

4-A

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: January 24, 2012

{ } Consent { } Regular
{ } Workshop {X} Public Hearing

Department:

Submitted By: Engineering & Public Works
Submitted For: Engineering Services Division

EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners (Board) of Palm Beach County, Florida, amending Palm Beach County Code Chapter 26, Article II Division 1, known as the Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance (Ordinance 2008-063); amending Section 26-23, Improvements; amending Section 26-24, Special Assessments; amending Section 26-29, Percentage of Costs, Further Procedures; amending Section 26-30.3, Public Hearing; amending Section 26-30.10, Payments; amending Section 26-30.15, Savings Clause; providing for Repeal of Laws in Conflict; providing for Severability; providing for inclusion in the Code of Laws and Ordinances; providing for Captions; providing for Effective Date.

SUMMARY: The proposed Ordinance will amend Chapter 26, Article II, Division 1, known as the MSTU Ordinance 2008-063 to allow for assessments and collections at a percentage rate less than 100% when directed by the Board of County Commissioners, but the rate can be no less than 50%. There remain a few MSTU projects that were petitioned at the previous 50% rate that cannot be approved at a rate less than 100% without this amendment. The proposed Ordinance also amends the section on street lighting improvements regarding costs being capable of being calculated for special assessment purposes and amends the timeframe between bid opening and public hearing to be as soon as practicable.

Countywide (MRE)

Background and Policy Issues: On December 19, 2006, the Board directed staff to repetition MSTU projects to determine if the property owners were still willing to pay their portion of the project due to higher project costs. On July 22, 2008 the Board deleted several projects from the MSTU Program based on the results of the repetition and the MSTU Program was directed to complete existing projects and not accept any new projects. By Ordinance, at the time, the proposed assessments for projects were still 50% for paving and drainage improvements. The Ordinance was later changed, on December 16, 2008, to require a 100% assessment from the property owners. In fairness to those projects petitioned at a 50% rate, it is requested that this amendment be heard and approved.

Attachments:

1. Ordinance – Underline/Strikethrough Copy
2. Proposed Ordinance

Recommended by: _____
Division Director Date

Approved By: A. T. Webb 1/9/12
County Engineer Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	* \$ -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No

Budget Acct No.: Fund__ Dept.__ Unit__ Object
Program

Recommended Sources of Funds/Summary of Fiscal Impact:

* The fiscal impact of this item is indeterminable at this time.

C. Departmental Fiscal Review: .

Alicia Koralainen

III. REVIEW COMMENTS

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

[Signature] 1/10/2012
OFMB
SA 1/9/12 1/9/12 =
ce 1/12/12

[Signature] 1/12/12
Contract Dev. and Control
1-12-12 A. Wheeler

B. Approved as to Form and Legal Sufficiency:

[Signature] 1/17/12
(Assistant County Attorney)

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

ORDINANCE NO. 20____ - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE CHAPTER 26, ARTICLE II, DIVISION 1, KNOWN AS THE MUNICIPAL SERVICE TAXING UNIT (MSTU) SPECIAL ASSESSMENT ORDINANCE (ORDINANCE 2008-063); AMENDING SECTION 26-23, IMPROVEMENTS; AMENDING SECTION 26-24, SPECIAL ASSESSMENTS; AMENDING SECTION 26-29, PERCENTAGE OF COSTS, FURTHER PROCEDURES; AMENDING SECTION 26-30.3, PUBLIC HEARING; AMENDING SECTION 26-30.10, PAYMENTS; AMENDING SECTION 26-30.15, SAVINGS CLAUSE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida enacted Palm Beach County Code Chapter 26, Article II, Division 1, Ordinance No. 2008-063 referred to as the Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance which enhanced the efficiency of the County's funding and construction of street improvements and related projects through special assessments; and

WHEREAS, there is a recognized need to make revisions to the MSTU Special Assessment Ordinance in order to better facilitate and enhance the application of the County's MSTU special assessment process; and

WHEREAS, the Board of County Commissioners desires to amend the MSTU Special Assessment Ordinance as set forth herein.

