three (3) days from the date of release and subsequently purchase a valid license tag from the animal control license program authority.
- (b) An animal whose owner is in possession of proof of a current rabies vaccination approved by National Association of State Public Health Veterinarians and administered by a duly licensed veterinarian shall be issued a valid license tag from the animal control license program authority prior to release. Valid license tags will be good from the date of issuance for a period of twelve (12) months, or for the duration of a multiyear license, depending on the type issued. In no event, will the validity of the license tag exceed the expiration date of the vaccine used to inoculate the animal.
- (c) No at large unaltered dog or cat impounded more than twice in an eighteen-month period may be redeemed by any person until the animal is spayed or neutered. The sterilization shall be accomplished by the shelter veterinarian or upon the owner's request by transporting the animal, by animal control personnel, to any duly licensed veterinarian in Polk County. In all cases, the animal's owner shall not hold liable Polk County or the board of county commissioners, individually or in their official capacity, and all members of the animal control authority, individually and in their official capacity, and all of their employees, appointees, contractors, subcontractors, and agents from any and all liability, for any and all claims, causes of action, demands or damages, and costs (to include reasonable attorney's fees) present, past and future, contingent or otherwise, arising from the spay or neuter of such dog or cat. The owner is responsible to pay the veterinarian fees prior to redemption.
- (d) If the owner elects for the animal to be transported to a duly licensed veterinarian in Polk County, the owner shall:
 - (1) Present proof of payment for the spay or neuter service to the animal control authority; and
 - (2) Pay transport fee to animal control; and
 - (3) Present date and time of scheduled appointment for procedure to animal control authority.

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- (e) Alteration shall not be required upon showing proof of alteration from a licensed veterinarian or providing a written notarized statement from a licensed veterinarian stating the spay or neuter procedure would be harmful to the animal.
- (f) If the animal is sterilized at the shelter prior to being released, the owner shall pay the altered animal license tag fee.
- (g) Proof of sterilization for all animals shall consist of a sterilization certificate issued by a licensed veterinarian to the animal and its owner stating the specific animal has been sterilized. The certificate must contain data identifying the specific animal including the name, type, age, sex, color, and breed of the animal; the name and address of the owner; the name, address, and telephone number of the veterinarian who altered the animal. A rabies vaccination certificate from a duly licensed veterinarian stating an animal has been spayed or neutered shall also constitute proof of sterilization. It is the animal owner or custodian's responsibility to provide this information to animal control, upon request.
- (h) All dogs and cats redeemed by an owner shall have an RFID microchip implanted prior to leaving the shelter if the animal does not currently have one. The owner of the animal shall pay the costs for the implantation of the microchip at the time of redemption. The implantation of the microchip shall not be required if the owner redeeming the animal provides a written notarized statement from a licensed veterinarian stating the microchip procedure would be harmful to the animal. All dogs and cats adopted from Polk County Animal Control will be surgically sterilized and have a microchip implanted prior to being released to the prospective adoptive owner. All applicable fees must be paid prior to release of an animal subject to this section.

(Ord. No. 10-001, § 5, 1-6-09 [1-6-10]; Ord. No. 13-035, § 3, 8-6-2013)

Sec. 4-26. - Fees.

- (a) Veterinarians who distribute animal control tags shall charge the fee set by the animal control authority. Veterinarians who purchase their tags from the animal control licensing program authority shall receive a discount on the retail price for animal tags. The discount amount shall be set by the animal control administrator.
- (b) The animal control authority may change or set fees to be charged by animal control. Such fees will post on the animal control authority website.
- (c) Animal control authority shall set and maintain a fee schedule for the following:
 - (1) Single-year license tags for altered cats and dogs;
 - (2) Single-year license tags for unaltered cats and dogs;
 - (3) Multiyear license tags for altered cats and dogs;
 - (4) Multiyear license tags for unaltered cats and dogs;
 - (5) Late fee for failure to renew licenses within thirty (30) days from its expiration date;
 - (6) Issuance of a duplicate tag if the original is lost;
 - (7) Animal impound fee, first impound;
 - (8) Animal impound fee, second impound;
 - (9) Animal impound fee, third and subsequent impounds;
 - (10) Daily boarding fee, nonquarantined animals;
 - (11) Daily boarding fee, quarantined animals;
 - (12) Adoption fee;
 - (13) Vaccination fee;

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- (14) Microchip fee;
- (15) Sterilization fee;
- (16) Sterilization transport fee.

- (d) In addition to all other fees assessed in any other section of this ordinance, there shall be an additional charge of five dollars (\$5.00) upon each civil penalty imposed for violation of the Polk County animal control and animal services ordinance. These fees shall be used to pay the costs of training for animal control officers.

(Ord. No. 10-001, § 6, 1-6-09 [1-6-10]; Ord. No. 13-035, § 4, 8-6-2013)

Sec. 4-27. - Duties of owners or custodian; running at large; falsely identifying an unaltered cat or dog as altered.

- (a) No person shall keep, use, or maintain a dog on any premises unless the dog is provided access to covered structure, dog house, or similar shelter for protection against inclement weather at all times.
- (b) No person owning or having custody or control of any dog or unaltered cat shall cause, permit, or allow the animal to stray or run at large in or upon any public street, sidewalk, park, other public property, or private property of another. Such animal must be leashed, or, if it is a dog, the dog must be under the direct control of the person in custody of the animal. This section shall not apply to any dog actually engaged in the sport of hunting in authorized areas at authorized times and supervised by a competent person.
- (c) It shall be unlawful for the owner or custodian of any animal to permit said animal to be within an area designated as an animal exercise park unless said owner or custodian is physically present and in direct control of the animal at all times while the animal is within said area.
- (d) Violation of this section, including misrepresenting an unaltered cat or dog as altered, shall be punishable as provided in this article.

(Ord. No. 10-001, § 7, 1-6-09 [1-6-10])

Sec. 4-28. - Abandonment of animals.

- (a) Any animal in the custody of the animal control authority for a period of more than ten (10) days shall be declared abandoned after written notice is given to the owner or the owner's agent, if known, at her or his last known address. Animals abandoned in accordance with this section shall immediately become the property of the animal control authority and may be disposed of as they see fit.
- (b) Any law enforcement officer or Animal Control Officer appointed under Section 828.03, Florida Statutes, may lawfully take custody of any animal found abandoned on the property of another by removing the animal from its present location.

(Ord. No. 10-001, § 8, 1-6-09 [1-6-10]; Ord. No. 13-035, § 5, 8-6-2013)

Sec. 4-29. - Holding periods; disposition of unclaimed animals; quarantine.

- (a) The following holding periods are hereby established for animals picked up by, or turned in to the animal control authority, excluding animals surrendered to the animal control authority by their owner or custodian. Animals surrendered to the animal control authority by their owner or custodian shall immediately become property of animal control authority and will be subject to the disposition options outlined in this article.
 - (1) Healthy animals wearing a current, valid tag, collar with license or owner contact information, implanted with an RFID microchip: seven (7) calendar days, excluding the day of impoundment.

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- (2) Healthy animals not wearing a current, valid tag, collar with owner contact information, or implanted with a registered, RFID microchip: A minimum of four (4) calendar days, excluding the day of impoundment.
- (3) Diseased, feral, or injured animals, whether tagged or untagged: The animal control authority may euthanize any animal if deemed necessary for the wellbeing of the animal, to prevent suffering or for the health of other animals in the facility.
- (b) Any animal, of which the owner is identified, that is held under quarantine at animal control, will be considered unclaimed if not picked up on or before the third day following the quarantine. If not claimed on or before the third day following the quarantine, the animal will be disposed of as necessary. Disposition shall include adoption, rescue, or euthanasia.
- (c) Notwithstanding the foregoing, the animal control administrator, or designee may reduce any holding period in the event of overcrowding or a local state of emergency, as defined in Polk County Ordinance No. 93-28.

(Ord. No. 10-001, § 9, 1-6-09 [1-6-10]; Ord. No. 13-035, § 6, 8-6-2013)

Sec. 4-30. - Impounding of animals running at large.

- (a) Animal control officers are authorized to impound any animal if that animal is at large, or astray, and may lawfully enter onto private property when in pursuit of the animal.
- (b) Animal control officers are authorized to impound cats, including a feral cat colony, or any of its members and may lawfully enter onto private property when in pursuit of the animal if:
 - (1) The cat or cats create public health and safety concerns (including rabies and other zoonotic diseases and certain animal-to-animal disease); or
 - (2) The cat or cats create a nuisance as defined in section 4-31(a)(1) or (2).

(Ord. No. 10-001, § 10, 1-6-09 [1-6-10])

Sec. 4-31. - Companion animal creating nuisance.

- (a) Any owner or custodian of a companion animal shall be deemed to be maintaining a nuisance in violation of this article that:
 - (1) Continuously barks, whines, howls, meows, cries, or causes other objectionable noises resulting in an unreasonable annoyance to neighboring residents, interference with the comfortable enjoyment of life, or interference with the comfortable enjoyment of property:
 - a. On two (2) separate incidents of at least fifteen (15) minutes continuously, within a fourteen-day period, between the hours of 6:00 a.m. and 9:00 p.m.; or
 - b. A single period of at least fifteen (15) minutes continuously between the hours of 9:00 p.m. and 6:00 a.m.
 - (2) Disturbs the peace by destroying or soiling public or private property, or causing injury, or threatening to cause injury to any person or domestic animal or property other than that of the owner or custodian, or other similar conduct or behavior twice within a three-year period.
 - (3) Animal control officers will question the complainant and determine their location in regard to the incident.
 - a. The complaint must be specific as to time and date of violation. The animal control officer will pay specific attention to the question of provocation prior to issuing a notice of violation or citation.

