

RESOLUTION NO. 00-12-84

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY FOR THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES AND FACILITIES, FIRE PROTECTION SERVICES AND FACILITIES AND SUCH OTHER MUNICIPAL SERVICES AS MAY BE DETERMINED BY THE CITY COUNCIL; STATING A NEED FOR SUCH LEVY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council (the "Council") of the City of Marathon, Florida (the "City") is contemplating the imposition of special assessments for the provision of certain municipal services and associated facilities; and

WHEREAS, the Council intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing residential solid waste collection and disposal services and facilities, fire protection services and facilities and such other municipal services as the County may determine upon property located within the incorporated area of the City as authorized by Section 197.3632, Florida Statutes;

WHEREAS, this method will allow such special assessments to be collected annually commencing in November 2001 and each subsequent year thereafter, in the same manner as provided for the collection of ad valorem taxes; and

WHEREAS, the Council held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing as required by Section 197.3632, Florida Statutes is attached hereto as Exhibit "A."

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

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

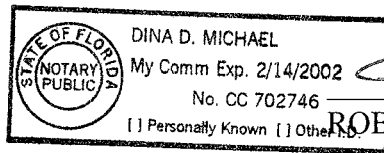
Section 2. Commencing with the Fiscal Year beginning on October 1, 2001, and with the tax statement mailed for each subsequent Fiscal Year, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, for collecting non-ad valorem assessments for all or a portion of the cost of providing residential solid waste collection and disposal services and facilities, fire protection services and facilities, and such other municipal services as may be determined by the City Council. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit "B" and incorporated by reference.

Section 3. The City hereby determines that the levy of the assessments is needed to fund all or a portion of the cost of providing residential solid waste collection and disposal services and facilities, fire protection services and facilities, and such other municipal services as may be determined by the City Council within the incorporated area of the City.

Section 4. Upon adoption, the City Manager is directed to send a copy of this Resolution to the Florida Department of Revenue, the Monroe County Tax Collector, and the Monroe County Property Appraiser by January 10, 2001.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 12TH day of DECEMBER, 2000.





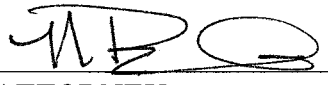
ROBERT MILLER, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY



CITY ATTORNEY

**NOTICE BY THE CITY COUNCIL OF THE CITY OF MARATHON
OF ITS INTENT TO USE THE UNIFORM AD VALOREM METHOD
OF COLLECTION OF A NON AD VALOREM ASSESSMENT**

Notice is hereby given to all owners of lands located within the boundaries of the City of Marathon that the City Council of the City of Marathon intends to use the uniform ad valorem method for collecting the non ad valorem assessments, including but not limited to Solid Waste, Fire Service, and Such other services as may be determined by the City, levied by the City of Marathon as set forth in Section 197.3632 F.S. and that the City Council of the City of Marathon will hold a public hearing on Tuesday, December 12, 2000 at 7:00 P.M. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

The purpose of the public hearing is to consider the adoption of a resolution authorizing the City of Marathon to use the uniform ad valorem method of collecting non ad valorem assessments, including but not limited to Solid Waste, Fire Service, and Such other services as may be determined by the City, levied by the City of Marathon as provided in Section 197.3632 F.S. The City of Marathon intends to use the uniform method of collection for a period of more than one year which may include its non ad valorem assessment for operations, maintenance or capital facilities.

The City of Marathon will be adopting a new non ad valorem assessment for financing of certain projects authorized by Florida Statutes, which will extend for more than one (1) year and further the City of Marathon's plans to utilize the non ad valorem assessment method to collect its annual operations and maintenance assessment which also will be for a period of more than one (1) year.

This non ad valorem assessment is being levied for the first time. The uniform method provided for in Chapter 197.3632, Florida Statutes, authorizes the City to utilize the services of the Property Appraiser in the levy and in position of the assessments and the Tax Collector in collection and enforcement of its non ad valorem assessments such as the special assessments noted herein which will appear under a separate section of the property tax notice (bill) with county and other property taxes. The City's non ad valorem assessment(s) shall be subject to the same discounts and penalties and the issuance and sale of tax certificates and tax deeds for non-payment as ad valorem taxes. The non-payment of said non ad valorem assessments will subject the property to the potential loss of title. Interested parties may appear at the public hearing to be heard regarding the use of the uniform ad valorem method of collecting Such non ad valorem assessments.

Each person who decides to appeal any decision made by the City Council with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Craig Wrathell
City Manager

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