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ORDINANCE 2020-03-601

AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA, REQUESTING AND CONSENTING TO THE INCLUSION OF ALL OF THE INCORPORATED AREA OF THE CITY OF MASCOTTE WITHIN THE ‘LAKE COUNTY MUNICIPAL SERVICE TAXING UNIT FOR FIRE PROTECTION’ IN ORDER FOR LAKE COUNTY TO PROVIDE FIRE RESCUE SERVICES AND IMPOSE A TAX FOR SAME; REQUESTING AND CONSENTING TO IMPOSITION AND COLLECTION OF FIRE RESCUE ASSESSMENTS FOR FIRE RESCUE SERVICES BY LAKE COUNTY WITHIN SAID AREA; PROVIDING FOR ANNUAL RENEWAL OF EACH SUCH REQUEST AND CONSENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of the County (the “County”) has enacted ordinances authorizing the County to create or identify a municipal service taxing unit within which the County imposes and collects ad valorem taxes for fire rescue services within incorporated and unincorporated areas of the County; and

WHEREAS, the County has accordingly established the ‘Lake County Municipal Service Taxing Unit for Fire Protection’; and

WHEREAS, the City Council of the City of Mascotte has determined that the inclusion of the incorporated area of Mascotte within such municipal service taxing unit by the County for the purpose of providing fire rescue services is in the best interest of the owners of property within the incorporated area of Mascotte; and

WHEREAS, the County adopted ordinances authorizing the County to impose and collect fire rescue assessments for fire rescue services within incorporated and unincorporated areas of the County; and

WHEREAS, the County has imposed a fire rescue assessment program within the geographic area of the County, coterminous with the boundaries of the Lake County Municipal Service Taxing Unit for Fire Protection; and

WHEREAS, the City Council of the City of Mascotte has determined that the County’s imposition and collection of fire rescue assessments pursuant to the procedures provided by Lake County Ordinance 1998-63, as amended, is in the best interest of the owners of property within the incorporated area of Mascotte and that the properties to be assessed will receive a special benefit from the County’s provision of fire rescue services, facilities, and programs.

47 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
48 OF MASCOTTE, FLORIDA THAT:
49

50 (Note: strikethrough text indicates deletions, underline text indicates additions, ellipses (***)
51 identify text that remains unchanged and that is not reprinted herein)
52

53 SECTION 1. The provisions set forth in the recitals to this Ordinance (whereas clauses)
54 are hereby adopted by the City Council as the legislative findings and intent pertaining to this
55 Ordinance.
56

57 SECTION 2. ‘Chapter 7 – Fire Prevention and Protection, Article III. Inclusion in MSTU,
58 Fire Rescue Assessments’ is hereby created as follows:
59

60 **Article III. INCLUSION IN MSTU, FIRE RESCUE ASSESSMENTS.**

61
62
63 **Section 7-32. Lake County Municipal Service Taxing Unit – Fire Rescue Services, Facilities,**
64 **and Programs.**
65

66 (1) The City Council requests and consents to the inclusion of all of the incorporated area of
67 the City of Mascotte within the ‘Lake County Municipal Service Taxing Unit for Fire
68 Protection’ to provide fire rescue services, facilities, and programs and to the imposition
69 of a tax by Lake County to fund such fire rescue services, facilities, and programs. The
70 City Council finds that the provision of fire rescue services is an essential municipal
71 purpose.
72

73 (2) Request and consent of the City Council given to Lake County by Ordinance No. 2020-
74 03-601 shall be deemed given in advance for each fiscal year hereafter and shall be
75 automatically renewed for each succeeding fiscal year unless such request and consent is
76 subsequently withdrawn as provided herein. Request and consent shall be irrevocable for
77 any fiscal year in which the subject fire rescue services taxes are levied by Lake County
78 within the incorporated area of Mascotte. Mascotte may only withdraw such consent for
79 any subsequent fiscal year by adopting an ordinance abandoning its consent and
80 providing a certified copy of such ordinance to Lake County prior to May 1 preceding the
81 fiscal year for which consent is being withdrawn.
82

83 **Section 7-31. Lake County Provision of Fire Rescue Services, Facilities, and Programs – Fire**
84 **Rescue Assessment.**
85

86
87 (1) The City Council requests and consents to the imposition of fire rescue assessments by
88 Lake County, pursuant to the procedures provided by Lake County Ordinance 1998-63,
89 as amended, within all of the incorporated area of the City of Mascotte (located in the
90 ‘Lake County Municipal Service Taxing Unit for Fire Protection’) in order to fund fire

91 rescue services, facilities, and programs provided by Lake County. Such consent shall
92 become effective upon adoption of this ordinance for the upcoming fiscal year. The City
93 Council finds that the provision of fire rescue services is an essential municipal purpose
94 and that the properties to be assessed will receive a special benefit from Lake County's
95 provision of fire rescue services, facilities, and programs.