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- b. The owner or custodian of the animal causing the alleged noise nuisance will be notified of the complaint against him or her, and shall correct the nuisance violations within fifteen (15) minutes of notification.
 - c. After notification of the alleged noise nuisance has been provided to the owner or custodian by the animal control authority, subsequent reports of noise nuisance violations shall result in the issuance of a citation by the animal control officer.
 - d. After notification of the alleged non-noise nuisance has been provided to the owner or custodian by the animal control authority, the owner or custodian shall abate the nuisance within twenty-four (24) hours.
- (4) If after twenty-four (24) hours, the non-noise nuisance is not corrected, the owner or custodian of the animal causing the alleged nuisance shall be issued a citation.
- (b) No owner of a properly zoned commercial kennel or owner of a security dog which is located on commercially or industrially zoned property shall be subject to the provision of this section as it relates to dogs or cats which habitually bark, whine, howl, meow, cry, scream or cause objectionable noises.
 - (c) Upon receipt of a sworn complaint affidavit from a citizen, or a statement from an officer alleging a violation of this section, an officer shall investigate and may cause to be issued a notice of violation to any companion animal owner or custodian alleged to be in violation of this section, if the investigation supports such an action. Said affidavit shall specify the address or location of the alleged violation; the nature, time and dates of the acts; the name and address of the custodian of the animal, if known; a description of the animal, if known.
 - (d) If a citation is not issued to the owner or custodian of the animal as a result of a complaint, described in subsection (c) of this section, an affidavit, as described in subsection (c) of this section, shall only remain valid for a period of ninety (90) days following the date of notification to the animal owner or custodian.
 - (e) Nothing in this section shall prohibit any officer from investigating an oral complaint, notifying, and citing a violator upon obtaining evidence of the violation.

(Ord. No. 10-001, § 11, 1-6-09 [1-6-10])

Sec. 4-32. - Protecting the public health or safety; seizing sick or injured animals.

If an animal whose owner cannot be located, or will not answer the door, is suspected of being sick, injured, or has inflicted injury on another person or animal, or has approached another person or animal in a menacing fashion or apparent attitude of attack, while off its owner's property, the animal may immediately be picked up, trapped, or captured by remote chemical immobilization from public or private property, if, upon probable cause, the animal control officer determines that the seizure is necessary for public health, safety, or to prevent the animal from suffering.

(Ord. No. 10-001, § 12, 1-6-09 [1-6-10])

Sec. 4-33. - Residents capturing at-large animals.

A property owner or tenant may seize, in a humane manner, any animal at large on his or her property in violation of this article. When such a seizure is made, the person shall immediately deliver the animal to an animal control officer.

Any person who captures an animal pursuant to this section shall exercise care to treat the animal humanely, without causing injury, sickness, hunger, or any other ailments to the animal during seizure and delivery of the animal. Any person unable to comply fully with this section shall not seize any animal pursuant to this section. Failure to comply with this section may result in the filing of a cruelty charge, as described in Chapter 828, Florida Statutes.

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(Ord. No. 10-001, § 13, 1-6-09 [1-6-10])

Sec. 4-34. - Guard dog standards.

- (a) The following minimum requirements shall apply to each business or individual owning, possessing, and/or utilizing any guard dog in Polk County:
- (1) All animals in the care, custody or control of a business or individual must be treated in a humane manner at all times.
 - (2) All guard dogs shall have current vaccinations, valid Polk County licenses, and be implanted with an RFID microchip.
 - (3) Records must be maintained and kept current for each animal in the care, custody or control of the business or individual which include, at a minimum, the following information:
 - a. The name, address, and telephone number of the legal owner of the animal;
 - b. Current vaccination records;
 - c. The name, address, and telephone number of the attending veterinarian;
 - d. Records of any medications administered to the animal that includes the date, time, and dosage amount;
 - e. The animal's photograph and corresponding RFID microchip number.

(Ord. No. 10-001, § 14, 1-6-09 [1-6-10])

Sec. 4-35. - Restrictions on commercially supplied guard dogs; inability to use dangerous or vicious dog; requirements of users.

- (a) Every commercial guard dog business supplying guard dogs in Polk County shall comply with the following requirements:
- (1) Every guard dog shall be examined by a veterinarian on an annual basis and certified to be healthy, free from internal and external parasites, and physically fit for service as a guard dog. It is the commercial guard dog owner's responsibility to provide this information to the animal control authority, upon request.
 - (2) Newly acquired guard dogs owned, possessed, and/or utilized in Polk County must be properly vaccinated and records maintained in accordance with section 4-34 of this article.
- (b) In the event a guard dog is transferred to another owner, allegedly bites or attacks a human being or another animal, dies, or disappears, the guard dog business shall immediately notify the animal control authority.
- (c) Any vehicle used to commercially transport guard dogs must be clearly marked and must be maintained and arranged to ensure maximum ventilation and protection for the animals.
- (d) Any guard dog previously declared or classified as a dangerous or vicious dog in accordance with this article or Chapter 767, Florida Statutes, shall be ineligible to serve as a guard dog.

(Ord. No. 10-001, § 15, 1-6-09 [1-6-10])

Sec. 4-36. - Requirements of persons utilizing guard dog.

- (a) Any person who owns, possesses, and/or utilizes a guard dog in Polk County must provide proper fencing to secure the guard dog(s) and prevent the animal(s) from digging, jumping, or escaping the confines of the property.

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- (b) If the guard dog is confined to an area that does not allow for sufficient exercise, the guard dog must be provided with minimum daily exercise, unless a veterinarian issues a written medical exception.
- (c) At each entry point, and at one hundred-foot intervals along the fence perimeter, a sign shall be posted that includes the words "DANGER - GUARD DOG".
- (d) Each entry point must have a sign posted with the telephone number of the guard dog's trainer, handler, and/or owner in case of an emergency.
- (e) Confiscation. Any guard dog found, while working in its official capacity, to be in violation of any section of this article shall be immediately confiscated and held by the animal control authority for a maximum of ten (10) business days. At the conclusion of the ten-day period, if not redeemed by the guard dog owner, said dog will be subject to the disposition options outlined in this article.
- (f) Property owners, renters, or lessees of said guard dogs shall not hold liable the animal control authority, Polk County or the board of county commissioners, individually or in their official capacity, and all members of the animal control authority, individually and in their official capacity, and all of their employees, appointees, contractors, subcontractors, and agents from any and all liability, for any and all claims, causes of action, demands or damages, and costs (to include reasonable attorney's fees) present, past and future, contingent or otherwise, arising from the confiscation of said guard dog.

(Ord. No. 10-001, § 16, 1-6-09 [1-6-10])

Sec. 4-37. - Penalties for guard dog violation.

- (a) For any violation of this article as it pertains to guard dogs, the animal control officer shall issue a citation for a fine in the amount of one hundred dollars (\$100.00) for the first offense per animal, per occurrence. The second offense occurring within three (3) years shall require a fine in the amount of three hundred dollars (\$300.00) per animal, per occurrence. Subsequent offenses occurring within three (3) years of the previous occurrence shall be punishable by such monetary penalty as the court may impose, not to exceed five hundred dollars (\$500.00) per animal, per occurrence.
- (b) Citations relevant to this ordinance, excluding sections 4-34 and 4-35, shall be issued to the person(s) possessing or utilizing the guard dog. Citations relevant to section 4-35 of this article shall be issued to the commercial guard dog business supplying the guard dog.

(Ord. No. 10-001, § 17, 1-6-09 [1-6-10]; Ord. No. 13-035, § 7, 8-6-2013)

Sec. 4-38. - Classification of dogs as dangerous.

- (a) "Dangerous dog" means any dog that, according to the records of the animal control authority:
 - (1) Has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property;
 - (2) Has more than once severely injured or killed a domestic animal while off the owner's property;
 - (3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.
- (b) For purposes of this section:
 - (1) "Unprovoked" shall mean that the victim who has been conducting himself or herself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog.
 - (2) "Severe injury" shall be defined as any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

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- (3) "Proper enclosure of a dangerous dog" shall mean, while on the owner's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements.
- (c) The animal control authority shall investigate reported incidents involving any dog that may be dangerous and shall, if possible, interview the owner and require a sworn affidavit from any person, including any animal control officer or enforcement officer, desiring to have a dog classified as dangerous. Any animal that is the subject of a dangerous dog investigation, that is not impounded with the animal control authority, shall be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation and resolution of any hearings related to the dangerous dog classification. The address of where the animal resides shall be provided to the animal control authority. In the event that the animal control authority has sufficient cause to believe that a dog is dangerous and that the owner is unable or unwilling to humanely, safely and securely confine the dog, the animal control authority may impound the dog pending the investigation if deemed necessary to protect the public. The owner shall be responsible for payment of all boarding costs and other fees required for the division to care for the dog pending the outcome of the investigation and resolution of any hearing related to dangerous dog classification. An owner's refusal to surrender a dog for impoundment pending the investigation shall constitute a violation of this ordinance. No dog that is the subject of a dangerous dog investigation may be relocated or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a dangerous dog classification. In the event that a dog is to be destroyed, the dog shall not be relocated or ownership transferred.
- (d) A dog shall not be declared dangerous if a person who, at the time, was unlawfully on the property or, while lawfully on the property, was tormenting, abusing, or assaulting the dog or its owner or a family member sustained the threat, injury, or damage. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.
- (e) After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous and shall afford the owner an opportunity for a hearing prior to making a final determination. The animal control authority shall provide written notification of the sufficient cause finding, to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of Chapter 48, Florida Statutes, relating to service of process. The owner may file a written request for a hearing within seven (7) calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible, but not more than twenty-one (21) calendar days and no sooner than five (5) days after receipt of the request from the owner. If a hearing is requested, it will be conducted before a hearing officer and pursuant to section 4-42 of this article. An owner's failure to request a hearing within seven (7) calendar days from the date of receipt of the notification of the sufficient cause finding will result in the finding becoming a final determination, and the dog will be classified as dangerous.
- (f) Once a dog is classified as a dangerous dog, the animal control authority shall provide written notification to the owner by registered mail, certified hand delivery or service, and the owner may file a written request for a hearing in the county court to appeal the classification within ten (10) calendar days after receipt of a written determination of dangerous dog classification and must confine the dog in a securely fenced or enclosed area pending a resolution of the appeal. Appeals shall be conducted pursuant to section 4-43 of this article.
- (g) Within fourteen (14) days after a dog has been classified as dangerous by the animal control authority or a dangerous dog classification is upheld by the county court on appeal, the owner of the dog must obtain a certificate of registration for the dog from the animal control authority serving the area in which he or she resides, and the certificate shall be renewed annually. Animal control

