

ORDINANCE NO. 2018-03

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, REQUESTING AND CONSENTING TO THE INCLUSION OF ALL OF THE INCORPORATED AREA OF THE CITY OF EDGEWOOD WITHIN A MUNICIPAL SERVICE TAXING UNIT DESIGNATED BY ORANGE COUNTY TO PROVIDE FIRE PROTECTION AND EMERGENCY RESCUE SERVICES; PROVIDING FOR ANNUAL RENEWAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Orange County, Florida, is authorized pursuant to Section 125.01, Florida Statutes, and Section 33-188, Orange County Code, to create or identify a municipal service benefit unit within which Orange County imposes and collects assessments for fire protection and emergency rescue services within incorporated areas of Orange County; and

WHEREAS, Section 125.01, Florida Statutes, provides any municipality or portion thereof may be included in a municipal service taxing unit provided the municipality consents to same; and

WHEREAS, a municipality's consent to the inclusion of its territory within a municipal service taxing unit by the enactment of ordinance of the governing body of the municipality; and

WHEREAS, the City Council of the City of Edgewood has determined that the inclusion of the incorporated area of Edgewood within such municipal service benefit unit by Orange County within which Orange County imposes and collects assessments for the purpose of providing fire protection and emergency rescue services is in the best interest of the residents and property owners within the incorporated area of Edgewood.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA THAT:

(Note: strikethrough text indicates deletions, underline text indicates additions, ellipses (***) identify text that remains unchanged and that is not reprinted herein)

SECTION 1. The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the City Council as the legislative findings and intent pertaining to this Ordinance.

SECTION 2. Chapter 26 -- Fire Protection and Prevention. Section 26-2 Orange County Municipal Taxing Unit – Fire Protection and Emergency Rescue Services Facilities and Program is hereby created as follows:

Sec. 26-2. Orange County Municipal Service Taxing Unit – Fire Rescue Services Facilities and Programs.

- (1) The City Council requests and consents to the inclusion of all of the incorporated area of the City of Edgewood, as it may be amended from time to time, within an identified municipal taxing unit created or identified by Orange County for the sole and exclusive purpose of subjecting the properties therein to taxation for the provision of Orange County fire protection and emergency rescue services, facilities, and programs within the territorial jurisdiction within the City of Edgewood, including the enforcement of County ordinances pertaining to the fire-rescue related services, including the Fire Prevention Code and Orange County Local Amendments thereto. The City of Edgewood's participation in such municipal service taxing unit is contingent upon the County adopting an ordinance including the City of Edgewood in such municipal service taxing unit.
- (2) Request and consent of the City Council given to Orange County herein shall be deemed given in advance for each fiscal year hereafter and shall be automatically renewed for each succeeding fiscal year unless such request and consent is subsequently withdrawn as provided herein. Request and consent shall be irrevocable for any fiscal year in which the subject fire rescue service assessments are levied by Orange County within the incorporated area of Edgewood. Edgewood may only withdraw such consent for any subsequent fiscal year by adopting an ordinance abandoning its consent and providing a certified copy of such ordinance to the county prior to May 1 preceding the fiscal year for which consent is being withdrawn.

SECTION 3. CONFLICTS. 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.

SECTION 4. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

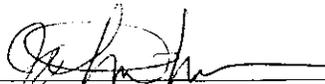
SECTION 5. CODIFICATION. It is the intent of the City Council of the City of Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED ON FIRST READING THIS 16TH DAY OF December, 2017.

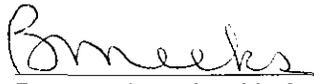
PASSED AND ADOPTED THIS 16th DAY OF January 2018.

CITY OF EDGEWOOD, FLORIDA
CITY COUNCIL



John Dowless, Council President

ATTEST:



Bea Meeks, City Clerk