

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	March 14, 2023	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
Department:	Fire Rescue		

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to receive and file: a copy of municipal ordinance No. 12-22 of the Town of Jupiter ("Town"), extending the Town's participation in the Jupiter Municipal Services Taxing Unit ("MSTU") through December 31, 2027, subject to an annual renewal.

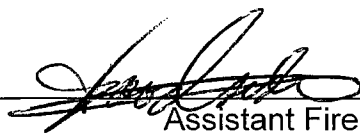
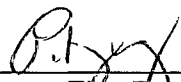
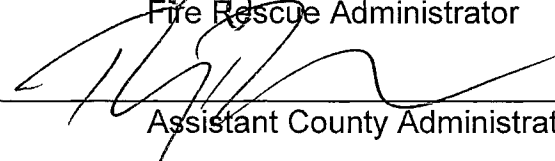
**SUMMARY:** the County has provided fire rescue services to the Town as part of the Jupiter MSTU since 1997. The Town has adopted Ordinance No. 12-22 to extend their participation through December 31, 2027 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2028. The Town Ordinance is now being submitted to the Board of County Commissioners to receive and file. Countywide (SB)

**Background and Justification:** in 1996, the Town adopted a municipal ordinance (No. 57-96) consenting to the inclusion of the Town into the Jupiter MSTU for fire/rescue services. On August 20, 2002, the Town adopted a municipal ordinance (No. 54-02) extending their participation in the Jupiter MSTU for an additional seven (7) years; in 2009 the Town adopted a municipal ordinance (No. 18-09) extending their participation in the Jupiter MSTU through December 31, 2012, and on September 18, 2013 the Town adopted a municipal ordinance (No. 42-13) extending their participation in the Jupiter MSTU through December 31, 2022.

**Attachment:**

Town of Jupiter Ordinance No. 12-22


---

Recommended by:		2-13-2023
	Assistant Fire Chief	Date
Approved by:		2-13-2023
	Fire Rescue Administrator	Date
Approved by:		2/23/2023
	Assistant County Administrator	Date





I HEREBY CERTIFY THE ABOVE AND FOREGOING  
IS A TRUE AND CORRECT COPY FROM THE  
RECORDS IN THE TOWN CLERK'S OFFICE,  
TOWN OF JUPITER, FLORIDA

  
LAURA E. CAHILL  
TOWN CLERK

ORDINANCE NO 12-22

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, CONSENTING TO THE INCLUSION OF THE LAND WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF JUPITER INTO A PALM BEACH COUNTY MUNICIPAL SERVICE TAXING UNIT FOR FIRE RESECUE, EMERGENCY MEDICAL AND OTHER RELATED SERVICES; PROVIDING FOR INTENT, PURPOSE AND EFFECT; PROVIDING FOR CONSENT; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH.

**WHEREAS**, pursuant to Section 125.01 (l)(q) and (r), Florida Statutes, the Florida Palm Beach County (the County) is authorized to establish Municipal Service Taxing Units (MSTU) for fire-rescue, emergency medical and other related services (the Services); and

**WHEREAS**, once established, the County may levy a tax upon the properties within the MSTU to cover its cost of providing the Services; and

**WHEREAS**, the County has created a MSTU for the land within the municipal boundaries of the Town of Jupiter (Town) for the provision of the Services (the Jupiter MSTU); and

**WHEREAS**, pursuant to section 125.01(l)(q), Florida Statutes, before the properties in a municipality can be subjected to taxation within the Jupiter MSTU, the Town Council must consent to the taxation of the properties within the Town's municipal boundaries by the enactment of an ordinance whereby the Services are provided for an agreed to term; and

**WHEREAS**, in Chapter 26, Article II, Division 3 of the Palm Beach County Code, the County created the Jupiter MSTU; and

**WHEREAS**, the Town Council previously enacted Ordinance 42-13 and consented to the inclusion of the properties within the Town's boundaries in the Jupiter MSTU through tax year 2022

to receive and fund the Services provided by the County in the Town through September 30, 2023; and

**WHEREAS**, the Town Council desires to continue its participation in the Jupiter MSTU through tax year 2027 subject to annual renewals in accordance with an Interlocal Agreement the Town and the County will enter into for the Services.