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authorities are authorized to issue such certificates of registration, and renewals thereof, only to persons who are at least eighteen (18) years of age and who present to the animal control authority sufficient evidence of:

- (1) A current certificate of rabies vaccination for the dog.
 - (2) A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points that clearly informs both children and adults of the presence of a dangerous dog on the property. The sign must be at a minimum one foot wide by one foot tall and resistant to weather.
 - (3) Implantation of an RFID microchip to identify the dog; and
 - (4) Spay or neuter dangerous animals within fourteen (14) days of declaration.
 - (5) Register for, and attend to completion, dog obedience training from an instructor approved by the animal control authority. Training prior to the classification is not acceptable.
 - (6) Provide the animal control authority access to property and the dog to verify compliance.
- (h) Annual fee for the issuance of certificates of registration shall be determined by the animal control authority.
- (i) The owner shall immediately notify the appropriate animal control authority when a dog that has been classified as dangerous:
- (1) Is loose or unconfined;
 - (2) Has bitten a human being or attacked another animal;
 - (3) Is to be sold, given away, moved to another address, or if the dog dies.
- (j) Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control authority. The new owner must comply with all of the requirements of this act and implementing local ordinances, even if the animal is moved from one local jurisdiction to another within the state. The owner of a dog classified as dangerous must notify the animal control officer that the dog is in his or her jurisdiction.
- (k) It is unlawful for the owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his or her sight and only members of the immediate household or persons eighteen (18) years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.
- (l) Hunting dogs are exempt from the provisions of this section when engaged in any legal hunt or training procedure. Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are exempt from the provisions of this section when engaged in any legal procedures. However, such dogs at all other times in all other respects shall be subject to this and local laws. Dogs that have been classified as dangerous shall not be used for hunting or sporting purposes.
- (m) This section does not apply to dogs used by law enforcement officials for law enforcement work.
- (n) Any person who violates any provision of this section is guilty of a non-criminal infraction, punishable by a fine not exceeding five hundred dollars (\$500.00).

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- (o) The animal control authority may confiscate any dog classified as dangerous for euthanasia as a result of the owner's failure to comply with any or all requirements of the ordinance. Should the animal control authority confiscate any dog under this section, notice of sufficient cause to confiscate the animal shall be provided in writing to the owner in accordance with the ordinance. The animal shall be held for ten (10) business days after the owner is provided this written notice and thereafter destroyed in an expeditious and humane manner. This ten-day time period shall allow the owner to request a hearing under this section.

(Ord. No. 10-001, § 18, 1-6-09 [1-6-10]; Ord. No. 13-035, § 8, 8-6-2013)

Sec. 4-39. - Attack or bite by a dangerous dog; penalties; confiscation; destruction.

- (a) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner is guilty of a misdemeanor of the first degree, punishable as provided in Section 775.082 or 775.083, Florida Statutes. In addition, the dangerous dog shall be immediately confiscated by the animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held for ten (10) business days after the owner is given written notification under section 4-38 of the ordinance and thereafter destroyed in an expeditious and humane manner. This ten-day time period shall allow the owner to request a hearing under section 4-38 of this article. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
- (b) If a dog that has not been declared dangerous attacks and causes severe injury to or death of any human, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for ten (10) business days after the owner is given written notification under section 4-38 of this article, and thereafter destroyed in an expeditious and humane manner. This ten-day time period shall allow the owner to request a hearing under section 4-38 of this article. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure. In addition, if the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog is guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082 or 775.083, Florida Statutes.
- (c) If a dog that has previously been declared dangerous attacks and causes severe injury to or death of any human, the owner is guilty of a felony of the third degree, punishable as provided in Section 775.082, 775.083, or 775.084, Florida Statutes. In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for ten (10) business days after the owner is given written notification under section 4-38 of this article, and thereafter destroyed in an expeditious and humane manner. This ten-day time period shall allow the owner to request a hearing under 4-38 of this article. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
- (d) If the owner files a written appeal under section 4-43 of this article or this section, the dog must be held and may not be destroyed while the appeal is pending.
- (e) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner is not guilty of any crime specified under this section.

(Ord. No. 10-001, § 19, 1-6-09 [1-6-10]; Ord. No. 13-035, § 9, 8-6-2013)

Sec. 4-40. - Classification of dogs as vicious.

- (a) "Vicious dog" shall be defined as any dog that, according to the records of the animal control authority, has severely injured or killed a domestic animal while off the owner's property.

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- (b) For purposes of this section:
- (1) "Severe injury" shall be defined as any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.
 - (2) "Proper enclosure of a vicious dog" shall mean, while on the owner's property, a vicious dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements.
- (c) The animal control authority shall investigate reported incidents involving any dog that may be vicious and shall, if possible, interview the owner and require a sworn affidavit from any person, including any animal control officer or enforcement officer, desiring to have a dog classified as vicious. Any animal that is the subject of a vicious dog investigation that is not impounded with the animal control authority, shall be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation and resolution of any hearings related to the vicious dog classification. The address of where the animal resides shall be provided to the animal control authority. In the event the animal control authority has sufficient cause to believe that a dog is vicious and that the owner is unable or unwilling to humanely, safely and securely confine the dog, the animal control authority may impound the dog pending the investigation if deemed necessary to protect the public. The owner shall be responsible for payment of all boarding costs and other fees required for the division to care for the dog pending the outcome of the investigation and resolution of any hearing related to vicious dog classification. An owner's refusal to surrender a dog for impoundment pending the investigation shall constitute a violation of this article. No dog that is the subject of a vicious dog investigation may be relocated or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a vicious dog classification.
- (d) No dog may be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.
- (e) After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as vicious and shall afford the owner an opportunity for a hearing prior to making a final determination. The animal control authority shall provide written notification of the sufficient cause finding to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of Chapter 48, Florida Statutes, relating to service of process. The owner may file a written request for a hearing within seven (7) calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible. If a hearing is requested, it will be conducted before a hearing officer and pursuant to section 4-42 of this article. An owner's failure to request a hearing within seven (7) calendar days from the date of receipt of the notification of the sufficient cause finding will result in the finding becoming a final determination, and the dog will be classified as vicious.
- (f) Once a dog is classified as a vicious dog, the animal control authority shall provide written notification to the owner by registered mail, certified hand delivery or service, and the owner may file a written request for a hearing in the county court to appeal the classification within ten (10) business days after receipt of a written determination of dangerous or vicious dog classification and must confine the dog in a securely fenced or enclosed area pending a resolution of the appeal. Appeals shall be conducted pursuant to section 4-43 of this article.
- (g) Within fourteen (14) business days after a dog has been classified as vicious by the animal control authority or a vicious dog classification is upheld by the county court on appeal, the owner of the dog must obtain a certificate of registration for the dog from the animal control authority serving the area in which he or she resides, and the certificate shall be renewed annually. Animal control authorities are authorized to issue such certificates of registration, and renewals thereof, only to persons who

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are at least eighteen (18) years of age and who present to the animal control authority sufficient evidence of:

- (1) A current certificate of rabies vaccination for the dog.
 - (2) A proper enclosure to confine a vicious dog and the posting of the premises with a clearly visible warning sign at all entry points that clearly informs both children and adults of the presence of a vicious dog on the property. The sign must be at a minimum one foot wide by one foot tall and resistant to weather.
 - (3) Implantation of an RFID microchip to identify the dog; and
 - (4) Spay or neuter vicious animals within fourteen (14) business days of declaration.
 - (5) Register for, and attend to completion, dog obedience training from an instructor approved by the animal control authority. Training prior to the classification is not acceptable.
 - (6) Provide the animal control authority access to property and the dog to verify compliance.
- (h) Annual fee for the issuance of certificates of registration shall be determined by the animal control authority.
- (i) The owner shall immediately notify the appropriate animal control authority when a dog that has been classified as vicious:
- (1) Is loose or unconfined;
 - (2) Has bitten a human being or attacked another animal; or
 - (3) Is to be sold, given away, moved to another address, or if the dog dies.
- (j) Prior to a vicious dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control authority. The new owner must comply with all of the requirements of this act and implementing local ordinances. The owner of a dog classified as vicious must notify the animal control officer that the dog is in his or her jurisdiction.
- (k) It is unlawful for the owner of a vicious dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his or her sight and only members of the immediate household or persons eighteen (18) years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.
- (l) Dogs that have been classified as "vicious" shall not be used for hunting or sporting purposes.
- (m) This section does not apply to dogs used by law enforcement officials for law enforcement work.
- (n) Any person who violates any provision of this section is guilty of a non-criminal infraction, punishable by a fine not exceeding five hundred dollars (\$500.00) requiring the owner(s) appearance in court.
- (Ord. No. 13-035, § 10, 8-6-2013)

Sec. 4-41. - Bite by police or service dog; exemption from quarantine.

Any dog that is owned, or the service of which is employed, by a law enforcement agency, or any dog that is used as a service dog for blind, hearing impaired, or disabled persons, and that bites another animal or human is exempt from any quarantine requirement following such bite if the dog has a current rabies vaccination that was administered by a licensed veterinarian.

(Ord. No. 10-001, § 20, 1-6-09 [1-6-10]; Ord. No. 13-035, § 11, 8-6-2013)

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Sec. 4-42. - Dangerous or vicious dog hearing procedures.

- (a) A hearing officer appointed by the Polk County board of county commissioners shall impartially preside over the hearing.
- (b) The hearing shall be informal, the rules of evidence and civil procedure shall not apply, but fundamental due process shall be observed and govern the proceedings. The hearing officer shall decide the issues based upon the preponderance of the evidence and the decision shall be final.
- (c) After conducting the hearing, the hearing officer shall issue a determination within twenty (20) days of the hearing. All determinations of the hearing officer shall be in writing, signed, and dated by the hearing officer, shall contain findings of fact and conclusions of law, and shall be served upon the owner by registered mail, certified hand delivery (signed receipt), or service in conformance with the provisions of Chapter 48, Florida Statutes, as amended, relating to service of process.

