

ORDINANCE NO. 88-60

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING A LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT PURSUANT TO CHAPTER 163, FLORIDA STATUTES, TO BE KNOWN AS THE TOWN OF DAVIE IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 22,500 ACRES BOUNDED ON THE NORTH, SOUTH, EAST AND WEST BY THE MUNICIPAL BOUNDARIES OF THE TOWN OF DAVIE IN ACCORDANCE WITH CHAPTER 163, PART IV, FLORIDA STATUTE (1987) AND KNOWN AS THE SAFE NEIGHBORHOOD ACT; AUTHORIZING THE DISTRICT TO RECEIVE A GRANT FROM THE SAFE NEIGHBORHOOD TRUST FUND FOR PREPARATION OF A SAFE NEIGHBORHOOD PLAN FOR THE DISTRICT FROM THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING THE DISTRICT TO LEVY AN AD VALOREM TAX ON REAL AND PERSONAL PROPERTY UP TO 2 MILLS ANNUALLY; AUTHORIZING THE DISTRICT THE USE OF SPECIAL ASSESSMENTS; DESIGNATING THE TOWN COUNCIL OF THE TOWN OF DAVIE AS A BOARD OF DIRECTORS OF THE DISTRICT; PROVIDING FOR THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO THE BOARD OF DIRECTORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163 of the Florida Statutes provides that the governing body of a municipality may adopt an ordinance authorizing the formation of safe neighborhood improvement districts in accordance with the provisions of the "Safe Neighborhoods Act"; and

WHEREAS, the Town Council of the Town of Davie, Florida, has duly adopted Ordinance No. 88-43, authorizing the creation of safe neighborhood improvement districts within the Town of Davie; and

WHEREAS, the Town's planning department has recommended the creation of a local government neighborhood improvement district for the area included within the current corporate limits of the Town of Davie.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the Code of the Town of Davie is hereby amended by adding to Article VIII of Chapter 18, Sections 18-350 through 18-355 which shall read as follows:

Section 18-350. District Created.

A local government neighborhood improvement district is hereby created pursuant to Chapter 163 of the Florida Statutes to include approximately 22,500 acres consisting of the lands bounded

on the north, south, east and west by the municipal boundaries of the Town of Davie.

Section 18-351. Name of District.

The local government neighborhood improvement district created hereby shall be known as the "Town of Davie Neighborhood Improvement District".

Section 18-352. Authority to Apply for and Receive Grant.

The local government neighborhood improvement district created hereby is hereby authorized to apply for and receive from the Florida Department of Community Affairs up to \$250,000.00 for planning grant and up to an additional \$30,000.00 to employ the services of technical experts.

Section 18-353. Utilization of Tax or Special Assessment.

The purpose is hereby stated that the district may utilize a maximum of 2 mills ad valorem taxes or special assessments on real property within the district.

Section 18-354. Board of Directors.

The Town Council of the Town of Davie is hereby designated as the Board of Directors of the district. The Board of Directors shall be empowered to make and collect general assessments to finance any of the improvements to the district authorized in Chapter 163.

Section 18-355. Advisory Council.

An advisory council is hereby established for the local government neighborhood improvement district created hereby. The advisory council shall be composed of no fewer than members who shall be owners of real property located in the district, or residents of the district or merchants/business persons with their primary places of business located within the district. The members of the advisory council shall be appointed by the Board of Directors and shall serve at the pleasure of the Board of Directors. The advisory board shall perform such duties as may be prescribed by the Board of Directors and shall submit within the time period specified by the Board of Directors, a report on the districts proposed activities and a proposed budget to accomplish the district's objections. In formulating a plan for services or improvements, the advisory council shall consult in public session with the appropriate staff or consultants of the Town of Davie responsible for preparation of the district's plan.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its passage and approval of the Mayor.

PASSED ON FIRST READING THIS 7th DAY OF September, 1988.

PASSED ON SECOND READING THIS 26th DAY OF September, 1988.

F. J. Carruth
Mayor/Councilman

Attest:

Barbara Bergamini
ass't Town Clerk

APPROVED THIS 26th DAY OF September, 1988.