

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS, SITTING AS THE SOLID WASTE DISPOSAL DISTRICT OF INDIAN RIVER COUNTY, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING A NON-AD VALOREM SPECIAL COLLECTION ASSESSMENT TO BE LEVIED WITHIN THE UNINCORPORATED AREA OF INDIAN RIVER COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pursuant to Article VIII, Section 1 of the Florida Constitution, and Sections 125.01 and 125.66, Florida Statutes, the Indian River County Board of County Commissioners has all powers of local self-government to perform county functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances; and

WHEREAS, the Board has created the Indian River County Solid Waste Disposal District (SWDD or District), a dependent special district of Indian River County; and

WHEREAS, the regulation of the collection and disposal of solid waste within the county by the Board and SWDD serves a public purpose, and promotes and protects the health, safety, and welfare of the citizens of Indian River County; and

WHEREAS, the SWDD is contemplating the imposition of a special collection assessment to residential properties within the unincorporated areas of Indian River County, as authorized by F.S. 197.3632, as this method will allow such special assessments to be collected annually, commencing for the Fiscal Year beginning October 1, 2025, and continuing until discontinued by the District;

WHEREAS, the District duly advertised a public hearing of this Resolution, in a newspaper of general circulation with Indian River County, Florida, for four (4) consecutive weeks preceding the public hearing; and

WHEREAS, proof of publication of such hearing being is attached hereto as Exhibit A; and

WHEREAS, a legal description of the boundaries of real property subject to the levy is attached hereto as Exhibit B; and

WHEREAS, upon adoption of this Resolution, the District shall dispatch a copy via United States mail to the Indian River County Property Appraiser, Indian River County Tax Collector, and the State of Florida Department of Revenue; and

WHEREAS, upon passage of this Resolution, the County Administrator is authorized to take the necessary administrative measures required to ensure that the solid waste collection assessments are properly assessed and collected; and

WHEREAS, adoption of this Resolution, the levy collection and enforcement of costs of

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non-ad valorem assessments for the cost of solid waste collection services to real residential property within the unincorporated Indian River County is determined to be in the public interest and provides for the general health safety and welfare of the citizens within unincorporated Indian River County; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA ACTING IN ITS CAPACITY AS THE GOVERNING BOARD OF THE SOLID WASTE DISPOSAL DISTRICT, THAT:

SECTION 1. RECITALS. The above Whereas Clauses are true, correct, and are hereby adopted and incorporated herein as the legislative findings of the Board of County Commissioners.

SECTION 2. INTENT. The District does hereby state and express its clear intent to utilize the uniform method for the levy, collection and enforcement of non-ad valorem collection assessments pursuant to Florida Statute 197.3632 for the levy, collection and enforcement of costs for solid waste collection services for all real residential property located within unincorporated Indian River County, as described in Exhibit B attached hereto in order to provide for the health, safety and welfare of the citizens of unincorporated Indian River County.

SECTION 3. NEED FOR LEVY. The District does hereby state and express the need for levy in order to provide for the collection and enforcement of non-ad valorem assessments pursuant to Florida Statute 197.3632 collection and enforcement of costs for solid waste collection services for all real residential property located within unincorporated Indian River County, as described in Exhibit B attached hereto in order to provide for the health, safety and welfare of the citizens of Unincorporated Indian River County.

SECTION 4. ADMINISTRATIVE ACTIONS/MEASURES. C Upon adoption, the County staff is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Indian River County Tax Collector, and the Indian River County Property Appraiser by January 10, 2025. The County Administrator is further authorized to take all other necessary administrative measures required to ensure that the solid waste collection assessments are properly assessed and collected.

SECTION 5. CONFLICT. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION ^. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

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The foregoing resolution was moved for adoption by Commissioner _____, and seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

Chairman Joseph E. Flescher	_____
Vice-Chairman Deryl Loar	_____
Commissioner Susan Adams	_____
Commissioner Joseph H. Earman	_____
Commissioner Laura Moss	_____

The Chairman thereupon declared the resolution duly passed and adopted this 17th day of December 2024.

**SOLID WASTE DISPOSAL DISTRICT
BOARD OF COMMISSIONERS
OF INDIAN RIVER COUNTY, FLORIDA**

By: _____
Joseph E. Flescher, Chairman

ATTEST:

Ryan L. Butler, Clerk of Court
and Comptroller

By: _____ (SEAL)
Deputy Clerk

Approved as to form and legal sufficiency:

By: _____
Jennifer W. Shuler, County Attorney

PROOF OF PUBLICATION



Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Christina Moore
Indian River County Attorneys Office
1801 27th ST
Vero Beach FL 32960-3388

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

11/15/2024, 11/22/2024, 11/29/2024, 12/06/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 12/06/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$591.90

Tax Amount: \$0.00

Payment Cost: \$591.90

Order No: 10771435

of Copies:

Customer No: 1125303

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF INTENT TO USE
UNIFORM METHOD OF
COLLECTING
NON-AD VALOREM ASSESS-
MENTS

Indian River County, Florida (the "County") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments throughout the unincorporated and all incorporated areas of the County, for services, facilities, and programs for street lighting maintenance and improvements, roadway maintenance and improvements, stormwater maintenance and improvements, water and sewer maintenance and improvements, solid waste disposal maintenance and improvements; and other public services and facilities allowed by law, commencing for the Fiscal Year beginning on October 1, 2025, and continuing until discontinued by the County.

