

ORDINANCE NO.: 03-2

**HILLSBOROUGH COUNTY ORDINANCE AMENDING
HILLSBOROUGH COUNTY INFRASTRUCTURE
ASSESSMENT UNIT ORDINANCE 99-08; ADDING
REQUIREMENTS REGARDING WHEN PETITIONS
SHOULD BE RETURNED; REQUIRING ADDITIONAL
AFFIDAVITS TO BE SUBMITTED WITH THE PETITION;
PROVIDING FOR PROCEDURES WHEN THE
ASSESSMENT ESTIMATE EXCEEDS THE ESTIMATE IN
THE FEASIBILITY REPORT BY A CERTAIN
PERCENTAGE; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.**

SECTION I.

Section 2.01(1)(D) of Article II of Hillsborough County Ordinance 99-08 is amended to read as follows:

D. Written Petitions.

(1) If the County determines, based upon the feasibility report, that an economically feasible Infrastructure Assessment Unit can be established, the feasibility report shall be submitted to the initiating party or an individual or group representative of the Infrastructure Assessment Unit. To obtain further consideration, the initiating party or other representative must provide a written petition to the County within ninety (90) days of receipt of said Feasibility Report. Unless the initiating party requests an extension, petitions not received within the 90 day period will be deemed null and no further action will be taken. A one-time extension of the 90 days shall be granted by the Director of the Water Department or his designee upon the written request of the initiating party received by the County prior to the expiration of the 90-day period. However, in no case will petitions be accepted later than 180 days from the beginning of the initial signature period. The petition submitted to the County shall include the following: (1) a map of the boundaries of the proposed Infrastructure Assessment Unit as set forth in the feasibility report; (2) a request to establish an Infrastructure Assessment against property located within the Infrastructure Assessment Unit; (3) a brief description of the infrastructure improvements as set forth in the feasibility report; (4) a preliminary estimate of the Infrastructure Assessment set forth in the feasibility report; and (5) such other information as deemed necessary by the County and provided to the initiating party or other representative with the feasibility report.

(2) The petition shall be signed by the property owners representing more than fifty percent of the parcels within the proposed Infrastructure Assessment Unit. The printed name and address of each signatory shall be placed opposite the signature.

(3) After the petition has been signed by the property owners representing more than fifty percent of the parcels within the proposed Infrastructure Assessment Unit, the petition shall be submitted to the Director. Along with the petition, the petitioner shall submit an affidavit confirming that the initiating party has attempted to contact each homeowner in the proposed Infrastructure Assessment Unit. The Director shall verify whether or not more than fifty percent of the parcels in the proposed Infrastructure Assessment Unit are represented by the owners' signatures on the petition. Such verification shall be based upon a second accompanying affidavit proposed by petitioner affirming that the petition represents more than 50% of the parcels in the proposed Infrastructure Assessment Unit. As soon as practicable after verification of the petition, the Director shall submit the petition to the Board.

(4) The written petition required by this Section shall be advisory to the Board. No failure to properly complete the petition shall invalidate the subsequent creation of an Infrastructure Assessment Unit or the imposition of Infrastructure Assessments therein.

SECTION 2. Section 2.03 of Article II of Hillsborough County Ordinance 99-08 is amended to read as follows:

Section 2.03. INITIAL INFRASTRUCTURE ASSESSMENT RESOLUTION. The initial proceeding for creation of an Infrastructure Assessment Unit and imposition of an Infrastructure Assessment shall be the Board's adoption of an Initial Infrastructure Assessment Resolution. The Initial Infrastructure Assessment Resolution shall (A) describe the property to be located within the proposed Infrastructure Assessment Unit; (B) establish the estimated capital cost of the utility infrastructure to be provided for the Infrastructure Assessment Unit; (C) establish the estimated amount and term of the annual infrastructure Assessments and the method of allocation or apportionment of the Assessment among the benefited parcels; and (D) describe the provisions for acceleration and prepayment of the Infrastructure Assessment. If the current estimated Assessment, based on the construction plans, specifications, administrative costs, financing costs and interest rates exceeds the estimate included in the Feasibility Report by an amount greater than ten percent, but not more than fifteen percent, the assessment will be collected for a time greater than twenty years until all costs have been paid in full. If the current estimated assessment exceeds the estimate included in the Feasibility Report by an amount greater than fifteen percent, the Board of County Commissioners shall abandon said project unless more than fifty percent of the homeowners approve the higher assessment amount in a new petition. Said petition shall be prepared and processed as required in Section 2.01(D) herein stated.

SECTION 3. EFFECTIVE DATE. The provisions of this Ordinance shall become effective upon receipt of official acknowledgment from the Department of State that this Ordinance has been filed.

SECTION 4. SEVERABILITY. If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board at its meeting of March 19, 2003, as the same appears of record in Minute Book 322 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 20th day of March, 2003.

RICHARD AKE, CLERK

By: Mildred K. Dism
Deputy Clerk



APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to form and legal sufficiency

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing

MEMBER OF THE FLORIDA CABINET



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FLORIDA DEPARTMENT OF STATE

Glenda E. Hood

Secretary of State

DIVISION OF ELECTIONS

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Preservation Board

RINGLING MUSEUM OF ART

March 25, 2003

Honorable Richard Ake
Clerk to Board of Commissioners
Hillsborough County
Post Office Box 1110
Tampa, Florida 33601

Attention: Judith M. Grose, Senior Manager

Dear Mr. Ake:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 20, 2003 and certified copy of Hillsborough County Ordinance No. 03-2, which was filed in this office on March 21, 2003.

Sincerely,

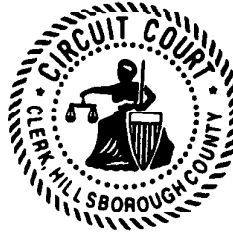
Liz Cloud, Chief
Bureau of Administrative Code

LC/mp

BUREAU OF ADMINISTRATIVE CODE

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Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



P.O. Box 1110
Tampa, Florida 33601
Telephone (813) 276-8100

March 27, 2003

Norma J. Wise, Director
Hillsborough County Law Library
501 E. Kennedy Boulevard Ste. 100
Tampa, Florida 33602-5027


Re: Ordinance #03-2
Amending Hillsborough County Infrastructure Assessment Unit
Ordinance 99-08; as Amended

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #03-2 which was adopted by the Board of County Commissioners on March 19, 2003. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of March 21, 2003.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,



Gail M. Letzring,
Senior Manager, BOCC Records

md

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Ellen Leonard, Legal Advisor, Sheriff's Office
Bobbie Chaffee, State Attorney's Office
Barbara Hutcheson, County Attorney's Office
Hank Ennis, Senior Assistant County Attorney
Ajay Gajjar, Manager, County Finance