(Ord. No. 10-001, § 21, 1-6-09 [1-6-10]; Ord. No. 13-035, § 12, 8-6-2013)

Sec. 4-43. - Appealing the dangerous or vicious dog classification.

The owner may file a written request for hearing in the county court to appeal the classification within ten (10) days receipt of the written determination.

(Ord. No. 10-001, § 22, 1-6-09 [1-6-10]; Ord. No. 13-035, § 13, 8-6-2013)

Sec. 4-44. - Surrender of animal by owner.

An animal may be surrendered into the animal control authority, and when surrendered it will immediately become the property of the animal control authority to be disposed of as they see fit.

(Ord. No. 10-001, § 23, 1-6-09 [1-6-10]; Ord. No. 13-035, § 14, 8-6-2013)

Sec. 4-45. - Duties and authority of officers.

It shall be the duty of all animal control officers, deputy sheriffs, or local police officers to enforce this article and its amendments, if any. An animal control officer is hereby authorized to issue citations and notices to appear for the violation of this article when, based upon personal investigation, the officer has reasonable and probable grounds to believe that a violation of this article has occurred.

(Ord. No. 10-001, § 24, 1-6-09 [1-6-10]; Ord. No. 13-035, § 14, 8-6-2013)

Sec. 4-46. - Interference with officers.

No individual shall interfere with an animal control officer while in the legal performance of his or her duties. This includes but is not limited to, striking or attempting to strike the animal control officer; providing the animal control officer with false information; taking or attempting to take any animal from any animal control officer in the legal performance of his or her duties, from any official vehicle used by the animal control authority to transport animals, or from the animal control authority facility without proper authority; or to taking or damaging any county property used in conjunction with the legal performance of the animal control officer's duties. In addition to constituting a violation of this article, such action may be punishable pursuant to Section 838.021, Florida Statutes.

(Ord. No. 10-001, § 25, 1-6-09 [1-6-10]; Ord. No. 13-035, § 15, 8-6-2013)

Sec. 4-47. - Penalties for violation.

Except where specified under certain sections of this article, violation of any provision in this article, and its amendments, if any, is a civil infraction.

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- (a) For violation of the section relevant to vaccination and tags, the animal control officer shall have the discretion to issue a notice of violation with no civil penalty or issue a citation for a fine in the amount of sixty dollars (\$60.00) for the first offense. The second offense occurring within three (3) years, whether the first offense resulted in a notice of violation or a fine, shall require a fine in the amount of one hundred dollars (\$100.00). Subsequent offenses occurring within three (3) years of the previous occurrence shall be punishable by such monetary penalty as the court may impose, not to exceed five hundred dollars (\$500.00) per animal. Fines will be assessed per animal found in violation of the section of the ordinance relevant to vaccination and tags. Issuance of a citation or notice of violation to an adult member of the household in which an animal resides shall be deemed an offense, and knowledge of the citation or notice of violation will be imputed on all the members of the household.
- (b) For violation of the section of this ordinance relevant to nuisance, the animal control officer shall issue a notice of violation with no civil penalty for the first offense. The first offense after the notice of violation will result in a citation being issued with a fine in the amount of seventy-five dollars (\$75.00) per occurrence. The second offense after the notice of violation, occurring within three (3) years, shall require a fine in the amount of one hundred seventy-five dollars (\$175.00) per occurrence. Subsequent offenses shall be punishable by such monetary penalty as the court may impose, not to exceed five hundred dollars (\$500.00) per occurrence or by imprisonment in the county jail for a period not to exceed sixty (60) days, or by both a fine and imprisonment. For animals on land zoned for agricultural purposes, the maximum possible penalty shall be five hundred dollars (\$500.00) only.
- (c) For violation of the section of this article relevant to duties of owner or custodian, running at large, or falsely identifying an unaltered animal as altered, the animal control officer shall have the discretion to issue a notice of violation with no civil penalty or issue a citation for a fine in the amount of seventy-five dollars (\$75.00) per occurrence for the first offense for an altered animal; two hundred fifty dollars (\$250.00) per occurrence for an unaltered animal. The second offense occurring within three (3) years, whether the first offense resulted in a notice of violation or a fine, shall require a fine of one hundred fifty dollars (\$150.00) per occurrence for an altered animal; five hundred dollars (\$500.00) per occurrence for an unaltered animal. Subsequent offenses occurring within three (3) years of the previous occurrence shall be punishable by such monetary penalty as the court may impose, not to exceed five hundred dollars (\$500.00) per occurrence. If the owner presents proof that the animal is altered, within five (5) days of the offense, or within five (5) days of the quarantine release date, the owner shall pay the altered animal fine (this provision does not apply where the owner or custodian of the animal falsely identified the animal as altered). The issuance of a citation for falsely identifying an unaltered animal as altered, does not preclude issuance of a citation for allowing the falsely identified animal to run at large.
- (d) For violation of the section of this article relevant to interference with any animal control officer, the civil penalty shall be in the amount of two hundred fifty dollars (\$250.00), per officer, for the first offense. Subsequent offenses occurring within three (3) years of the last offense shall be punishable by a fine not to exceed five hundred dollars (\$500.00) per officer.
- (e) If an animal scratches, bites, or physically injures any person while running at large, not properly vaccinated, not properly tagged, the offense shall require a fine of two hundred dollars (\$200.00), in addition to any other applicable fine for a first offense. The subsequent offenses occurring within three (3) years shall be punishable by a fine not to exceed five hundred dollars (\$500.00) per occurrence.
- (f) All fines may be changed by resolution of the board.

(Ord. No. 10-001, § 26, 1-6-09 [1-6-10]; Ord. No. 13-035, § 15, 8-6-2013)

Sec. 4-48. - Form of citation and notice.

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- (a) Pursuant to Section 828.27(1)(f), Florida Statutes, citations and notices to appear issued by an officer shall be in a form prescribed by the board of county commissioners and shall state, at a minimum, the following:
- (1) The date and time of issuance.
 - (2) The name and address of the person.
 - (3) The date and time the civil infraction was committed.
 - (4) The facts constituting probable cause.
 - (5) The ordinance violated.
 - (6) The name and authority of the officer.
 - (7) The procedure for the person to follow in order to pay the civil penalty, to contest the citation, or to appear in court as required under Section 828.27(6), Florida Statutes.
 - (8) The applicable civil penalty, pursuant to section 4-49 of this article, for the violation.
 - (9) If applicable, a twenty-five (25) per cent reduction in the civil penalty amount if the person elects not to contest the citation.
 - (10) A conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, the person shall be deemed to have waived his or her right to contest the citation and judgment may be entered against the person for an amount up to the applicable civil penalty as well as an additional late fee assessed by the clerk and recording fees.
 - (11) A conspicuous statement that if the person is required to appear in court, as mandated by Section 828.27(6), Florida Statutes, he or she does not have the option of paying a fine in lieu of appearing in court; nor is the person entitled to a twenty-five (25) per cent reduction in the civil penalty amount.

(Ord. No. 10-001, § 27, 1-6-09 [1-6-10]; Ord. No. 13-035, § 16, 8-6-2013)

Sec. 4-49. - Procedure upon citation.

- (a) Any person cited for violation of this article shall be deemed charged with a noncriminal infraction. Any person cited for an infraction under this article shall sign and accept a citation acknowledging receipt of the citation and indicating a promise to appear in county court, if such person wishes to contest the charge(s). Failure to sign and accept the citation shall be punishable as provided in Section 828.27(5), Florida Statutes.
- (b) The applicable fine shall be reduced by twenty-five (25) per cent if the person who has committed the civil infraction does not contest the citation. The payment must be postmarked or received by the clerk's office no later than thirty (30) calendar days from the date the citation was issued. If the person cited pays the applicable fine, he or she shall be deemed to have admitted the infraction and waived his or her right to a trial.
- (c) In order to contest a citation, the person must deliver or send a copy of the citation along with a written request for a hearing to the clerk's office; such requests must be received or postmarked no later than thirty (30) calendar days from the date of the citation. Upon receipt of the request for hearing, the clerk's office will set a hearing date and send notice to the person contesting the citation.
- (d) If a person fails to pay and fails to request a hearing within thirty (30) days of receipt of the citation, the clerk's office shall issue a notice to appear. The clerk shall assess a ten dollar (\$10.00) fee for each penalty paid after the initial thirty-day period. The late fee will be retained by the clerk's office for the purpose of defraying operating expenses.

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- (e) If a person has failed to pay the fine and applicable late fee, and fails to appear in court to contest the citation, the court may issue an order to show cause upon the request of the animal control authority. This order shall require such person to appear before the court to explain why action on the citation has not been taken. If any person who is issued such an order fails to appear in response to the court's directive, that person may be held in contempt of court. In addition, failure to pay the civil penalty shall result in the recording of a lien in the amount of the civil penalty, late fee, and recording fees.
- (f) In the event an animal is impounded for violation of this article and the owner of the animal abandons or surrenders the animal to the animal control authority, the owner remains liable for the civil penalties imposed for violation of this article.

(Ord. No. 10-001, § 28, 1-6-09 [1-6-10]; Ord. No. 13-035, § 17, 8-6-2013)

Sec. 4-50. - Citation constitutes warning to household.

Issuance of a citation, warning, or a notice of violation to an adult member of the household in which an animal resides shall be deemed notice of the citation, warning, or notice of violation to all members of the household.

(Ord. No. 10-001, § 29, 1-6-09 [1-6-10]; Ord. No. 13-035, § 17, 8-6-2013)

Ordinance 1346-14
Fish and Wildlife Conservation Commission

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) Airboat – Any boat, sled, sea skiff or swamp boat pushed, pulled or propelled by airpower generated by a motor of more than 25 horsepower.

(2) Alligator exhibit – A facility in which alligators are confined in such a manner that the general public may view the reptiles, with or without fee.

(3) Alligator farm – A facility in which alligators, hatchlings and eggs have been lawfully reduced to private control, confinement and possession and from which alligators, their hides, meat and products may be sold.