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

The following Sections of the MSTU Ordinance as codified in the Palm Beach County Code Chapter 26, Article II, Division 1, are hereby amended as follows:

Section 1.

Section 26-23. IMPROVEMENTS:

(a) Road improvements as provided in this division include but are not limited to such improvements as pavement, grassing, landscaping, storm drainage facilities, traffic-control devices, driveways, earthwork, and all engineering and administrative expenses in connection with the project. The term "landscaping"

1 includes the installation and maintenance thereof pursuant to the county's
2 landscaping ordinance (appendix F, §500.35).

3 (b) Street lighting improvements as provided in this division include, but are not
4 limited to, such improvements as poles, wires, lines, cables, lamps, meter boxes;
5 all other components of a street lighting system; and all engineering and
6 administrative expenses in connection with the design, implementation,
7 construction, as well as maintenance expenses thereof, including electric utility
8 company charges for the supply of electric power to the improvements if capable
9 of being calculated for special assessment purposes.

10 (c) The board may, by resolution, establish guidelines applicable to the board's
11 determination of whether to proceed with any project for which a petition is
12 submitted.

13 (d) In neighborhoods of special environmental concern subject to problems that
14 are capable of remediation by providing facilities for water and/or sewer service or
15 drainage, the board may provide any or all such improvements under the terms of
16 this division. In such circumstances, the provision of such services and
17 improvements shall be subject to all pertinent provisions of this division and shall
18 be treated in the same manner as road improvements, street lighting and
19 landscaping improvements for special assessment percentage purposes and other
20 purposes. The term "drainage" as used herein includes clearing and dredging of
21 canals and other drainage facilities not under the jurisdiction of other
22 governmental entities.

23 (e) In areas of special concern along thoroughfares, the board may provide for
24 walls under the terms of this division. Improvements of this type include but are
25 not limited to all components of walls, and all administrative and engineering
26 expenses in connection with design, implementation and construction, as well as
27 advising property owners and/or property owners associations of all requirements,
28 including but not limited to acquisition of easements by property owners
29 associations and maintenance responsibilities.

1 **Section 2.**

2 **Section 26-24. SPECIAL ASSESSMENTS:**

3 The Board may provide for payment of the costs of any improvement under
4 Section 26-23(a), (b), (c) (d) or (e) or (f) of this division by levying and collecting special
5 assessments on the abutting, adjoining, contiguous, or other property specially benefited
6 by the improvements provided herein. The percentage of the cost of improvements
7 under Section 26-23 of this division to be paid by special assessment shall be 400
8 percent of the total cost of the improvements as follows: 1) 100 percent for non-road
9 projects, 2) 100 percent for road projects involving roads not currently maintained by
10 Palm Beach County, 3) no less than 50 percent for road projects involving roads currently
11 maintained by Palm Beach County, except as provided in Section 26-30.13 of this
12 division. For road projects, where one side of the road is adjacent to a canal; where
13 county owned property exists; or where there are property(s) whose access to the road
14 has been legally restricted, the County may be treated as an assessed property owner
15 and may pay its proportionate share of the assessed amount.

16 **Section 3.**

17 **Section 26-29. PERCENTAGE OF COSTS, FURTHER PROCEDURES:**

18 Upon completion of the preliminary cost estimate and compliance with the
19 requirements of Section 26-28 of this division, the improvements shall be brought to the
20 BOARD for a public hearing. No action is required by the BOARD prior to the public
21 hearing if the method of assessment is proposed to be the abutting footage method. The
22 proposed percentage of costs for a road improvement, street lighting improvements,
23 barrier walls, water and/or sewer is ~~one hundred (100) percent~~ as provided in Section 26-
24 24. If the proposed method of assessment is other than abutting footage, then prior to
25 the public hearing the BOARD shall determine the method of assessment to be utilized
26 for the improvement to be repaid to the trust fund by the property owners through special
27 assessments upon the specially benefitted property. However, the BOARD at any time,
28 in its sole discretion, may reject the petition or project for any further consideration.