**NOW THEREFORE**, be it ordained by the Town Council of the Town of Jupiter, Florida:

**Section 1. Intent and Purpose**

It is the intent, of this ordinance to comply with the provisions of Section 125.01 (1) (q), Florida Statutes. The Town Council hereby consents to the inclusion of the land within its municipal boundaries, as they may be amended from time to time, into the Jupiter MSTU pursuant to the terms of the Interlocal Agreement to be entered into between the Town and County. The purpose of this ordinance is to subject the properties therein to taxation for the provision of Palm Beach County fire-rescue and emergency medical services within the territorial limits of the Town, and the enforcement of County ordinances pertaining to fire-rescue related services, including the Florida Fire Prevention Code and Palm Beach County Local Amendments thereto pursuant to the terms of the Interlocal Agreement the parties execute.

**Section 2. Consent.**

The MSTU has been established pursuant to enabling legislation adopted by the Board of County Commissioners of Palm Beach County. The Town consents to its continuing participation in the Jupiter MSTU, effective December 31, 2022 through December 31, 2027; provided, however, that the Town's consent and inclusion in the Jupiter MSTU shall be deemed to continue through 7:30 a.m. on October 1, 2028, to the extent necessary to enable the County to provide within the Town fire-rescue and related services funded by the final tax year and subject to an annual renewal each year during the term.

**Section 3. Repeal of Laws in Conflict**

All other ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed to the extent of the conflict. Notwithstanding anything herein to the contrary, Ordinance 42-13 shall not be deemed repealed by this ordinance, and shall be continued annually pursuant to the consent provided for herein.

**Section 4. Severability**

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

**Section 5. Effective Date**

The provisions of this Ordinance shall become effective December 31, 2022.

**Section 6. Repeal of Ordinance**

Should the Town elect to terminate its participation in the Jupiter MSTU, then it shall adopt a resolution of the Town Council stating its intention to repeal this ordinance and shall provide the resolution to the County by March 1 of any given year during the term and the consent provided for herein effective December 31<sup>st</sup> of the same year. The Town shall subsequently adopt an ordinance to repeal the Town's consent and participation in the Jupiter MSTU, and provide a copy of the ordinance to the County and Property Appraiser by December 31 of the same year.

Upon First Reading this 15<sup>th</sup> day of November, 2022, the foregoing Ordinance was offered by Councilor Malise Sundstrom, who moved its adoption. The motion was seconded by Vice-Mayor Ron Delaney, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JIM KURETSKI	X	_____
VICE-MAYOR RON DELANEY	X	_____
COUNCILOR CAMERON MAY	X	_____
COUNCILOR CHERYL SCHNEIDER	X	_____
COUNCILOR MALISE SUNDSTROM	X	_____

Upon Second Reading this 6<sup>th</sup> day of December, 2022, the foregoing Ordinance was offered by, Vice-Mayor Ron Delaney, who moved its adoption. The motion was seconded by Councilor Malise Sundstrom and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JIM KURETSKI	X	_____
VICE-MAYOR RON DELANEY	X	_____
COUNCILOR CAMERON MAY	X	_____
COUNCILOR CHERYL SCHNEIDER	X	_____
COUNCILOR MALISE SUNDSTROM	X	_____

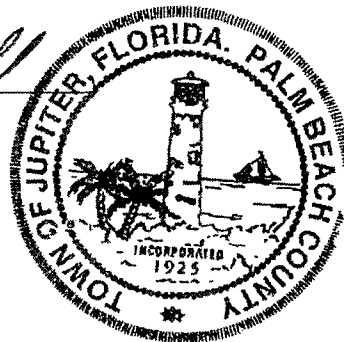
The Mayor thereupon executed Ordinance 12-22 on this 15 day of DEC, 2022.

TOWN OF JUPITER, FLORIDA

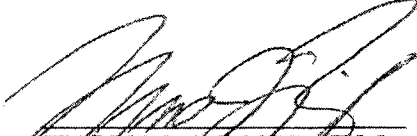
ATTEST:

  
 LAURA E. CAHILL  
 TOWN CLERK

(TOWN SEAL)



BY:   
 JIM KURETSKI  
 MAYOR

  
 THOMAS J. BAIRD, ESQ.  
 Approved as to form and legal sufficiency