

ORDINANCE NO. 2024-06

**AN ORDINANCE OF THE CITY OF BELLEVUE
FLORIDA, REQUESTING AND CONSENTING TO THE
INCLUSION OF CERTAIN PARCELS, LYING AND BEING
IN THE CITY, WHICH ARE WITHIN A MUNICIPAL
SERVICE BENEFIT UNIT DESIGNATED BY MARION
COUNTY TO FUND CAPITAL IMPROVEMENTS TO
CERTAIN STREETS AND ROADS; PROVIDING FOR
ANNUAL RENEWAL OF SUCH REQUEST AND CONSENT;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, The Board of County Commissioners of Marion County, Florida (the "County"), has enacted an ordinance authorizing the County to create or identify a municipal service benefit unit known as Lake Weir Gardens Improvement Area; and

WHEREAS, a portion of Lake Weir Gardens is lying and being within the corporate limits of the City of Bellevue; and

WHEREAS, the City Commission of Bellevue, Florida finds it in the public interest to adopt this ordinance requesting and consenting to inclusion of those parcels lying within the City of Bellevue's corporate limits.

NOW THEREFORE BE IT ORDAINED by the City Commission of Bellevue, Florida that it hereby requests and consents to the inclusion of the Benefitted Properties within the Lake Weir Gardens Improvement Area, which lie within the incorporated area of the City, as follows:

SECTION 1.01. FINDINGS. It is hereby ascertained, determined, and declared that:

(A) The Board of County Commissioners of Marion County, Florida (the "County"), has enacted an ordinance authorizing the County to create or identify a municipal service benefit unit or other specific geographic area within which the County imposes and collects assessments for certain municipal services or local improvements within incorporated and unincorporated areas of the County (the "Assessments").

(B) The City Commission of the City of Bellevue has determined that the inclusion of that portion of services benefit unit lying and being within the incorporated area of the City of Bellevue (the "Benefitted Properties") which are within the municipal service benefit unit or

specific geographic area designated by the County for the purpose of Road Improvements to be constructed on the herein-below described roadways is in the best interests of the owners of property within the corporate limits of the City of Belleview, Florida, to wit:

SE 70th Avenue Road, SE 71st Avenue Road, SE 71st Court, SE 71st Terrace Road, SE 72nd Court Road, SE 72nd Terrace Road, SE 74th Terrace Road, SE 75th Court, SE 76th Avenue, SE 114th Lane, SE 115th Place, SE 115th Street, SE 116th Street Road, SE 117th Lane, SE 117th Street, SE 119th Place, SE 120th Street.

SECTION 1.02. REQUEST AND CONSENT OF THE CITY. The City of Belleview, Florida hereby requests and consents to the inclusion of the Benefitted Properties within an identified municipal service benefit unit created or identified by the County to provide services, facilities, and programs and to the imposition of a special assessment by the County to fund such services, facilities and programs. Such request and consent shall become effective upon adoption of this ordinance for the upcoming fiscal year. The City Commission finds that the provision of services is an essential municipal purpose.

SECTION 1.03. ANNUAL RENEWAL OF REQUEST AND CONSENT. Request and consent of the City Commission given to the County by this Ordinance shall be deemed given in advance for each fiscal year hereafter and shall be automatically renewed for each succeeding fiscal year unless such request and consent is subsequently withdrawn as provided herein. Request and consent shall be irrevocable for any fiscal year in which the subject Assessments are levied by the County within the incorporated area. The City of Belleview, Florida may only withdraw such consent for any subsequent fiscal year by adopting an ordinance abandoning its consent and providing a certified copy of such ordinance to the County prior to April 1 preceding the fiscal year for which consent is being withdrawn.

SECTION 1.04. SEVERABILITY. The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance shall not be affected thereby.

SECTION 1.05. EFFECTIVE DATE. This Ordinance shall take effect as provided by law.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon **First Reading** by a ____ to ____ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on June 18, 2024. Said ordinance was duly read, passed, and adopted upon **Final Reading** by a ____ to ____ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on July 16th, 2024

CHRISTINE DOBKOWSKI
Mayor

Attest:

MARIAH MOODY, CMC
City Clerk

*Approved as to Form and Legal Sufficiency for
the use and Benefit of the City of Belleview Only:*

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that the foregoing Ordinance was advertised for a Public Hearing in the June 16, 2024 of the Voice of South Marion newspaper in accordance with Florida Statutes.

Mariah Moody, CMC
City Clerk