1 **Section 4.**

2 **Section 26-30.3. PUBLIC HEARING:**

3 Prior to awarding the contract for construction of the improvements for which
4 special assessments will be made, the Board shall hold a public hearing on the proposed
5 project unless the Board rejects the project from further consideration. Property owners
6 to be assessed shall be notified by regular mail of the time and place of the public
7 hearing. The mailed notice shall advise each property owner of their individual proposed
8 special assessment, per parcel, based on the lowest acceptable bid, including other
9 allowable costs and the percentage and method of assessment determined in
10 accordance with the above provisions of this division.

11 The public hearing shall be held ~~not later than twelve (12) weeks~~ as soon as
12 practicable after the date the construction bids are received and no sooner than ten (10)
13 days after the mailing of the notices described in this section. Addresses for the mailed
14 notices shall be obtained from the records of the property appraiser or other reliable
15 sources.

16 In addition, a notice shall be published once each week for two (2) consecutive
17 weeks in a newspaper of general circulation in the locality. If there is no newspaper of
18 general circulation in the locality, the notice shall be published in a newspaper of general
19 circulation in the county. The most recent of such publication shall be no less than one
20 (1) week before the public hearing, the Board shall do so by resolution as provided in
21 Section 26-30.4 of this division.

22 At least ten (10) days before the public hearing, each property owner shall be
23 given notice of the public hearing by regular mail. The mailed and published notices
24 shall describe the streets or areas to be improved and advise all interested persons that
25 each property and amount to be assessed may be obtained at the office of the county
26 engineer ~~clerk of the board~~. At this public hearing, the owners of property to be specially
27 assessed or any other interested persons may appear before the Board and be heard as
28 to the propriety and advisability of making such improvements, costs, manner of payment,
29 and amount to be specially assessed against each property to be improved.

30 At the public hearing, an assessment roll prepared in accordance with the method
31 and percentage of assessment provided by this division shall be presented to the Board.

1 The assessment roll shall show the lots and lands assessed, and the amount of benefit to
2 and assessment against each lot or parcel of land. If the special assessment is to be
3 paid in installments, the number of annual installments into which the special assessment
4 is divided shall also be entered and shown upon the assessment roll.

5 At the time and place named in the notice of publication, the Board shall meet as
6 an equalizing Board to hear and consider all complaints as to such special assessments
7 and shall adjust, equalize, and approve by resolution as required in Section 26-30.4 of
8 this division. Such assessment shall stand affirmed and remain legal, valid and binding
9 as a first lien upon the property against which such assessment is made until paid.
10 Promptly after such confirmation of assessment, the assessment roll shall be recorded by
11 ~~the clerk of board in a special book known as the "Improvement Lien Book" and the~~
12 ~~record of the lien in this book shall constitute prima facie evidence of its validity. A copy~~
13 ~~of the resolution above shall also be recorded in the official records of the clerk of the~~
14 ~~circuit court~~ Clerk & Comptroller of the county to facilitate knowledge of the lien by third
15 parties.

16 Upon completion of the improvements, the board may credit to each assessment
17 the difference in the original assessment made, approved and confirmed, and the
18 proportionate part of the actual costs of the improvement to be paid by special
19 assessment determined upon completion of the improvements. This information shall be
20 set forth in an "amending resolution" which shall be adopted by the Board and also
21 recorded in the public records as referenced above. In no event shall the final
22 assessments exceed the amount of benefits originally assessed by the Board.