(4) Alligator hatchling – Any alligator that is less than nine inches in length measured in a straight line along the belly from the tip of the snout to the rear margin of the cloacal vent.

(5) All-terrain vehicle – An engine-powered vehicle with wheels or tracks of less than a 60-inch wheelbase measured from the center of the forward wheel or hub to the center of the rearmost wheel or hub.

(6) Amphibians – All members of the class Amphibia (for example frogs, toads, mudpuppies, newts and salamanders).

(7) Antlered deer – Any deer having one or more antlers at least five inches in length visible above the hairline.

(8) Antlerless deer – Any deer, except a spotted fawn, that is without antlers or whose antlers are less than five inches in length visible above the hairline.

(9) Antler point – Any antler projection that is at least one inch in length.

(10) Artificial bait – Any fish lure that is not a natural food for fish.

(11) Artificially propagated game – Game that is hatched or born and raised in captivity. The term “artificially propagated” is synonymous with the term “pen raised.”

(12) Bag limit – The maximum number of individual specimens of fish or wildlife which may lawfully be taken or possessed by one person in a specified time.

(13) Birds – The various forms of wildlife belonging to the class Aves, having both feathers and wings.

(14) Bird sanctuary – An area established for the protection of birds and other wildlife in which hunting is prohibited in developed areas in the interest of safety, unless otherwise provided by specific regulation of the Commission.

(15) Black bass – Any bass included in the genus *Micropterus*.

(16) Bow – A device consisting of flexible material having a string connecting its two ends for the purpose of discharging arrows; which propels arrows only by the energy stored by the drawing of the device; which has a minimum draw weight of 35 pounds; which is hand-held, hand-drawn and hand-released; which is not equipped with a device that can mechanically hold the bowstring in the drawn (ready to fire) position; and which may include mechanical bowstring release devices provided they are only hand-held.

(17) Bush hook – A single line with a single hook attached to a tree, bush, shore or other structure.

(18) Captive wildlife – Any wildlife, specifically birds, mammals, reptiles, and amphibians maintained in captivity for exhibition, sale, personal use, propagation, preservation, rehabilitation, protection or hunting purposes.

(19) Closed season – The calendar period during which the taking of freshwater fish or wildlife is prohibited.

(20) Commission – The Fish and Wildlife Conservation Commission, established pursuant to Article IV, Section 9, Florida Constitution.

(21) Common carrier – Railroad companies, airlines, water carriers, express companies, stage or bus companies, persons or companies operating stages, buses or airplanes, or any such person, firm, or corporation certified as a common carrier by the appropriate state or federal agency.

(22) Critical Incident – Any condition which results in the release or escape of captive wildlife from its enclosure, cage, leash, or other constraint.

(23) Critical wildlife area – An area established by the Commission which is regulated to minimize the adverse impact on wildlife due to man-caused disturbance or destruction.

(24) Crossbow – A device consisting of a bow affixed to a stock for discharging quarrels, bolts, or arrows and which utilizes a non-hand-held locking mechanism to maintain the device in a drawn or ready-to-discharge condition.

(25) Daylight hours – The time of day from one-half hour before sunrise until one-half hour after sunset.

(26) Disaster – A sudden calamitous event that causes great damage, loss or destruction. Examples include a hurricane, tornado or other severe storm, flood, wildfire, or any other similar natural disaster, terrorist act, biological or radiological event, or any other similar man made disaster.

(27) Executive director – The administrative head of the Commission.

(28) Falconry – The sport of taking quarry by means of a trained raptor.

(29) Fawn deer – Any native deer with visible spots.

(30) Florida Endangered and Threatened Species – species of fish or wild animal life, subspecies or isolated populations of species or subspecies, whether vertebrate or invertebrate, that are native to Florida which are endangered and threatened under Commission rule as either:

(a) Federally-designated Endangered and Threatened species by virtue of designation as endangered or threatened by the United States Departments of Interior or Commerce under the Endangered Species Act, 16 U.S.C. § 1531, et seq. and rules thereto; or

(b) As a State-designated Threatened species. Florida Endangered and Threatened species retain their status regardless of subsequent changes in scientific nomenclature or subsequent identification of species or subspecies within the species listed.

(31) Freshwater fish – All of the species that are indigenous to fresh water.

(32) Freshwater game fish:

(a) The following members of the Genus *Micropterus*:

1. Largemouth bass (*Micropterus salmoides*).

2. Shoal bass (*Micropterus catarractae*).

3. Suwannee bass (*Micropterus notius*).

4. Spotted bass (*Micropterus punctulatus*).

(b) The following members of the Genus *Pomoxis*:

1. Black crappie (*Pomoxis nigromaculatus*).

2. White crappie (*Pomoxis annularis*).

(c) The following fishes commonly called panfish:

1. Bluegill (*Lepomis macrochirus*).

2. Redear (*Lepomis microlophus*).

3. Redbreast (*Lepomis auritus*).

4. Flier (*Centrarchus macropterus*).

5. Warmouth (*Lepomis gulosus*).

6. Longear (*Lepomis megalotis*).

7. Mud sunfish (*Acantharchus pomotis*).

8. Shadow bass (*Ambloplites ariommus*).

9. Spotted sunfish (*Lepomis punctatus*).

(d) Freshwater white bass (*Morone chrysops*).

(e) Striped bass (*Morone saxatilis*).

(f) White bass-striped bass hybrid and its reciprocal known locally as sunshine bass.

(g) All members of the genus *Cichla* commonly known as peacock bass including the butterfly peacock (*Cichla ocellaris*) and speckled peacock (*Cichla temensis*).

(33) Fish management area – A pond, lake, or other body of water established for the management of freshwater fish, on which public fishing or other outdoor recreation is permitted in accordance with regulations specifically provided for each individual area.

(34) Furbearers – Raccoon, opossum, skunk, nutria, beaver, coyote, fox, bobcat, otter, mink, weasel, and round-tailed muskrat.

(35) Game – Game mammals and game birds.

(36) Game birds – Wild turkey, quail, rails, snipe, woodcock, ducks, geese, brant, dove, coot, common moorhen, and non-native species generally considered game such as pheasant, chukar partridge, and coturnix quail.

(37) Game farm – An area or establishment where game is produced by artificial propagation.

(38) Game mammals – Deer, gray squirrel, rabbits, and non-native species generally considered game such as elk, antelope and

buffalo.

(39) Gun – Shotgun, rifle, pistol, revolver, air gun, gas gun, blow gun, bow, crossbow, or any other device mechanically propelling an arrow, spear, or other projectile.

(40) Legal game – Antlered deer, gray squirrel, rabbit, quail, rail, snipe, woodcock, duck, dove, geese, coot and common moorhen during open seasons established for each species by Rule 68A-13.003, 68A-13.004 or 68A-13.008, F.A.C., unless otherwise stipulated for a particular species in a regulation established for a specific wildlife management area, wildlife and environmental area, public small game hunting area or public use areas.

(41) Light – Any artificial light for use in taking wildlife or freshwater fish.

(42) Mammals – Wildlife belonging to the class Mammalia, having hair and feeding their young on milk.

(43) Migratory birds – All birds included in the Migratory Bird Treaty Act, 16 U.S.C. 703-711.

(44) Migratory game birds – Ducks, geese, brant, rail or marsh hen, coot, common moorhen, snipe, woodcock and doves.

(45) Muzzleloading gun – A firearm that cannot be loaded from the breech and is fired by wheel lock, flintlock, percussion cap, or centerfire primer.

(46) Non-game fish – All freshwater fish species, except grass carp, not listed in subsection 68A-1.004(32), F.A.C., as freshwater game fish.

(47) Non-performing wildlife – Wildlife which is exhibited to the public in a mobile cage or enclosure and is not removed from such enclosure for regular exercise or performing activities.

(48) Non-protected birds – Birds for which no closed season or bag limit is established.

(49) Non-protected mammals – Mammals for which no closed season or bag limit is established.

(50) Nuisance wildlife – Wildlife that causes or is about to cause property damage, presents a threat to public safety, or wildlife causing an annoyance within, under or upon a building.

(51) Open season – The calendar period during which freshwater fish or wildlife may be lawfully taken.

(52) Performing wildlife – Wildlife that is rehearsed, controlled, or monitored by a trainer and can accomplish a consistent routine conducted under the discipline of the trainer.

(53) Permanent blind – anything that provides shelter, cover, or place of concealment for a person, but does not include any rooted vegetation or a shelter, cover, or place of concealment remaining in place only while the person is present.

(54) Person – The word “person” as used in these rules shall have the same meaning as in Section 1.01, F.S.

(55) Personal pet – Wildlife maintained in captivity primarily for personal use or enjoyment.

(56) Possession – The word “possession” whenever used in these rules shall mean any one of the following:

(a) Manual possession.

(b) Physical possession.

(c) Control or custody.

(d) Possession in one’s clothing, attire or equipment.

(e) Possession in or about a vessel, vehicle or beast of burden under one’s custody or control, including but not limited to compartments, drawers, pockets, trunks, and similar places in and about such vessel, vehicle, or beast of burden.

(57) Possession limit – The maximum number of individual specimens of freshwater fish or wildlife which may be lawfully possessed.

(58) Prepared alligator meat – Alligator meat that is cooked or cured in a manner allowing it to be consumed by humans without further preparation.

(59) Private lands – Lands not owned by, or under any contractual use agreement with, any governmental body.

(60) Private hunting preserve – An area designated and licensed by an individual or concern on which artificially propagated game is taken.

(61) Private pond – Any man-made body of water that is located entirely within the property of the owner of the water body and has no surface water connection to public waters.

(62) Raptor – A bird which is a member of the Accipitridae (except the bald eagle) or Falconidae family; or a great horned owl.

(63) Regions – The following geographical portions of the state:

(a) Southwest Region: Charlotte, DeSoto, Hardee, Hernando, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk and Sarasota counties.

(b) North Central Region: Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Duval, Gilchrist, Hamilton, Lafayette, Levy, Madison, Nassau, Suwannee, Taylor and Union counties.

