

RESOLUTION NO. 01-9

A RESOLUTION OF THE CITY OF DUNNELLON, FLORIDA ADOPTING AS AN ADMINISTRATIVE PROCEDURE TO BE USED BY THE CITY THE ANNEXATION PROCEDURES ATTACHED HERETO AND MADE A PART HEREOF; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City Council appointed an Annexation Committee to compile a set of rules and procedures to be utilized by the City when contemplating the annexation of contiguous lands; and

WHEREAS, Councilman Rick Hancock, members of the Annexation Committee as well as the City Attorney and Community Development Coordinator met on several occasions to develop a set of annexation procedures duly suited to the needs of the City of Dunnellon and its citizens.

NOW, THEREFORE, BE IT RESOLVED THIS 25th DAY OF June, 2001 AS FOLLOWS:

1. Council does hereby adopt the set of annexation procedures attached hereto as Exhibit A dated May 2001 as the annexation procedures to be used by the City when considering the annexation of contiguous lands.

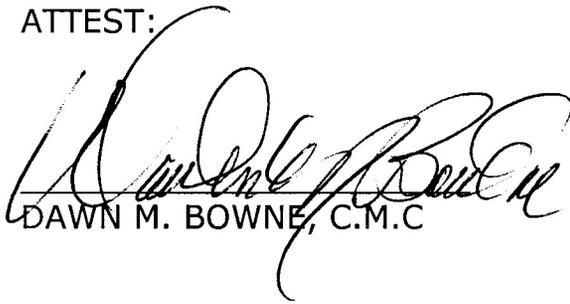
2. The annexation procedures attached may be amended from time to time upon adoption of a Resolution amending the annexation procedures set forth herein.

3. **Effective Date.** This Resolution shall take effect immediately upon its final adoption.

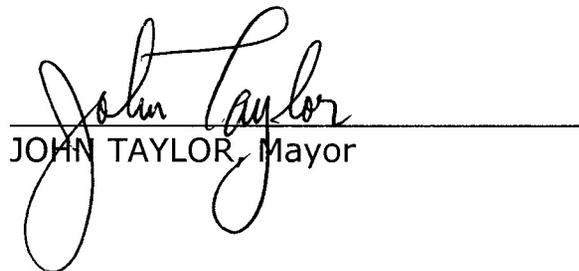
Dated this 25th day of ~~May~~^{June}, 2001.

ATTEST:

CITY OF DUNNELLON, FLORIDA

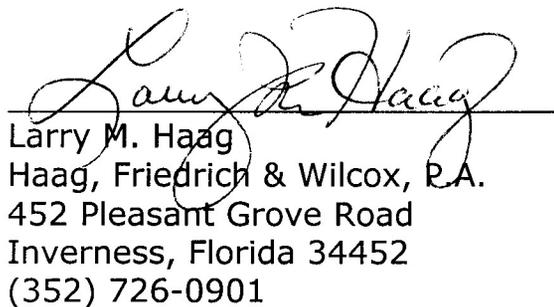


DAWN M. BOWNE, C.M.C.



JOHN TAYLOR, Mayor

Approved as to Form
and Content:



Larry M. Haag
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452 Pleasant Grove Road
Inverness, Florida 34452
(352) 726-0901

May 1, 2001

To: Mayor John Taylor
Vice-Mayor Valerie Porter-Hanchar
Dan Rutkowski, Councilman

From: Rick Hancock, Councilman

Subject: Annexation Guidelines

I am pleased to provide Council with recommended guidelines for annexation procedures that comply with all requirements of Florida State Statute, Title XII, Chapter 171. These compliance standards have been developed in consultation with, and reviewed by, the City Attorney and Community Development Coordinator.

A fact-finding committee was established to provide the city a recommended framework, and process for accomplishing all requirements of Florida Statute 171, regarding any annexation that is to be considered by the City of Dunnellon. The purpose was to ensure that minimum requirements are met; and that sufficient facts and supporting detail are made available to the public, in one "package", for timely, consistent sharing of information and general public education. The guidelines provide for all necessary information to be included; and that should be made available to the public, in order to properly educate the general public and specific stakeholders on any annexation being considered.

Seven public meetings were held to discuss, review, and make recommendations for complying with all statute requirements. I wish to personally thank participating members of the fact-finding committee who donated their time, expertise, and provided invaluable input to this process. Participating members included: Curt Bond, Joe Campfield, Michael Diamond, William England, Charles Grant, Jackie Leonard, Addison Padgett, Cathy Redd, Ray Shelton, Rosetta Smith, and Rick Terrell.