23 **Section 5.**

24 **Section 26-30.10. PAYMENTS:**

25 Billing, receiving and accounting for the payment of assessments shall be the
26 responsibility of the ~~clerk of the circuit court~~ Clerk & Comptroller. A record of payments
27 and balances shall be kept for each property assessed. All payments received shall be
28 deposited into the applicable trust fund or deposited as otherwise provided in this
29 division. A tabulation of accounts shall be provided by the ~~clerk of the circuit court~~ Clerk
30 & Comptroller.

1 **Section 6.**

2 **Section 26-30.15. SAVINGS CLAUSE:**

3 Notwithstanding the provisions of this division herein repealing Ordinance No. 91-
4 41 and Ordinance No. 93-26, this division shall not affect or impair the processing and
5 implementation of any improvement project commenced under the provisions of
6 Ordinance No. 82-17, 84-5, 86-16, 87-10, 91-41, or 93-26, 94-11 and 2008-063. All
7 projects initiated under the divisions referenced above shall be deemed valid and in full
8 force and effect. Further, any money available for use in the units created and funded
9 under the above-referenced divisions shall be available for use in and transferred to the
10 corresponding units and trust funds created hereunder.

11 **Section 7. PROVIDING FOR REPEAL OF LAWS IN CONFLICT:**

12 All local laws and ordinances in conflict with any provisions of this Ordinance are
13 hereby repealed to the extent of such conflict.

14 **Section 8. SEVERABILITY:**

15 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is
16 for any reason held by a Court of competent jurisdiction to be unconstitutional,
17 inoperative, or void, such holding shall not affect the remainder of this Ordinance.

18 **Section 9. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

19 The provisions of this Ordinance shall become and be made a part of the Palm
20 Beach County Code. The sections of this Ordinance may be renumbered or relettered to
21 accomplish such, and the word ordinance may be changed to section, article, or other
22 appropriate word.

23 **Section 10. CAPTIONS:**

24 The captions, section headings, and section designations used in this Ordinance
25 are for convenience only and shall have no effect on the interpretation of the provisions
26 of this Ordinance.

27

28 (REMAINDER OF PAGE LEFT BLANK INTENTIONALLY)

29

1 **Section 11. EFFECTIVE DATE:**

2 The provisions of this Ordinance shall become effective upon filing with the
3 Department of State.

4 APPROVED and ADOPTED by the Board of County Commissioners of Palm
5 Beach County, Florida, on this the ____ day of _____, 20____.

6 **SHARON R. BOCK, CLERK**

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

7
8
9
10 **By:_____**
11 **Deputy Clerk**

By:_____
 Shelley Vana, Chair

12
13 **APPROVED AS TO FORM AND**
14 **LEGAL SUFFICIENCY**

15
16
17 **By:_____**
18 **Assistant County Attorney**

19
20 **EFFECTIVE DATE: Filed with the Department of State on the ____ day of**
21 **_____, 20____.**

22 **G:\WPDATA\ENG\MRE\Agenda\MSTU Ordinance 112011.doc**

ORDINANCE NO. 20_____-_____

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2 landscaping ordinance (appendix F, §500.35).

3 (b) Street lighting improvements as provided in this division include, but are not
4 limited to, such improvements as poles, wires, lines, cables, lamps, meter boxes;
5 all other components of a street lighting system; and all engineering and
6 administrative expenses in connection with the design, implementation,
7 construction, as well as maintenance expenses thereof, including electric utility
8 company charges for the supply of electric power to the improvements if capable
9 of being calculated for special assessment purposes.

10 (c) The board may, by resolution, establish guidelines applicable to the board's
11 determination of whether to proceed with any project for which a petition is
12 submitted.

13 (d) In neighborhoods of special environmental concern subject to problems that
14 are capable of remediation by providing facilities for water and/or sewer service or
15 drainage, the board may provide any or all such improvements under the terms of
16 this division. In such circumstances, the provision of such services and
17 improvements shall be subject to all pertinent provisions of this division and shall
18 be treated in the same manner as road improvements, street lighting and
19 landscaping improvements for special assessment percentage purposes and other
20 purposes. The term "drainage" as used herein includes clearing and dredging of
21 canals and other drainage facilities not under the jurisdiction of other
22 governmental entities.