(c) Northwest Region: Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton and Washington counties.

(d) South Region: Broward, Collier, Dade, Glades, Hendry, Martin, Monroe, Okeechobee, Palm Beach and St. Lucie counties.

(e) Northeast Region: Brevard, Flagler, Indian River, Lake, Marion, Orange, Osceola, Putnam, Seminole, Sumter, St. Johns and Volusia counties.

(64) Relative – An individual who is related as: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepsister, stepbrother, half brother, or half sister.

(65) Reptiles – All members of the class Reptilia (for example, alligators, caimans, crocodiles, turtles, lizards and snakes).

(66) Reptiles of Concern – As designated by the Commission, any member of the class Reptilia, including subspecies, taxonomic successors or hybrids thereof, which due to its nature, has habits or the potential to impact the environment, may be possessed and housed only in accordance with the regulations provided for reptiles of concern.

(67) Resident game birds – Wild turkey and quail.

(68) Restricted hunting area – An area established in which hunting is prohibited in developed areas in the interest of safety unless otherwise provided by specific permit.

(69) Rough fish – Common carp, gars, gizzard shad, threadfin shad, suckers, tilapia and bowfin.

(70) Sell – The transfer of property or other things to a buyer for an agreed price. The term shall include all lesser acts related thereto, such as attempting to sell, offering to sell, to barter, exchange, or trade.

(71) Set line – See bush hook.

(72) Small game – Game species other than deer, wild hog or wild turkey.

(73) Small game season – The calendar period during which small game may be taken, provided that migratory game birds may be taken only during seasons established under Rules 68A-13.003 and 68A-13.008, F.A.C.

(74) Snare – A trapping device consisting of a noose designed to capture wildlife.

(75) Snatch hook – Any device which includes one or more hooks used for the purpose of hooking fish other than in the mouth. A gaff hook used for landing fish taken by hook and line or rod and reel shall not be included in the meaning of the term.

(76) Special season – The calendar period during which specified game species may be hunted only by the use of a designated hunting device at a time other than the general hunting season for that species.

(77) Spring turkey season – The designated spring period during which only gobblers or bearded turkeys may be taken.

(78) Steel trap – Any mechanical device (other than a snare or a device commonly used to take nuisance moles, pocket gophers or household rodents) that is designed and used to take wildlife by seizing and holding a part of the body.

(79) Take – The term shall include taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any wildlife or freshwater fish, or their nests or eggs by any means whether or not such actions result in obtaining possession of such wildlife or freshwater fish or their nests or eggs.

(80) To close – To prohibit the taking of wildlife or freshwater fish.

(81) To open – To permit the taking of wildlife or freshwater fish during the open season.

(82) Total length – In freshwater fish means the straight line distance from the most forward point of the head with the mouth closed to the farthest tip of the tail with the tail compressed or squeezed, while the fish is lying on its side.

(83) Transport – Shipping, transporting, carrying, importing, exporting, receiving or delivering for shipment, transportation or carriage or export.

(84) Triploid grass carp – Freshwater fish also called white amur, belonging to the family Cyprinidae and known scientifically as *Ctenopharyngodon idella*, which have been genetically altered to contain three sets of chromosomes, thus rendering them functionally sterile. Only such fish as have been determined to be triploid by the producer using scientifically accepted methods and verified by the use of a Coulter Counter by the Commission or by the U.S. Fish and Wildlife Service are included in this definition.

(85) Trotline – A multiple hook and line device consisting of a main line to which shorter lines are attached at intervals.

(86) Untanned skin – Any skin or hide that has not been processed beyond the fleshed, salted or stretched stage.

(87) Venomous reptile – All members of the class Reptilia including their taxonomic successors, subspecies, or any hybrid thereof, regardless of surgical alteration, determined to have the potential to cause serious human injury due to the toxic effects of its venom or poison. Including all venomous reptiles of the class Reptilia belonging to the families Elapidae, Crotalidae, Viperidae, and

Hydrophiidae; all reptiles in the genus *Heloderma*; and all reptiles in the family Colubridae belonging to the genera: *Rhabdophis*, *Boiga*, *Dispholidus*, *Thelatornis*, and *Atractapsis*.

(88) Wild hog – A hog that is free-roaming and which cannot be legally claimed as a domestic hog in private ownership.

(89) Wildlife – All wild or non-domestic birds, mammals, fur-bearing animals, reptiles and amphibians.

(90) Wildlife and environmental area – Endangered or environmentally unique habitats which shall have as their primary management objective the protection and conservation of their endangered or unique resources. Outdoor recreation will be specifically provided for in regulations established for each area when such use does not conflict with the primary management objectives.

(91) Wildlife management area – An area of private or public ownership established for the management of wildlife or freshwater fish on which hunting, fishing or other outdoor recreation may be permitted only at such times and under such regulations as are specifically provided for each individual area.

Wildlife management area – Such an area upon which the users are subject to the management area stamp requirements of Section 379.354, F.S., excluding lands owned by the United States of America, Department of Defense.

(92) Wildlife refuge – An area within which the taking of wildlife is prohibited and the taking of freshwater fish is prohibited when so provided by the order establishing the refuge.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10, 11-8-10, 1-1-11, 4-9-13.

GENERAL SUMMARY – POLK COUNTY ANIMAL CONTROL ORDINANCE

- Provides that all dogs must be provided with shelter from inclement weather at all times
- Prohibits any dog or unaltered cat to run at large. All dogs must be leashed or under “direct control” of the person in custody
- Defines abandoned animals, provides that animal control may take custody of abandoned animal, provides for holding periods, disposition of unclaimed animals and quarantine
- Authorizes animal control officers to enter private property in pursuit of animal
- Authorizes animal control to impound stray or at-large dogs and cats, including a feral cat colony if the cat(s) create public health/safety concerns and/or create a nuisance
- Clearly defines nuisance, See Section 4-31(a)
- Authorizes animal control officers to seize sick or injured animals to protect public health/safety and to protect animal from suffering
- Classifies dangerous or vicious dogs, investigation, penalties, confiscation and destruction
- Assigns duty and authority of animal control officers, deputy sheriffs or local police officers to enforce the ordinance
- Provides penalties for any violation of ordinance
- Provides form of citation and procedure



Florida Fish and Wildlife Conservation Commission

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Wildlife Assistance/Nuisance Wildlife

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Wildlife Lighting

Nonnative Species

Freshwater Programs

Saltwater Programs

Terrestrial Programs

Federal Aid

Special Initiatives

Injured or Orphaned Wildlife

Generally if you find a baby animal it is best to leave it alone. Often the animal is not orphaned, and the parent may be out getting food for the animal, or watching the baby. Never pick up baby animals and remove them from their natural environment! To report an injured or orphaned wild animal, contact any of the FWC's [5 regional offices](#) for a list of wildlife rehabilitators or consult one of the [rehabilitators on this list](#).

Additional information about reporting injured manatees or sea turtles is on our [website](#).

Nuisance Animals

Nuisance wildlife is wildlife that...

- causes (or is about to cause) property damage,
- presents a threat to public safety, or
- causes an annoyance within, under or upon a building.

Human activities can attract certain wildlife species looking for an easy high-calorie meal or shelter under a convenient structure. Unfortunately this can bring them into conflict with the interests of people, and the wildlife can be considered to be a nuisance. Most wildlife/human conflicts can be resolved by removing the attractant. If removing the attractant is not feasible or has been tried and is not working, other measures to remove nuisance wild animals can be taken. Trapping a nuisance animal should be a matter of last resort. Before removing an animal, please read the [nuisance wildlife regulations](#) and information.

- [Florida Administrative Code \(F.A.C.\) 68A-9.010](#)
- [Who to call for assistance?](#)
- [FAQ's: Nuisance Wildlife](#)
- [Relocating Wildlife](#)
- [Nuisance Wildlife Permit Requirements](#)

Wildlife that cannot be taken

The taking of nuisance **alligators; deer; bears; bats, bobcats**, most **migratory birds, their nests or eggs; turkeys; bobwhite quail**; or **state-listed or federally listed species of special concern, threatened or endangered species** is prohibited or may require additional permits.

Protected and regulated species

- | | |
|------------------------------|-------------------------------------|
| ■ Alligators | ■ Ducks & Geese |
| ■ Bears | ■ Protected Species |
| ■ Crocodiles | ■ Rabid Animals |
| ■ Deer | ■ Birds |
| ■ Bats | ■ Dead Birds |
| ■ Wild Hogs | |

You can learn more about the rules regarding wild animals online. Most regulations for wildlife are found in [Ch. 68A](#) of the Florida Administrative Code.

Nuisance Alligators

Alligators are considered a nuisance when they are more than four feet in length, and are determined to be a threat to the welfare of the public, or the public's pets, livestock, or property. Only a licensed nuisance alligator trapper may capture or remove an alligator. More information about [living with alligators](#) is available on this website.

If you need to report a nuisance alligator, call toll-free, 866-FWC-GATOR (866-392-4286).

You can find more information about [Nuisance Alligators](#) online.

Nuisance Bear

If a bear is seen around your neighborhood, it is important to immediately discourage repeat visits. What you can do is determine if there are any attractants in your neighborhood that will cause the bear to return. If you have unsecured garbage, pet food, barbecue grills, or other food items available in your yard, you should secure those items as soon as possible. A nuisance bear is one that looks for handouts, hangs around because it thinks food is available, or becomes aggressive, etc. More information about [living with bears](#) is available on this website. If you have a nuisance bear in your neighborhood or on your property, please contact your local [FWC regional office](#) or call the Wildlife Alert hotline at 888-404-FWCC (3922).

Nuisance Deer

[White-tailed deer](#) will occasionally cause damage to cultivated crops. For small gardens, this situation often can be improved by installing an inexpensive electric fence. When it is not possible to install an electric fence or deterrent fence, and under special restrictions, deer causing damage to crops can be harassed (scared) with a gun and light at night, when authorized. Find out more information on the [Gun and Light at Night Permit](#).

