

Date \_\_\_\_\_

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	20 <u>12</u>	20 <u>13</u>	20 <u>14</u>	20 <u>15</u>	20 <u>16</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<del>_____</del>	=====	=====	=====	=====
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Reporting Category \_\_\_\_\_

B. Recommended Sources of Funds/Summary of Fiscal Impact: There will be a fiscal impact associated with adoption of this Resolution. Any funds recouped with this process will be administered back into program to cover expended amount. However, at this time the dollar amount of impact cannot be determined.

C. Departmental Fiscal Review: Pat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

WS 10/17/11  
OFMB 10/18/11  
10/17/11

Dr. J. Jacobson 10/24/11  
Contract Dev. and Control  
10-24-11 (B/Wheeler)

B. Legal Sufficiency:

10/27/11  
Assistant County Attorney

C. Other Department Review:

\_\_\_\_\_  
Department Director

## **RESOLUTION NO.**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS WHICH MAY BE LEVIED WITHIN THE UNINCORPORATED AREA OF PALM BEACH COUNTY FOR THE COST OF PROVIDING LOT CLEARING AND ABATING NUISANCES IN ACCORDANCE WITH THE PALM BEACH COUNTY PROPERTY MAINTENANCE CODE; BOARDING AND DEMOLITION OF UNSAFE STRUCTURES; SECURING OPEN AND UNSAFE SWIMMING POOLS; AND OTHER PROPERTY MAINTENANCE TO ELIMINATE NUISANCES ON PRIVATE REAL PROPERTY, COMMENCING WITH THE CALENDAR YEAR BEGINNING JANUARY 1, 2012.**

**WHEREAS**, pursuant to Article VIII, Section 2(b), Florida Constitution and Section 125.01, Florida Statutes, the Board of County Commissioners of Palm Beach County has the authority to impose non-ad valorem assessments on properties which receive a special benefit from the provision of services and expenditure of money by the County; and

**WHEREAS**, Palm Beach County is considering the levy of non-ad valorem assessments for the cost of providing lot clearing and abating nuisances in accordance with the Palm Beach County Property Maintenance Code; boarding and demolition of unsafe structures; and securing open and unsafe swimming pools to eliminate unsafe or nuisance conditions on private real property; and

**WHEREAS**, in order to collect the costs and expenses not paid timely by property owners, the Palm Beach County finds that it is fair, equitable and necessary to levy a non-ad valorem assessment against the benefitted property to reimburse the County for costs and expenses incurred when the County cleans-up, improves or eliminates an unsafe condition on a lot, parcel, or tract; and

**WHEREAS**, the Board of County Commissioners has determined that it is in the best interest of the public to use the uniform method of collecting non-ad valorem assessments as provided in Section 197.3632, Florida Statutes; and

**WHEREAS**, the Board of County Commissioners intends to use the uniform method of collecting non-ad valorem assessments pursuant to Section 197.3632, Florida Statutes, commencing with the calendar year beginning January 1, 2012; and

**WHEREAS**, the Board of County Commissioners held a duly advertised public hearing prior to the adoption of this Resolution, as required by Section 197.3632, Florida Statutes, proof of publication of such hearing being attached hereto as Exhibit A;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Section 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**Section 2.** The Board of County Commissioners of Palm Beach County, Florida intends to use the uniform method of collecting non-ad valorem assessments pursuant to Section 197.3632, Florida Statutes, commencing with the calendar year beginning January 1, 2012, for any non-ad valorem assessment levied to recover the costs incurred by the County for the abatement of nuisance conditions at certain properties, including, but not limited to, the cost of lot clearing and abating of nuisances as provided in Chapter 14, ARTICLE I (Property Maintenance Code), Division 6 of the Palm Beach County Code, as amended from time to time; boarding and demolition of unsafe structures; and securing open and unsafe swimming pools.

**Section 3.** The Board of County Commissioners of Palm Beach County hereby determines that the levy of a non-ad valorem assessment is needed to recover the costs incurred by the County in the abatement of nuisance conditions and securing or eliminating unsafe conditions on private real property as set forth in Section 2 above.

**Section 4.** All real property located within the unincorporated boundaries of Palm Beach County, Florida, as described in the attached Exhibit B and incorporated herein by reference, may be subject to the non-ad valorem assessment.

**Section 5.** Upon adoption, the Clerk and Comptroller for Palm Beach County is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Palm Beach County Tax Collector and the Palm Beach County Property Appraiser by January 10, 2012.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, being put to a vote, the vote was as follows:

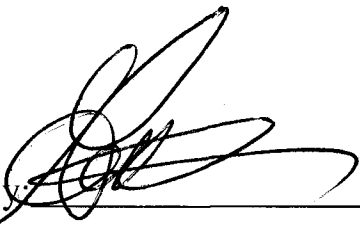
Commissioner Karen T. Marcus  
Commissioner Paulette Burdick  
Commissioner Shelley Vana  
Commissioner Steven L. Abrams  
Commissioner Jess Santamaria  
Commissioner Burt Aaronson  
Commissioner Priscilla A. Taylor

The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY  
ITS BOARD OF COUNTY  
COMMISSIONERS

Sharon Bock, Clerk & Comptroller

By:  \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk

**EXHIBIT A**

**PROOF OF PUBLICATION**

**[INSERT PROOF OF PUBLICATION]**

## **EXHIBIT B**

The boundary lines of Palm Beach County are as follows: Beginning on the east boundary of Florida at a point where the south boundary of township forty-seven south, of range forty-three east, produced easterly would intersect the same; thence westerly on said township line to its intersection with the axis or center line of the Hillsborough State Drainage Canal as at present located and constructed; thence westerly along the center line of said canal to its intersection with the range line dividing ranges forty and forty-one east; thence south on the range line dividing ranges forty and forty-one, township forty-seven south, to the northeast corner of section twenty-five of township forty-seven south, range forty east; thence due west on the north boundary of the sections numbered from twenty-five to thirty, inclusive, of townships forty-seven south, ranges thirty-seven to forty east, inclusive, as the same have been surveyed or may hereafter be surveyed by the authority of the Board of Trustees of the Internal Improvement Trust Fund, to the northwest corner of section thirty, township forty-seven south, range thirty-seven east; thence continuing due west to the range line between ranges thirty-four and thirty-five east, and the east boundary of Hendry County; thence north on said range line, concurrent with the east boundary of Hendry County, to the south shore of Lake Okeechobee; thence continuing north on said range line to the northeast corner of section thirty-six, township forty south, range thirty-four east; thence easterly parallel to and one mile north from the township line dividing townships forty and forty-one south to where the south boundary of section twenty-six, township forty south, range thirty-seven east intersects the normal water level on the boundary of Lake Okeechobee; thence east on the south boundary line of said section twenty-six and other sections across ranges thirty-seven, thirty-eight and thirty-nine, forty, forty-one and forty-two east, to the east line of section twenty-eight, township forty south, range forty-two east; thence north on said east section line to the north line of said section twenty-eight; thence east on the section line between sections twenty-two and twenty-seven of township forty south, range forty-two east, and other sections to the waters of the Atlantic Ocean; thence easterly to the eastern boundary of Florida; thence southward along the coast, including the waters of the Atlantic Ocean within the jurisdiction of the State of Florida, to the place of beginning.

Less and excepting therefrom, all incorporated areas.