23 (e) In areas of special concern along thoroughfares, the board may provide for
24 walls under the terms of this division. Improvements of this type include but are
25 not limited to all components of walls, and all administrative and engineering
26 expenses in connection with design, implementation and construction, as well as
27 advising property owners and/or property owners associations of all requirements,
28 including but not limited to acquisition of easements by property owners
29 associations and maintenance responsibilities.

1 **Section 2.**

2 **Section 26-24. SPECIAL ASSESSMENTS:**

3 The Board may provide for payment of the costs of any improvement under
4 Section 26-23(a), (b), (c) (d) or (e) of this division by levying and collecting special
5 assessments on the abutting, adjoining, contiguous, or other property specially benefited
6 by the improvements provided herein. The percentage of the cost of improvements
7 under Section 26-23 of this division to be paid by special assessment shall be as follows:

8 1) 100 percent for non-road projects, 2) 100 percent for road projects involving roads not
9 currently maintained by Palm Beach County, 3) no less than 50 percent for road projects
10 involving roads currently maintained by Palm Beach County, except as provided in
11 Section 26-30.13 of this division. For road projects, where one side of the road is
12 adjacent to a canal; where county owned property exists; or where there are property(s)
13 whose access to the road has been legally restricted, the County may be treated as an
14 assessed property owner and may pay its proportionate share of the assessed amount.

15 **Section 3.**

16 **Section 26-29. PERCENTAGE OF COSTS, FURTHER PROCEDURES:**

17 Upon completion of the preliminary cost estimate and compliance with the
18 requirements of Section 26-28 of this division, the improvements shall be brought to the
19 BOARD for a public hearing. No action is required by the BOARD prior to the public
20 hearing if the method of assessment is proposed to be the abutting footage method. The
21 proposed percentage of costs for a road improvement, street lighting improvements,
22 barrier walls, water and/or sewer is as provided in Section 26-24. If the proposed
23 method of assessment is other than abutting footage, then prior to the public hearing the
24 BOARD shall determine the method of assessment to be utilized for the improvement to
25 be repaid to the trust fund by the property owners through special assessments upon the
26 specially benefitted property. However, the BOARD at any time, in its sole discretion,
27 may reject the petition or project for any further consideration.

1 **Section 4.**

2 **Section 26-30.3. PUBLIC HEARING:**

3 Prior to awarding the contract for construction of the improvements for which
4 special assessments will be made, the Board shall hold a public hearing on the proposed
5 project unless the Board rejects the project from further consideration. Property owners
6 to be assessed shall be notified by regular mail of the time and place of the public
7 hearing. The mailed notice shall advise each property owner of their individual proposed
8 special assessment, per parcel, based on the lowest acceptable bid, including other
9 allowable costs and the percentage and method of assessment determined in
10 accordance with the above provisions of this division.

11 The public hearing shall be held as soon as practicable after the date the
12 construction bids are received and no sooner than ten (10) days after the mailing of the
13 notices described in this section. Addresses for the mailed notices shall be obtained
14 from the records of the property appraiser or other reliable sources.

15 In addition, a notice shall be published once each week for two (2) consecutive
16 weeks in a newspaper of general circulation in the locality. If there is no newspaper of
17 general circulation in the locality, the notice shall be published in a newspaper of general
18 circulation in the county. The most recent of such publication shall be no less than one
19 (1) week before the public hearing, the Board shall do so by resolution as provided in
20 Section 26-30.4 of this division.

21 At least ten (10) days before the public hearing, each property owner shall be
22 given notice of the public hearing by regular mail. The mailed and published notices
23 shall describe the streets or areas to be improved and advise all interested persons that
24 each property and amount to be assessed may be obtained at the office of the county
25 engineer. At this public hearing, the owners of property to be specially assessed or any
26 other interested persons may appear before the Board and be heard as to the propriety
27 and advisability of making such improvements, costs, manner of payment, and amount to
28 be specially assessed against each property to be improved.