In cases where a [Gun and Light at Night Permit](#) is not eliminating the depredation or is not feasible, and in situations where deer are causing extreme damage to a crop, contact your local [FWC regional office](#) to request a Depredating Deer permit for temporary relief.

Protected Fish and Wildlife

A FWC permit is required for take of any [state listed species](#). Protected fish and wildlife include those species listed as endangered, threatened or species of special concern. FWC rules prohibit activities that may have a negative effect on protected fish and wildlife without a permit. More information about [living with wildlife](#) is available on this website.

Rabid Animals

The Florida Department of Health (DOH) is agency primarily responsible for rabies response, prevention, treatment and control. If you suspect an animal of having rabies or if someone has been bitten, contact the local County Health Department. Public health staff will investigate animal bite reports. The DOH can request help from the Sheriff's office, Animal Control or the FWC, but their staff will make that decision. View the listing of Florida County Health Departments at www.doh.state.fl.us/chdsitelist.htm.

For more information about rabies control and prevention in Florida, visit the DOH on the Web at: www.doh.state.fl.us/environment/community/rabies/rabies-index.html.

Migratory Bird and Waterfowl Problems

In the spring, bird species around the state start to build nests. Occasionally, this nesting behavior comes into conflict with human activities. Nuisance bird issues are not as easy to mitigate as nuisance mammal issues. Most birds are protected by the [Federal Migratory Bird Treaty Act](#). Joint state-federal permits are issued under very limited circumstances to keep or remove native wild birds or their eggs or nests. For information on Migratory Bird and Eagle Permits, visit the [U.S. Fish and Wildlife Service \(USFWS\)](#).

For more information contact the FWC's Division of Habitat & Species Conservation, [Species Conservation and Planning Section](#). Often, [nesting birds](#) will use the nest for only a month or so before their young are ready to go. It is usually advisable to leave these birds alone until they are done with their nesting cycle.

Migratory nongame birds that cause damage to trees, crops, livestock or wildlife, or that are concentrated in such numbers that they are nuisance, may be taken with permits issued by the U.S. Fish and Wildlife Service by calling 404-679-7070. Blackbirds, grackles, cowbirds and crows can be taken without permits when they are causing damage.

You can find a comprehensive list of birds protected under the [Migratory Bird Treaty Act \(MBTA\)](#).

Information about dealing with [problem ducks or geese](#) is available on our waterfowl website.

If you are experiencing a problem with roosting vultures, please contact [USDA Wildlife Services APHIS Wildlife](#) at 352-377-5556 or toll free at 866-487-3297 for assistance in scaring off the birds.

Dealing with Aggressive Raptors

Birds of prey, also called raptors, include hawks, eagles, falcons and owls. Each spring and summer, the Florida Fish and Wildlife Conservation Commission (FWC) receives reports of raptors diving at people. These incidents, which are usually caused by hawks, have happened in both urban and suburban areas. Most of these events occur during the nesting season and near an active nest where there are chicks or eggs. The raptors dive at people who come too close to the nest. The birds view those people as threats to the nest and the babies. In many cases, the birds dive at people but don't make contact. However, there have been injuries from these birds when they do make contact. Reports show that the birds may dive at people as far as 150 feet away from their nests. To learn how to handle this situation, read our [guide to dealing with aggressive raptors](#).

- [A guide to dealing with aggressive hawks](#)

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FWC Facts:
Healthy lakes with vibrant fisheries enhance property values & development potential and justify the need for sustainable development practices to protect them into the future.

Learn More at AskFWC



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**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

5.) RESOLUTION 17-14: REMOVE TRANSITION SCHEDULE

ISSUE: The City of Lake Alfred will consider resolution 17-14, removing a transition schedule (section 6.05) from the City Charter.

ATTACHMENTS:

- Resolution 17-14

ANALYSIS: Section 6.06 of the City Charter allows for the removal, by resolution, of any transition schedule when all events have occurred.

Section 6.05 of the City Charter titled "Schedule" provided for an election transition schedule in 2001 following charter amendments in the fall of 2000. The events detailed in the transition schedule have already occurred rendering the provisions of Section 6.05 obsolete.

The proposed resolution removes section 6.05 of the City Charter consistent with the provisions of section 6.06 of the City Charter.

STAFF RECOMMENDATION: Approval of Resolution 17-14.

RESOLUTION 17-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE ALFRED, FLORIDA, DELETING OBSOLETE ITEMS IN ARTICLE VI, SECTION 6.05 OF THE CHARTER OF THE CITY OF LAKE ALFRED, FLORIDA REGARDING A TRANSITION SCHEDULE AND PROVIDING FOR SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS, CODIFICATION, REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 6.06 of the Charter of the City of Lake Alfred provides that the City Commission shall have the power by Resolution to delete as obsolete from Article VI of the Charter of the City of Lake Alfred, Florida any sections when all events to which the section is applicable have occurred; and

WHEREAS, Section 6.05 of the Charter of the City of Lake Alfred titled Schedule provided for and dealt with a transition schedule for matters which went into effect after the first day of January, 2001 all of which have occurred or have been super ceded by subsequent action of the City Commission rendering the provisions in Section 6.05 obsolete; and

WHEREAS, the City Commission desires to delete Section 6.05 of the Charter of the City of Lake Alfred by Resolution; and

WHEREAS, it is in the best interests of the citizens and residents of the City of Lake Alfred to delete as obsolete all provisions in Section 6.05 of the Charter of the City of Lake.

NOW, THEREFORE, BE IT RESOLVED by the City of Lake Alfred, Florida, that:

SECTION 1. The factual recitations set forth above are hereby adopted herein and are the factual basis for the passage of this Resolution.

SECTION 2. Section 6.05 of the Charter of the City of Lake Alfred, Florida, is hereby deleted in its entirety.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The City of Lake Alfred, Florida, hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. It is the intention of the City Commission that the provisions of this Resolution shall become and be made a part of the Charter of the City of Lake Alfred; and that sections of this Resolution may be renumbered or re-lettered and the word "resolution" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Charter of the City of Lake Alfred is accomplished; sections of this Resolution may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing corrected or re-codified copy of same with the City Clerk.

SECTION 5. All Resolutions inconsistent with this Resolution are repealed to the extent necessary to give this Resolution full force and affect.

SECTION 6. This Resolution will take effect immediately upon its passage by the City Commission.

INTRODUCED AND PASSED by the City Commission of the City of Lake Alfred, Florida, in a regular session, this 17th day of November, 2014.

**CITY OF LAKE ALFRED, FLORIDA
CITY COMMISSION**

Nancy Z. Daley, Mayor

ATTEST:

Linda Bourgeois, M.M.C.
City Clerk

Approved as to form:

Frederick J. Murphy, Jr., City Attorney

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

6.) ANNUAL BOARD REAPPOINTMENTS

ISSUE: The City Commission will consider approval of the annual City board reappointments.

ATTACHMENTS:

- None

ANALYSIS: The City maintains various boards that are both essential to and benefit the City including: Planning, Adjustments, and Parks & Recreation. All Board members serve for three (3) year terms and the following board members are up for renewal:

Planning Board:

- Judy Schelfo
- Bette Biggar
- Deborah Hoffman

Board of Adjustments:

- Joyce Schmidt
- Wanda Daley

Parks and Recreation:

- David Fawcett

All members have expressed an interest in continuing to serve for an additional three year term.

STAFF RECOMMENDATION: Approval of the proposed board reappointments.

**LAKE ALFRED CITY COMMISSION MEETING
NOVEMBER 17, 2014**

7.) PURCHASE OF MINI-EXCAVATOR

ISSUE: The City of Lake Alfred will consider the purchase of a mini-excavator.

ATTACHMENTS:

- Detailed Bids

ANALYSIS: The City has included \$60,000 in the current year 14/15 Budget for the replacement of the Public Works Department's mini-excavator. The excavator is used for water line repairs, sidewalk repairs and other projects. The City has received the followings bids for the replacement of the mini-excavator:

Caterpillar	\$ 53,424
Polk Tractor Company	\$ 49,270
Vemeer Southeast	\$ 45,608

The existing mini-excavator is in decent condition and staff will attempt to sell it locally or on govdeals.com.

STAFF RECOMMENDATION: Purchase the mini-excavator from Vemeer Southeast for \$45,608.



Brooksville 352-796-4978	Daytona Beach 386-947-3363	Gainesville 352-371-9983	St. Augustine 904-737-7730	Lake City 386-755-3997
Lakeland 863-606-0512	Ocala 352-732-2800	Orlando 407-855-6195	Palm Bay 321-952-3001	Perry 850-584-2800
Pompano Beach 854-977-5010	Sarasota 941-753-7535	Tallahassee 850-562-2121	Tampa 813-671-3700	Tarpon Springs 727-938-1515

QUOTE PER THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT

Quote Prepared For:
The City of Lake Alfred

10/28/2014

(1) NEW CATERPILLAR 303.5E CR MINI HYDRAULIC EXCAVATOR

CONTRACT DETAILS

Florida Sheriff's Association
 Bid # 14-12-0904
 Specification # 35, Hydraulic Mini Excavator, And Options
 Effective: October 1, 2014 Through September 30, 2015

BASE MACHINE

BASE	Caterpillar 303E CR Per Sheriff's Contract Specifications	\$35,386
383-5896	Downgrade to 303.5E Base Machine Only	<u>\$1,900</u>
TOTAL OF BASE MACHINE		\$37,286

NON-SPECIFIED OPTIONS

	UPGRADE TO A DCA 2 PACKAGE	\$8,680
383-5904		
379-4724	CONTROL, PATTERN CHANGER	INCL
376-6692	CAB, WITH AIR CONDITIONER	INCL
379-4681	LINES, BOOM	INCL
355-3411	LIGHT, CAB	INCL
378-2499	BELT, SEAT, 3" RETRACTABLE	INCL
355-3416	MIRROR, CAB, LEFT	INCL
355-3417	MIRROR, CAB, RIGHT	INCL
379-6419	COOLING, HIGH AMBIENT	INCL
379-5265	ACCUMULATOR, FOR CANADA	INCL
377-8917	STICK, LONG, W/ THUMB BRACKET	INCL
379-4725	LINES, AUXILIARY, LONG STICK	INCL
382-1317	LINES, BUCKET (LONG STICK)	INCL
379-4683	HYDRAULICS, W/O 2ND AUX.	INCL
377-8919	LINKAGE, BUCKET, W/LIFTING EYE	INCL
382-3843	TRACK, RUBBER BELT	INCL
379-4726	DRAIN, STANDARD	INCL
377-8920	BLADE, STRAIGHT, WELD-ON	INCL
378-2501	JOYSTICK, W/O 2ND AUX.	INCL
377-8935	AUTO IDLE, WITH TRAVEL ALARM	INCL
387-4682	SEAT, FABRIC, HIGH BACK	INCL
379-4714	LINES, STICK	NC



