

Sponsored by: Councilmember Zieg
Public Hearing Dates: August 14, 2018
September 11, 2018
Enactment date: September 11, 2018

CITY OF MARATHON, FLORIDA
ORDINANCE 2018-08

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA, REQUESTING AND CONSENTING TO INCLUSION OF ALL OF THE INCORPORATED AREA OF THE CITY OF MARATHON, FLORIDA WITHIN THE MIDDLE KEYS HEALTH CARE MUNICIPAL SERVICE TAXING UNIT; AMENDING CHAPTER 28, ARTICLE I OF THE CITY CODE BY CREATING SECTION 28-3. – MIDDLE KEYS HEALTH CARE MUNICIPAL SERVICE TAXING UNIT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ANY ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Monroe County, as the legislative and governing body of the County, has enacted an ordinance creating a municipal service taxing unit (MSTU) within Monroe County in order to levy and collect ad valorem taxes for indigent health care services within designated incorporated and unincorporated areas of Monroe County; and

WHEREAS, the MSTU will consist of properties located within Monroe County Election Precincts 18 through 22 and 23.01, 23.02, 23.03, and 23.04, approximately corresponding to mile markers 40 through 66 inclusive; and

WHEREAS, the MSTU will include properties located within the City of Marathon, Florida; and

WHEREAS, Section 125.01(1)(q), Florida Statutes, provides that the MSTU may include all or part of the boundaries of a municipality with the consent by ordinance of the governing body of the municipality; and

WHEREAS, the City of Council of the City of Marathon, Florida (“the City”) has determined that the inclusion of the incorporated area of Marathon, Florida within the MSTU for the purpose of providing indigent health care services is in the best interest of owners of properties within the incorporated area of Marathon, Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

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

Section 2. Chapter 28, Article 1, of the Code of Ordinances, City of Marathon, Florida is hereby amended by creating Section 28-3 to read as follows:

Sec. 28.3. - Middle Keys Health Care Municipal Service Taxing Unit.

- (1) The City Council hereby requests and consents to the inclusion of all of the incorporated area of the City of Marathon, Florida within the Middle Keys Health Care Municipal Service Taxing Unit (MSTU) created by Monroe County, Florida pursuant to Monroe County Ordinance No. 012-2018, created to provide indigent health care services. The City Council finds that the provision of such indigent health care services is an essential municipal purpose.
- (2) As allowed under Section 125.01(q), Florida Statutes, the City Council's consent shall be on an annual basis, and the City Council's initial consent to inclusion is only for fiscal year 2019. City Council shall annually review this MSTU at its first meeting in March of each calendar year and make a determination whether to extend its consent for inclusion in the MSTU. The City may withdraw such consent for a subsequent fiscal year by adopting an ordinance abandoning its consent and providing a certified copy of such ordinance to Monroe County prior to May 1 preceding the fiscal year for which the consent is being withdrawn.

Section 3. **Conflicts.** In any case in which a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision that establishes the higher standards for promotion and protection of the health and safety of the people shall prevail.

Section 4. **Severability.** If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

Section 5. **Repeal.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of said conflict.

Section 6. **Effective Date.** This Ordinance shall be deemed to be effective after its approval upon second and final reading.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 11 DAY OF SEPTEMBER, 2018.

THE CITY OF MARATHON, FLORIDA


Michelle Coldiron, Mayor

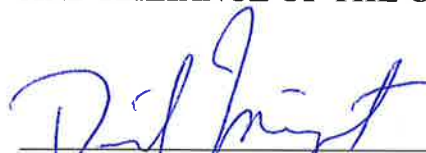
AYES: Zieg, Cook, Bartus, Coldiron
NOES: Senmartin
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk
(City Seal)

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



City Attorney David Migut