29 At the public hearing, an assessment roll prepared in accordance with the method
30 and percentage of assessment provided by this division shall be presented to the Board.
31 The assessment roll shall show the lots and lands assessed, and the amount of benefit to

1 and assessment against each lot or parcel of land. If the special assessment is to be
2 paid in installments, the number of annual installments into which the special assessment
3 is divided shall also be entered and shown upon the assessment roll.

4 At the time and place named in the notice of publication, the Board shall meet as
5 an equalizing Board to hear and consider all complaints as to such special assessments
6 and shall adjust, equalize, and approve by resolution as required in Section 26-30.4 of
7 this division. Such assessment shall stand affirmed and remain legal, valid and binding
8 as a first lien upon the property against which such assessment is made until paid.
9 Promptly after such confirmation of assessment, the assessment roll shall be recorded by
10 in the official records of the Clerk & Comptroller of the county to facilitate knowledge of
11 the lien by third parties.

12 Upon completion of the improvements, the board may credit to each assessment
13 the difference in the original assessment made, approved and confirmed, and the
14 proportionate part of the actual costs of the improvement to be paid by special
15 assessment determined upon completion of the improvements. This information shall be
16 set forth in an "amending resolution" which shall be adopted by the Board and also
17 recorded in the public records as referenced above. In no event shall the final
18 assessments exceed the amount of benefits originally assessed by the Board.

19 **Section 5.**

20 **Section 26-30.10. PAYMENTS:**

21 Billing, receiving and accounting for the payment of assessments shall be the
22 responsibility of the Clerk & Comptroller. A record of payments and balances shall be
23 kept for each property assessed. All payments received shall be deposited into the
24 applicable trust fund or deposited as otherwise provided in this division. A tabulation of
25 accounts shall be provided by the Clerk & Comptroller.

26 **Section 6.**

27 **Section 26-30.15. SAVINGS CLAUSE:**

28 Notwithstanding the provisions of this division herein repealing Ordinance No. 91-
29 41 and Ordinance No. 93-26, this division shall not affect or impair the processing and
30 implementation of any improvement project commenced under the provisions of
31 Ordinance No. 82-17, 84-5, 86-16, 87-10, 91-41, 93-26, 94-11 and 2008-063. All projects

1 initiated under the divisions referenced above shall be deemed valid and in full force and
2 effect. Further, any money available for use in the units created and funded under the
3 above-referenced divisions shall be available for use in and transferred to the
4 corresponding units and trust funds created hereunder.

5 **Section 7. PROVIDING FOR REPEAL OF LAWS IN CONFLICT:**

6 All local laws and ordinances in conflict with any provisions of this Ordinance are
7 hereby repealed to the extent of such conflict.

8 **Section 8. SEVERABILITY:**

9 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is
10 for any reason held by a Court of competent jurisdiction to be unconstitutional,
11 inoperative, or void, such holding shall not affect the remainder of this Ordinance.

12 **Section 9. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

13 The provisions of this Ordinance shall become and be made a part of the Palm
14 Beach County Code. The sections of this Ordinance may be renumbered or relettered to
15 accomplish such, and the word ordinance may be changed to section, article, or other
16 appropriate word.

17 **Section 10. CAPTIONS:**

18 The captions, section headings, and section designations used in this Ordinance
19 are for convenience only and shall have no effect on the interpretation of the provisions
20 of this Ordinance.

21

22 (REMAINDER OF PAGE LEFT BLANK INTENTIONALLY)

23

Section 11. EFFECTIVE DATE:

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the ____ day of _____, 20____.

SHARON R. BOCK, CLERK	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
------------------------------	---

By: _____	By: _____
Deputy Clerk	Shelley Vana, Chair

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By:  _____
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 20____.