Brooksville 352-796-4978	Daytona Beach 386-947-3363	Gainesville 352-371-9983	St. Augustine 904-737-7730	Lake City 386-755-3997
Lakeland 863-606-0512	Ocala 352-732-2800	Orlando 407-855-6195	Palm Bay 321-952-3001	Perry 850-584-2800
Pompano Beach 854-977-5010	Sarasota 941-753-7535	Tallahassee 850-562-2121	Tampa 813-671-3700	Tarpon Springs 727-938-1515

377-9711	INSTRUCTIONS, ANSI	NC
0P-3380	INSTRUCTIONS, ENGLISH	NC
437-5717	H55E HAMMER, PIN-ON	\$9,333
423-8310	TOOL, IN LINE CHISEL	\$236
249-1145	BRACKET, MOUNTING	\$343
270-8681	LINES, CONNECTING	\$457
303-1324	BUCKET, 12" HD	\$908
303-1328	BUCKET, 24" HD	<u>\$1,139</u>
	SUB TOTAL	\$21,096
	LESS 23.5% SHERIFF'S CONTRACT DISCOUNT	<u>(\$4,958)</u>
TOTAL OF NON-SPECIFIED OPTIONS		\$16,138

TOTAL TRANSACTION PRICE	\$53,424
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Best regards,

Mike Jones
Sales Representative
Ring Power Corporation

FOLK TRACTOR COMPANY

3450 HAVENDALE BLVD

WINTER HAVEN, FL 33881

PHONE:863-967-0651 FAX:863-967-0705

PAGE 1

SOLD TO: CITY OF LAKE ALFRED
155 EAST POMELO STREET
LAKE ALFRED FL 33850

INVOICE NO.: QU15875

P.O. NO.: U35-4
START DATE:11/10/14
ENDING DATE: 0/00/00
ACCT NO.: CITY15
SALESMAN: TW

WORK PHONE: 863-291-5270
HOME PHONE: 863-412-8572
TAX EXEMPT NO.:04001811963
PRELIMINARY QUOTATION-DATE 11/10/14 @ 12:11PM

QUANTITY	PART NUMBERS/DESCRIPTION/BIN LOCATION	PRICE	AMOUNT
	FULL COVERAGE WARRANTY FOR 24 MONTHS OR 2000 HOURS: TRACK WARRANTY: 12 MONTHS OR 1000 HOURS: WE HAVE A FULL SERVICE DEPARTMENT AND STOCK ALL FILTERS AND FLUIDS FOR MAINTENANCE. ATTN: JOHN DEATON 863-291-5270		
	KUBOTA U35-4R1 EXCAVATOR		36571.01
	BUCKET COUPLER K7870		706.00
	12" BUCKET K7872		752.00
	24" BUCKET K7875		990.00
	HYDRAULIC THUMB KIT K7910		1996.00
	BACK UP ALARM KIT K9784		219.00
	NO RETURNS ON SPECIAL ORDER, ELECTRICAL, OR FUEL PARTS. 25% RESTOCKING FEE ON RETURNS AFTER 10 DAYS		

TERMS:NET CASH-PAYABLE 10TH OF MONTH FOLLOWING DATE OF PURCHASE.
ALL UNPAID ACCOUNTS WILL BE HANDLED ON COD BASIS AFTER 15TH OF MONTH.
A SERVICE CHARGE OF 1 1/2% PER MONTH WILL BE CHARGED ON ALL ACCOUNTS 30 DAYS PAST DUE.

SUBTOTAL	41234.01
TAX	GV
TOTAL AMOUNT-->	41234.01

SIGNATURE _____

* - Designates Tax Applied To This Item

INVOICE NO.:QU15875



POLK TRACTOR COMPANY

3450 HAVENDALE BLVD

WINTER HAVEN, FL 33881

PHONE:863-967-0651 FAX:863-967-0705

PAGE 1

SOLD TO: CITY OF LAKE ALFRED
155 EAST POMELO STREET
LAKE ALFRED FL 33850

INVOICE NO.: QU15879

WORK PHONE: 863-291-5270
HOME PHONE: 863-412-8572
TAX EXEMPT NO.:04001811963
PRELIMINARY QUOTATION-DATE 11/12/14 @ 9:39AM

P.O. NO.: BREAKER
START DATE:11/12/14
ENDING DATE: 0/00/00
ACCT NO.: CITY15
SALESMAN: TW

QUANTITY	PART NUMBERS/DESCRIPTION/BIN LOCATION	PRICE	AMOUNT
	WARRANTY: 12 MONTHS: PRICING IS BASED ON BUYING THE EXCAVATOR AS A PACKAGE: =====		
	KXB460Q KUBOTA BREAKER:		6941.00
	K7774 HOSE KIT:		505.00
	K7758 MOUNT KIT:		590.00
	NO RETURNS ON SPECIAL ORDER, ELECTRICAL, OR FUEL PARTS. 25% RESTOCKING FEE ON RETURNS AFTER 10 DAYS		

TERMS:NET CASH-PAYABLE 10TH OF MONTH FOLLOWING DATE OF PURCHASE. ALL UNPAID ACCOUNTS WILL BE HANDLED ON COD BASIS AFTER 15TH OF MONTH. A SERVICE CHARGE OF 1 1/2% PER MONTH WILL BE CHARGED ON ALL ACCOUNTS 30 DAYS PAST DUE.	SUBTOTAL	8036.00
	TAX	GV
	TOTAL AMOUNT-->	8036.00

SIGNATURE _____

* - Designates Tax Applied To This Item

INVOICE NO.:QU15879





Vermeer®
SOUTHEAST

Vermeer Southeast Sales
4559 Old Winter Garden Drive
Orlando, FL 32811
Phone: (407) 446-9566

Serving the Southeast.....since 1967

E-Mail: scottgabor@vermeersoutheast.com

Business: City of Lake Alfred
Address: 120 E. Pomelo Street
City: Lake Alfred, Florida 33850

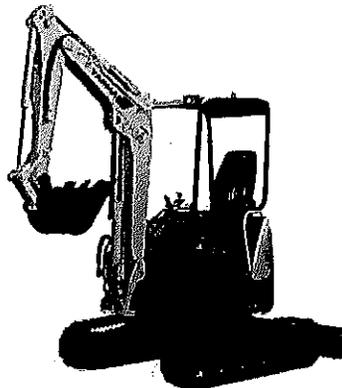
Customer Name: Mr. John Deaton

Date: 10-9-2014

Thank you for allowing us to quote you on Yanmar excavators. Your pricing and specs are as follows:

Yanmar ViO 35-6 Excavator

- Yanmar 24.4 HP diesel engine
- Rubber tracks
- Weight: 7,905 lbs
- **Zero-tail swing radius**
- VIPPS progressive pump system
- Backfill blade
- **Hydraulic quick coupler**
- 2-way pattern control change valve
- ROPS / FOPS canopy
- Cylinder covers on all cylinders
- Working lights
- Suspension seat
- Traveling alarm
- Boom swing function
- High / Low speed travel
- Auxiliary hydraulic circuit for future use of attachments
- 24" Bucket and 12" Bucket
- Two Year Factory Warranty Included, Third Year Available Free of Charge





Supporting Dealership Locations: Full Service Department and Available Parts Inventory

- Jacksonville
- Orlando
- Clearwater
- Ft. Myers
- Boynton Beach
- Others Include: Pensacola, Birmingham (AL), and Marietta (GA)

Delivery and Training Included

Total Investment Price.....\$35,958.00

CUSTOMER ACCEPTANCE: _____ DATE: _____

Thank you for this opportunity,

Scott Gabor
Underground Utility Sales Specialists
Vermeer Southeast Sales & Service, Inc



Vermeer®
SOUTHEAST

Vermeer Southeast Sales

4559 Old Winter Garden Drive
Orlando, FL 32811
Phone: (407) 446-9566

Serving the Southeast.....since 1967

E-Mail: scottgabor@vermeersoutheast.com

Business: City of Lake Alfred
Address: 120 E. Pomelo Street
City: Lake Alfred, Florida 33850

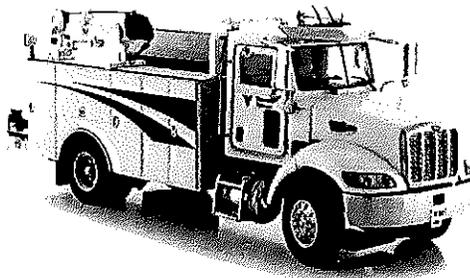
Customer Name: Mr. John Deaton

Date: 10-9-2014

Your pricing and specs are as follows:

Okada ORV400 Hydraulic Breaker

- 400 Lb. Class Hammer
- Moil Point Bit
- Mounting Bracket for Yanmar VIO35-6
- Hydraulic Hoses and Quick Couplers



Supporting Dealership Locations: Full Service Department and Available Parts Inventory

- Jacksonville
- Orlando
- Clearwater
- Ft. Myers
- Boynton Beach
- Others Include: Pensacola, Birmingham (AL), and Marietta (GA)

Total Investment Price.....	\$7,750.00
Misc Parts and Labor for Installation.....	\$1,900.00
Total.....	\$9,650.00

CUSTOMER ACCEPTANCE: _____ DATE: _____

Thank you for this opportunity,

Scott Gabor
Underground Utility Sales Specialists
Vermeer Southeast Sales & Service, Inc