

ORDINANCE

AN ORDINANCE OF SEMINOLE COUNTY, FLORIDA AMENDING CHAPTER 160, PART I, ARTICLE II, SECTION 160.12, SEMINOLE COUNTY CODE; PROVIDING FOR THE EXPANSION OF THE SEMINOLE COUNTY FIRE UNIT MUNICIPAL SERVICES TAXING UNIT TO INCLUDE THE ENTIRE INCORPORATED AREA OF THE CITY OF WINTER SPRINGS; PROVIDING THAT THE ANNUAL MILLAGE SHALL BE WITHIN THE STATUTORY CAP WITH RESPECT TO THE CITY OF WINTER SPRINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.0101, Florida Statutes authorizes Seminole County to contract with a municipality for the provision of essential public services including fire protection; and


WHEREAS, Section 160.12 of the Seminole County Code specifically envisions and authorizes the extension of the Seminole County Fire Unit Municipal Service Taxing Unit (the "Seminole County Fire Unit") to areas within an incorporated municipality through adoption of a special mutual aid agreement; and

WHEREAS, Seminole County (the "County") and the City of Winter Springs (the "City") have heretofore entered into an Interlocal Agreement on October 2, 2008 (the "Agreement") for the County to take over and provide fire and emergency medical services to the City; and

WHEREAS, Section 4.3.1 of the Agreement envisions the expansion of the County's Fire Unit MSTU for the provision of fire and emergency medical services to the City and that the millage therefore, will be included within the City's statutory millage cap; and

WHEREAS, the City has heretofore enacted its Ordinance consenting to the expansion of the Seminole County Fire Unit to include all of the incorporated area of the City in accordance with Section 125.01(q), Florida Statutes; and

WHEREAS, the County hereby finds and declares that expansion and utilization of the Seminole County Fire Unit is the most appropriate and cost effective method to facilitate the assumption of such fire and emergency medical services as were previously performed by the City,

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY: 
DEPUTY CLERK

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Section 160.12 of the Seminole County Code is hereby amended to read as follows:

Sec. 160.12 Established.

(a) There is hereby established a municipal service taxing unit encompassing all the territories of the County other than those territories which are now, or may hereafter be, either within the corporate limits of any municipality, or agriculturally assessed for ad valorem taxation purposes. Said Fire Unit is established for the purpose of providing fire protection and prevention, and rescue/emergency medical services for all inhabitants, properties and land within the described territories, or such other territories as may be included by special mutual aid agreement. Said protection and prevention is hereby declared to be a service of the kind or type commonly provided by municipalities.

(b) The Seminole County Fire Unit shall also include the entire incorporated area of the City of Altamonte Springs, Florida. The millage to be levied shall be set annually by the Board of County Commissioners sitting as the governing board of the Seminole County Fire Unit and shall, with respect to the City, be included within the City's statutory cap millage.

(c) The Seminole County Fire Unit shall also include the entire incorporated area of the City of Winter Springs, Florida. The millage to be levied shall be set annually by the Board of County Commissioners sitting as the governing board of the Seminole County Fire Unit and shall, with respect to the City, be included within the City's statutory cap millage.

Section 3. Codification.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become, and be made a part of the Seminole County Code. The word "Ordinance" may be changed to section, article, or other appropriate word or phrase and the sections of this Ordinance may be assigned new numbering or lettering to accomplish

such intention; providing, however, that Sections 2, 3, and 4 shall not be codified.

Section 4. Severability.

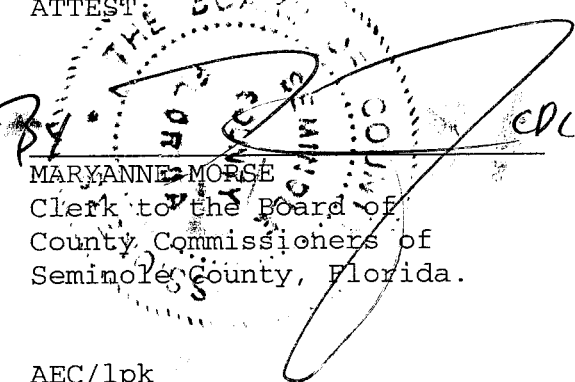
If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date.

This Ordinance shall become effective upon the filing of a certified copy thereof with the Florida Department of State.

ENACTED this 25th day of August, 2009.


ATTEST

BY  *epc*
MAYOR

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**




BOB DALLARI, Chairman

AEC/lpk

6/24/09

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