96
97 (2) Request and consent of the City Council given to Lake County by Ordinance No. 2020-
98 03-601 shall be deemed given in advance for each fiscal year hereafter and shall be
99 automatically renewed for each succeeding fiscal year unless such request and consent is
100 subsequently withdrawn as provided herein. Request and consent shall be irrevocable for
101 any fiscal year in which the subject fire rescue assessments are levied by Lake County
102 within the incorporated area of Mascotte. Mascotte may only withdraw such consent for
103 any subsequent fiscal year by adopting an ordinance abandoning its consent and
104 providing a certified copy of such ordinance to the county prior to May 1 preceding the
105 fiscal year for which consent is being withdrawn.

106
107 **SECTION 3. CONFLICTS.** In any case where a provision of this Ordinance is found to
108 be in conflict with a provision of any other ordinance of this City, the provision which establishes
109 the higher standards for the promotion and protection of the health and safety of the people shall
110 prevail.

111
112 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
113 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
114 not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
115 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
116 unconstitutional.

117
118 **SECTION 5. CODIFICATION.** It is the intent of the City Council of the City of
119 Mascotte that the provisions of this Ordinance shall be codified. The codifier is granted broad and
120 liberal authority in codifying the provision of this Ordinance.

121
122 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately
123 upon its passage and adoption.

124
125 **PASSED AND ADOPTED** this 16th day of March, 2020 by the City Council of the
126 City of Mascotte, Florida.

127
128 CITY OF MASCOTTE

129
130 
Mike Sykes, Mayor

131 ATTEST:
132 By: Michelle Hawkins
133 Michelle Hawkins, MMC, City Clerk
134

Affidavit of Publication

DAILY COMMERCIAL

Serving Lake and Sumter Counties

located in Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared
Lisa Clay

Lisa Clay

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake County, Florida; that the attached copy of advertisement, being a notice in the matter of

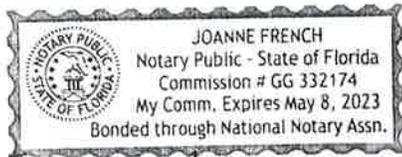
ORD 2020-03-601

was published in said newspaper in the issues of:

MAR 06, 2020

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 6 day of March,
A.D., 2020.



Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD# 10095294

**NOTICE OF PUBLIC HEARING
CITY OF MASCOTTE**

Notice is hereby given that the City of Mascotte, Florida is proposing to adopt an Ordinance as follows:

ORDINANCE 2020-03-601

AN ORDINANCE OF THE CITY OF MASCOTTE, FLORIDA, REQUESTING AND CONSENTING TO THE INCLUSION OF ALL OF THE INCORPORATED AREA OF THE CITY OF MASCOTTE WITHIN THE LAKE COUNTY MUNICIPAL SERVICE TAXING UNIT

FOR FIRE PROTECTION IN ORDER FOR LAKE COUNTY TO PROVIDE FIRE RESCUE SERVICES AND IMPOSE A TAX FOR SAME; REQUESTING AND CONSENTING TO IMPOSITION AND COLLECTION OF FIRE RESCUE ASSESSMENTS FOR FIRE RESCUE SERVICES BY LAKE COUNTY WITHIN SAID AREA; PROVIDING FOR ANNUAL RENEWAL OF EACH SUCH REQUEST AND CONSENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

The public may inspect the proposed Ordinance at the City Clerk's office, 100 East Myers Boulevard, Mascotte, Florida, between 7:00 a.m. to 5:30 p.m. Monday through Thursday.

The Mascotte City Council will hold a public hearing on the proposed Ordinance on Monday, March 16, 2020, at 6:30 p.m. or soon thereafter at Council Chambers, Tedder-Thomas Memorial Civic Center, 121 North Sunset Avenue, Mascotte, Florida. If necessary, this public hearing may be continued to a time and date certain by announcement at this scheduled hearing without any further published notice.

ALL PARTIES ARE INVITED to appear and submit oral or written objections or comments regarding the proposed Ordinance. Persons needing special accommodation to participate in this proceeding should contact Michelle Hawkins at City Hall at (352) 429-3341 within 48 hours of the scheduled hearing.

Pursuant to section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the City Council with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Ad No: 10095294
March 06, 2020