ORDINANCE 2022-44

AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, CREATING SECTION 38-30 IN ARTICLE II IN CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF GROVELAND TO ALLOW FOR A PROPERTY OWNER TO APPLY FOR ECONOMIC HARDSHIP ASSISTANCE RELATING TO THE FIRE PROTECTION AND RESCUE SERVICES ASSESSMENT; REQUIRING AN APPLICATION AND SUPPORTING DOCUMENTS; SETTING FORTH A PROCESS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to the Florida Constitution and Chapter 166, Florida Statutes, the City Council has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law and such power may be exercised by the enactment of City ordinances; and

WHEREAS, the City Council may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the City Council may legislate on the subject matter of the imposition of assessments related to fire protection and rescue services, facilities or programs; and

WHEREAS, the City Council desires to provide for the ability of a property owner to seek economic hardship assistance relating to the fire protection and rescue services assessment and provide a process for applying.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:

SECTION 1. The above recitals are true and correct and made an integral part of this ordinance.

SECTION 2. The Code of Ordinance, City of Groveland, Florida, is hereby amended by adding Section 38-30 in Article II in Chapter 38, which said section reads as follows:

ARTICLE II. - FIRE PROTECTION USER FEES

Sec. 38-30. – Economic Hardship.

(A)   An Owner of Assessed Property may apply to the City for economic hardship assistance by completing an application provided by the City and providing documentation as set forth in this section and as required by the application. To qualify for economic hardship assistance the applicant must be the Owner of the Assessed Property, and the Assessed Property must be residential and entitled to a homestead exemption pursuant to the requirements of Chapter 196, Florida Statutes, or the Assessed Property must be Institutional Property. For residential, the total household income of all lawful occupants of the Assessed Property shall be less than or equal to income limits for the category of Very Low-Income Limits

established by the U.S. Department of Housing and Urban Development, as adjusted for family size, however, the City will give priority to those with income less than or equal to income limits for the category 30% Limits. Thereafter, reimbursement is on a first-come, first-served basis, up to the amount allocated in the budget, and subject to annual appropriation. The Owner must intend to maintain the Assessed Property as his/her homestead residence throughout the remainder of the Fiscal Year for which the assessment is imposed. For Institutional Property, the Assessed Property must be owned by an institutional organization, and explain, qualitatively and quantitatively, how the organization benefits the citizens of Groveland, why the non-ad valorem fire assessment is a financial hardship on the organization, and how the financial hardship will negatively impact the services provided to the citizens of Groveland. Application must be submitted annually between November 1st and March 31st. The City's finance department shall prepare and have available an application for economic hardship assistance. The City's finance department shall, within fifteen (15) days after the filing of such application, review the application and supporting data and make such further investigation as may be reasonably required to determine if the Owner is qualified for economic hardship assistance as provided for herein. If deemed qualified, the City shall reimburse the Fire Service Assessment imposed on the qualified property.

SECTION 2. Codification. It is the intention of the City Council of the City of Groveland that the provisions of this Ordinance shall be codified and made a part of the City of Groveland Code of Ordinances.

SECTION 3. Severability. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 4. Conflicts. All resolutions, ordinances or parts thereof in conflict herewith are hereby repealed and all resolutions, ordinances or parts thereof not in conflict herewith are hereby continued in full force and effect.

SECTION 5. Effective Date. This ordinance shall become effective immediately upon passage by the City Council of the City of Groveland in accordance with law.

ADOPTED in regular session of the City Council of the City of Groveland, Lake County, Florida, this 21st day of November, 2022.

Evelyn Wilson, Mayor
City of Groveland, Florida

ATTEST:

Virginia Wright
City Clerk

Groveland
FLORIDA
City with Natural Charm

Approved as to Form:

Anita Geraci-Carver
City Attorney

Passed First Reading 10-17-2022

Passed Second Reading 11-21-2022

Vice Chair
Council Member Waite moved the passage and adoption of the above and foregoing
Ordinance. Motion was seconded by Council Member Gaines and upon roll call on
the motion the vote was as follows:

	YEA	NAY
Barbara Gaines	✓	
Mike Radzik	✓	
Mike Smith		
Randolph Waite	✓	
Evelyn Wilson	✓	