

**DRAFT RESOLUTION NO. 02-15**

**A RESOLUTION OF THE CITY OF LAKE ALFRED, FLORIDA  
AUTHORIZING TO UTILIZE THE UNIFORM METHOD OF  
COLLECTING NON-AD VALOREM ASSESSMENTS;  
ADOPTING THE SPECIAL ASSESSMENT ROLL FOR  
ABATEMENT OF CODE VIOLATIONS FOR FISCAL YEAR  
2015-2016; AND PROVIDING FOR SEVERABILITY AND AN  
EFFECTIVE DATE.**

**WHEREAS**, the City of Lake Alfred, Florida (the "City") has undertaken to improve various properties throughout the City by adopting a unified set of building and property maintenance standards in order to protect and preserve the health, safety and general welfare of the City and its residents; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida (the "City Commission") finds that by implementing certain provisions of the International Property Maintenance Code ("IPMC") and abating and/or correcting any harmful or dangerous buildings, structures, and/or premises not in strict compliance therewith through the code enforcement process would best operate to serve and protect the health, safety and general welfare of the City and its resident; and

**WHEREAS**, the City Commission, on July 28, 2014, adopted Ordinance 1333-14, (the "Ordinance"), authorizing the City, through its code enforcement process, to abate certain nuisances and/or correct certain violations of the IPMC and other applicable City, County, State and Federal Code provisions; and

**WHEREAS**, the City, through the adoption of the Ordinance, finds that it was fair and equitable to assess against each property benefitted by such abatement and/or corrective actions a non-ad valorem special assessment in an amount equal to the actual costs incurred by the City in improving said property; and

**WHEREAS**, the Ordinance states that a resolution may be prepared for consideration by the City Commission identifying outstanding special assessments owed to the city for municipal abatement of nuisances and municipal correction of violations of the minimum property maintenance standards of the city, including municipal demolition of one (1) or more structures, and seeking authorization to collect such special assessments as non-ad valorem property tax pursuant to Chapter 197, Florida Statutes; and

**WHEREAS**, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by authorizing the inclusion of said assessments on the tax bills issued for the collection of ad valorem taxes; and

**WHEREAS**, notice was given pursuant to Section 197.3632, Florida Statutes, that the City of Lake Alfred would collect the liens imposed for abatement of nuisances, such as removal of junk, debris, and overgrown lots, by means of the uniform method of collecting non-ad valorem assessments at a property advertised public hearing held on December 15, 2014; and

**WHEREAS**, the City Commission desires to utilize the uniform method of collecting non-ad valorem assessments to collect the non-ad valorem assessments specified herein; and

**WHEREAS**, in accordance with the requirements of the Ordinance and Section 197.3632, Florida Statutes, the City Commission held a duly advertised public hearing prior to the adoption of this Resolution and a copy of such notice was served upon the property owners by first class mail at the owner's last known address as same appears on the records of the property appraiser of the county; and

**WHEREAS**, the City Commission desires to adopt an Assessment Roll at this time for collection of the special assessments by the Tax Collector on the 2015 tax notices.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE ALFRED, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITAL INCORPORATED.**

The foregoing findings are incorporated herein by reference and made a part hereof and constitute the factual basis for the passage of this Resolution.

**SECTION 2. AUTHORIZATION.**

The City Commission hereby elects to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes for collecting the non-ad valorem assessments specified herein, which assessments have been levied against the properties described in the Assessment Roll in Exhibit "A" attached hereto and made a part hereof.

**SECTION 3. SPECIAL ASSESSMENT.**

The City Commission hereby adopts Exhibit "A" as the City of Lake Alfred Assessment Roll for special assessments imposed against properties for the cost of the City to abate code violations of junk, debris and clearing of overgrown lots.

**SECTION 3. SEVERABILITY.**

The provisions of this Resolution are severable. If any word, sentence, clause, phrase or provision of this Resolution for any reason is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

**SECTION 4. CONFLICTS.**

All Resolutions in conflict with this Resolution are repealed to the extent necessary to give this Resolution full force and effect.

**SECTION 5. EFFECTIVE DATE.**

This Resolution shall take effect immediately upon its passage.

**INTRODUCED AND PASSED** by the City Commission of the City of Lake Alfred, in regular session, this 1st day of June, 2015.

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

\_\_\_\_\_  
Charles O. Lake, Mayor

**ATTEST:**

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Ameé Bailey-Speck, City Clerk

**Approved as to form:**

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Frederick J. Murphy, Jr., City Attorney

**Exhibit "A"**

**2015 ASSESSMENT ROLL**

**CODE ENFORCEMENT LIENS FOR ABATEMENT OF NUISANCES, JUNK, DEBRIS  
AND OVERGROWN LOTS**

<u>Location #</u>	<u>Property Owner</u>	<u>Address</u>	<u>Parcel ID</u>	<u>Legal Description</u>	<u>Abatement</u>	<u>Total</u>
1	James Travis	300 S Lake Shore Way	262732-512000-000072	RESUB OF BLK 52 OF LAKE ALFRED PB 10 PG 35 THE N 85 FT OF LOTS 7 & 8	Mowing and debris removal	\$ 1,404.82
2	Tax Ease Florida REO LLC	0 E Tangerine Ave	262728-493500-007170	HIGHLAND SUB PB 4 PG 2 BLK G LOTS 17 & 18	Mowing and debris removal	\$ 683.60
3	Nena Mae Burton Estate	695 E Orange Ave	262728-493500-001010	HIGHLAND SUB PB 4 PG 2 BLK A LOTS 1, 2 & 3	Mowing, debris removal and securing unsafe structure	\$ 1,902.71
4	James Lewis	780 Martin Luther King	262728-493500-002012	HIGHLAND SUB PB 4 PG 2 BLK B LOTS 1 & 2 S 75 FT	Mowing and debris removal	\$ 1,546.34
5	Terry Franklin	625 Grapefruit Ave	262728-493500-004070	HIGHLAND SUB PB 4 PG 2 BLK D LOT 7	Mowing and debris removal	\$ 814.71
6	Florine Lollar Estate	865 Lake Shore Way	262805-525000-002080	ROCHELLE TERRACE PB 8 PG 44 BLK 2 LOT 8 LESS ST RD 600	Mowing and debris removal	\$ 216.31
7	Hop Trust 2013-1	250 S Nekoma Ave	262732-513200-000060	REPLAT OF BLK 40 LAKE ALFRED PB 34 PG 31 LOTS 6 & 7	Mowing and debris removal	\$ 349.74