

ORDINANCE NO. 2016-37

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING ORDINANCE NO. 2000-21, AS AMENDED BY ORDINANCE NOS. 2007-020 AND 2010-026, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, BY PROVIDING FOR A PROCEDURE TO RECLASSIFY, CORRECT, OR REVISE THE FIRE PROTECTION SERVICES ASSESSMENT FOR TAX PARCELS AND PROVIDING FOR THE APPLICATION OF MULTIPLE PROPERTY USE CATEGORIES FOR TAX PARCELS WITH MIXED USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2000-21, as amended by Ordinance No. 2007-020 and Ordinance 2010-026, relating to the provision of fire protection services, does not provide for a procedure to reclassify, correct, or revise the Fire Protection Services Assessment for Tax Parcels; and

WHEREAS, Ordinance No. 2000-21, as amended by Ordinance No. 2007-020 and Ordinance 2010-026, relating to the provision of fire protection services, does not provide for the application of multiple property use categories for tax parcels with mixed uses; and

WHEREAS, the City Commission desires to add a procedure to reclassify, correct, or revise the Fire Protection Services Assessment for Tax Parcels; and

WHEREAS, the City Commission desires to provide for the application of multiple property use categories for Tax Parcels with mixed uses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the assessment for fire protection services as established by Ordinance No. 2000-21, and as amended by Ordinance No. 2007-020 and Ordinance No. 2010-026, is hereby amended as follows:

Section 14: Procedure to Reclassify, Correct, or Revise the Fire Protection Services Assessment for Tax Parcels.

The City Manager shall have the authority, at any time, upon his or her own initiative or in response to a petition from the owner of any Tax Parcel subject to a Fire Protection Services Assessment, to reclassify Tax Parcels or correct or revise the amount of the assessment and/or the number of assessment units attributed to Tax Parcels, based upon presentation of competent and substantial evidence (which may include Property Appraiser data, site inspection, aerial photographs, etc.), and correct any error in applying the apportionment method approved herein to any particular Tax Parcel not otherwise requiring the provision of notice pursuant to the Uniform Assessment Collection Act due to (i) imposing a Fire Protection Services Assessment against a Tax Parcel not previously subject thereto, or (ii) increasing a Fire Protection Services Assessment imposed against a Tax Parcel above the amount specified in the mailed notice provided in accordance with Section 12 hereof. Any such correction shall be considered valid ab initio and shall in no way affect the enforcement of the Fire Protection Services Assessment imposed hereunder. All requests from affected property owners for any such changes, modifications, or corrections shall be referred to, and approved by, the City Manager and not the Property Appraiser or Tax Collector.

Section 15: Application of Multiple Property Use Categories for Tax Parcels with Mixed Uses.

The Fire Protection Services Assessment for Tax Parcels classified in two (2) or more property use categories shall be calculated as the sum of the Fire Rescue Assessments computed for each applicable property use identified.

Section 2: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflicts.

Section 3: Severability. That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be valid, such decision shall not affect the validity of the remainder hereof as a whole of part hereof other than the part declared invalid.

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Section4: Effective Date. That this Ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 11th DAY OF AUGUST, 2016.

PASSED SECOND READING THIS 8th DAY OF SEPTEMBER, 2016.

Attest:

Mikkie Belvedere, Mayor

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>

Coding

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