

RESOLUTION #2016-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW PORT RICHEY, FLORIDA AUTHORIZING THE USE OF THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT FOR NON-AD VALOREM ANNUAL ASSESSMENTS FOR PAVING IMPROVEMENTS AS PROVIDED FOR UNDER CHAPTER 22 ARTICLE V OF THE CITY OF NEW PORT RICHEY CODE OF ORDINANCES AND PURSUANT TO THE CITY'S HOME RULE POWERS WITH THE SUPPLEMENTAL AUTHORITY OF SECTION 197.361 AND 197.362, FLORIDA STATUTES.

WHEREAS, under Chapter 22, Article V, Section 22-43(3) of the New Port Richey Code of Ordinances, provision is made for the imposition of assessments for funding capital improvements and essential services; and

WHEREAS, Section 197.3631, Florida Statutes provides for local governments to utilize the uniform method for the levy, collection, and enforcement of non-ad valorem assessments following the provisions of 197.3632, Florida Statutes and

WHEREAS, such non-ad valorem assessments are not based upon millage and can become a lien against the homestead as permitted in Section 4, Article X of the Florida Constitution; and

WHEREAS, the use of the uniform method of collection for levy, collection, and enforcement for non-ad valorem assessments provides for the same collection options and provisions as those that apply to ad valorem taxes, including provisions relating to discount for early payment, prepayment by installment methods, deferred payment, penalty for delinquent payment, and issuance of tax certificates and deeds for nonpayment; and

WHEREAS, as a condition precedent to the uniform method of levy, collection and enforcement for non-ad valorem assessments, the City Council is required to adopt a resolution at a Public Hearing clearly stating the Council's intent to use such uniform method of collection for assessment, and

WHEREAS, the City of New Port Richey has published notice of its intent to use the uniform method for collecting such assessments weekly for four consecutive weeks preceding the public hearing held on January 19, 2016, and.

WHEREAS, the New Port Richey City Council finds that the assessments are necessary to generate funding for the ongoing construction, reconstruction, maintenance, and administration of New Port Richey's local transportation system which includes local roads and residential streets and sidewalks through its paving assessment program, and

WHEREAS, the New Port Richey City Council further finds that it is necessary to administer an ongoing effort to maintain and improve the condition of the City network of local roads and residential streets and sidewalks to enhance the safety and welfare of the public utilizing such roads and streets and that the effort serves a public purpose, and

WHEREAS, the New Port Richey City Council finds that a dedicated source of funding is needed to enable the City to complete the paving projects budgeted in its five year capital improvement plan and to maintain a continuous repaving program the will preserve the existing infrastructure in a sustainable condition, and

WHEREAS, the New Port Richey City Council finds that the assessments will be applied to all improved and/or unimproved real property in the incorporated area of the City, except for those properties that are wetland, unbuildable or owned by the City, county, state or federal government because such properties assessed will receive a special benefit from the paving improvements as further provided under Chapter 22, article V of the City Code of Ordinances., and

NOW, THEREFORE, BE IT RESOLVED by the City Council of New Port Richey, Pasco County, Florida, in regular session duly assembled that: the City Council hereby states its intent to use the uniform method of levy, collection, and enforcement of annual paving assessments as authorized by Section 197.362, Florida Statutes.

BE IT FURTHER RESOLVED that all real property parcels within the incorporated area of the City of New Port Richey, Pasco County, Florida as shown on the map attached hereto as Exhibit "A" shall be subject to the assessment unless otherwise provided by law, ordinance or resolution of the City Council.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward aby U.S. Mail, a copy of this resolution to the Pasco County Property Appraiser and Tax Collector and the Florida Department of Revenue.

Done and Resolved in open and regular meeting on the ____ day of _____, 2016.

ATTEST:

Doreen Summers
City Clerk

(seal)

Rob Marlowe
Mayor

Approved As To Form:

Joseph Poblick
City Attorney