The County will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 9:00 a.m. on December 17, 2024, in the Indian River County Board of County Commission Chambers, 1801 27th Street, Vero Beach, Florida. All interested persons are invited to attend. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy; copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the Office of the Clerk to the Board of County Commissioners, located at Building A of the Indian River County Administrative Complex, 1801 27th Street, Vero Beach, Florida.

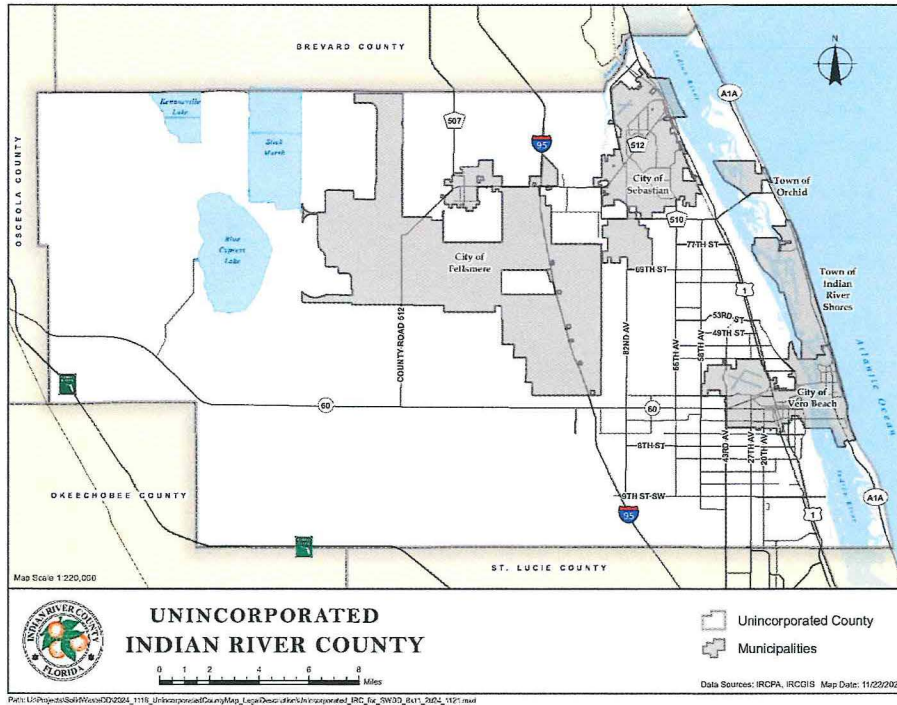
This notice of intent to use the uniform method of collection in no way obligates the County to implement any program of non-ad valorem special assessments. It simply preserves this collection method.

In the event any person decides to appeal any decision by the County with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (772) 226-1223, at least 48 hours prior to the date of the hearing.

INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS
SUSAN ADAMS, CHAIRMAN
Pub: Nov 15, 22, 29, Dec 6, 2024
TCN10771435

MAP AND LEGAL DESCRIPTION OF THE BOUNDARIES OF UNINCORPORATED INDIAN RIVER COUNTY



LEGAL DESCRIPTION OF UNINCORPORATED INDIAN RIVER COUNTY, FLORIDA

Being all of those lands as described and recorded in Chapter 7, Section 31 (7.31), Florida Statutes and being more particularly described as follows:

Beginning at the northwest corner of township thirty-one south, of range thirty-five east; thence east on the line dividing the townships thirty and thirty-one south, to the point where said line intersects the thread of the south fork of the St. Sebastian River; thence northerly down the thread of said stream to the main stream of the St. Sebastian River; thence down the thread of the St. Sebastian River to its confluence with the Indian River; thence east to the intersection with the southwesterly extension of the centerline of the approach channel to the Sebastian Inlet from the Indian River; thence northeasterly along said centerline and continue northeasterly and easterly along the centerline of the Sebastian Inlet to the Atlantic Ocean; thence southward along the Atlantic coast, including the waters of the Atlantic Ocean within the jurisdiction of the State of Florida to the intersection of said Atlantic coast and a line lying 45.22 feet south of, as measured at right angles to, the township line dividing townships thirty-three and thirty-four south; thence west, parallel with, and 45.22 feet south of said township line, to the west right-of-way line of State Road A1A; thence northwesterly along said right-of-way line to the intersection of said right-of-way line and the north line of Lot 25, plat of Kansas City Colony, as recorded in Plat Book 4, page 23, of the public records of St. Lucie County, Florida. Said north line of Lot 25 lying 150 feet north of, and parallel with, as measured at right angles to, the township line dividing townships thirty-three and thirty-four south; thence west along the north line of said Lot 25 to the easterly mean high water line of Round Island Creek; thence meandering southeasterly along said mean high water line to its intersection with the township line dividing townships thirty-three and thirty-four south; thence west on said township line to range line dividing ranges thirty-five and thirty-six east; thence north between ranges thirty-five and thirty-six east to the northeast corner of section one, township thirty-three south, range thirty-five east; thence west on township line dividing townships thirty-two and thirty-three south, range thirty-five east to the range line dividing ranges thirty-four and thirty-five east; thence north on said range line to the northwest corner of township thirty-one south, range thirty-five east, being the place of beginning.

Less and excepting therefrom the following:

All lands lying within the bounds of the City of Vero Beach, Florida:

AND

All lands lying within the bounds of the City of Fellsmere, Florida:

AND

All lands lying within the bounds of the City of Sebastian, Florida:

AND

All lands lying within the bounds of the Town of Orchid, Florida:

AND

All lands lying within the bounds of the Town of Indian River Shores, Florida.