

RESOLUTION 2023-05

A RESOLUTION OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AUTHORIZING TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS; ADOPTING THE SPECIAL ASSESSMENT ROLL FOR ABATEMENT OF CODE VIOLATIONS FOR CALENDAR YEAR 2022; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Wales, Florida (the "City") has undertaken to improve various properties throughout the City by adopting a unified set of building and property maintenance standards in order to protect and preserve the health, safety and general welfare of the City and its residents; and

WHEREAS, the City Commission of the City of Lake Wales, Florida (the "Commission") finds that by implementing certain provisions through its Code of Ordinances, and abating and/or correcting any harmful or dangerous buildings, structures, and/or premises not in strict compliance therewith through the code enforcement process would best operate to serve and protect the health, safety and general welfare of the city and its residents; and

WHEREAS, the Commission, on February 19, 2013, adopted Ordinance 2013-04, (the "Ordinance"), authorizing the City, through its code enforcement process, to abate certain nuisances and/or correct certain violation of all applicable City, County, State and Federal Code provisions; and

WHEREAS, the City, through the adoption of the Ordinance, finds that is was fair and equitable to assess against each property benefitted by such abatement and/or corrective actions a non-ad valorem special assessment in an amount equal to the actual costs incurred by the City in improving said property; and

WHEREAS, the Ordinance states that a resolution may be prepared for consideration by the Commission identifying outstanding special assessments owed the city for municipal abatement of nuisances and municipal correction of violations of the minimum property maintenance standards of the city, including municipal demolition of one (1) or more structures, and seeking authorization to collect such special assessments as non-ad valorem property tax pursuant to Chapter 197, Florida Statutes; and

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by authorizing the inclusion of said assessments on the tax bills issued for the collection of ad valorem taxes; and

WHEREAS, notice was given pursuant to Section 197.3632, Florida Statutes, that the City of Lake Wales would collect the liens imposed for abatement of nuisances, such as removal of

junk, debris, and overgrown lots, by means of the uniform method of collecting non-ad valorem assessments as a properly advertised public hearing held on May 16, 2023; and

WHEREAS, the Commission desires to utilize the uniform method of collecting non-ad valorem assessments to collect the non-ad valorem assessments specified herein; and

WHEREAS, in accordance with the requirements of the Ordinance and Section 197.3632, Florida Statutes, the Commission held a duly advertised public hearing prior to the adoption of this Resolution and a copy of such notice was served upon the property owners by first class mail at the owner's last known address as same appears on the records of the property appraiser of the county; and

WHEREAS, the Commission desires to adopt an Assessment Roll at this time for collection of the special assessment by the Tax Collector on the 2023 tax notices.

NOW, THEREFORE, BE IT RESOLVED by the City commission of Lake Wales, Florida, as follows:

1. The City commission hereby elects to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes for collecting the non-ad valorem assessments specified herein, which assessments have been levied against the properties described in the Assessment Roll in Exhibit "A" attached hereto and made part of this Resolution.
2. The City Commission hereby adopts Exhibit "A" as the City of Lake Wales Assessment Roll for special assessments imposed against properties for the cost of the City to abate code violations of junk, debris, overgrown lots, and demolition.

THIS RESOLUTION INTRODUCED AND PASSED by the City Commission of the City of Lake Wales, Florida, at its regular meeting on May 16, 2023.



Mayor/Commissioner, City of Lake Wales

ATTEST:

City Clerk