I urge Council to adopt this "template" for completing all annexation processes. In closing, the consensus of the committee, and my strongest recommendation to Council is that public education is the critical component to any annexation consideration. With this in mind, whenever there is a question regarding the level of detail or information being required, I would encourage City Council to always err on the side of more information rather than less. Thoroughly educating and informing all participants with the same set of available facts, will give the best opportunity to make the better choice, for the City, and it's citizens.

c.c. City Attorney
Community Development Coordinator
Annexation Committee

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171.042 PREREQUISITES TO ANNEXATION.

(1) Prior to commencing (before adoption of the Ordinance), the annexation procedures under s.171.0413 (Character of the area to be annexed), the governing body of the municipality shall prepare a report setting forth the plans to provide urban services to any area to be annexed, and the report shall include the following:

(a) A map or maps of the municipality and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, as required in paragraph (c), and the general land use pattern in the area to be annexed.

Required for submittal:

A City boundary map showing 5-mile radius outward from city limits. Use overlays (or other maps to provide specific details) of all required components or criteria relating to annexation. The present city boundary and proposed annexed area must be clearly identified.

Source:

Marion County Property Appraiser's Office.

(b) A statement certifying that the area to be annexed meets the criteria in s. 171.043 (Character of the area to be annexed).

(c) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation. Specifically, such plans shall:

1. Provide for extending urban services¹ except as otherwise provided herein to the area to be annexed on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.

2. Provide for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect in such municipality for extending water and sewer lines to individual lots or subdivisions.

Required for submittal:

¹ Urban services should be listed and identified by type (i.e., garbage, ROW maintenance, city personnel, etc.).

An overlay with existing public or private utilities, along with proper overlays identifying any existing utilities in areas to be annexed and what effect they may have upon the proposed area of annexation.

A statement certifying that the area to be annexed meets the criteria in s. 171.043

Address points (c)(1) and (c)(2).

Source:

The City of Dunnellon Public Service Department, Department of Environmental Protection (DEP), and/or the Public Service Commission.

3. If extension of major trunk water mains and sewer mains into the area to be annexed is necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.

Required for submittal:

A methodology must be established (including information from private developers, if applicable) to capture who will be the service provider and the cost to provide certain infrastructures based on professionally engineered drawings along with the scope of work in order to establish criteria for cost evaluation.

An overlay indicating proposed utilities. Provide general engineering details and estimated costs for extension.

Source:

Proposed utility information is to be based on a proposed development plan and/or the 5-year utility plan that can be obtained from the City of Dunnellon Public Service Department.

4. Set forth the method under which the municipality plans to finance extension of services into the area to be annexed.

(2) Prior to commencing the annexation procedures under s. 171.0413, the governing body of the municipality shall file a copy of the report required by this section with the board of county commissioners of the county wherein the municipality is located.

Required to be done by the City:

Identify method of financing, identify source (i.e., special assessments, grants, etc.).

Report to be sent to the Clerk of the Circuit Court and the Board of County Commissioners, Return Receipt Requested.

171.043 CHARACTER OF THE AREA TO BE ANNEXED.

The purpose of this subsection is to permit municipal governing bodies to extend corporate limits to include all nearby areas developed for urban purposes and, where necessary, to include areas which at the time of annexation are not yet developed for urban purposes whose future probable use is urban and which constitute necessary land connections between the municipality and areas developed for urban purposes or between two or more areas developed for urban purposes.

A municipal governing body may propose to annex an area only if it meets the general standards of subsection (1) and the requirements of either subsection (2) or subsection (3).

(1) The total area to be annexed must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun and reasonably compact² and uniform, and no part of the area shall be included within the boundary of another incorporated municipality.

Required for submittal:

An overlay indicating the existing and future land use for the area being considered for annexation.

Source:

City of Dunnellon Comprehensive Plan.

Required for submittal:

Means test or explanation of specific criteria that's being met:

- **Contiguous**
- **Reasonably compact**
 - **Natural boundaries**
 - **No split areas/subdivisions**
 - **Density**
 - **# People per acre**
 - **Total resident population equals one (1) person per acre**

Source:

-Southwest Florida Water Management District

-Withlatchoochee Regional Planning Council

-Economic Development Council of Marion County

² "Compactness" per definition in F.S. means concentration of a piece of property in a single area and precludes any action, which would create enclaves, pockets, or finger areas in serpentine patterns. Any annexation proceeding in any county in the state shall be designed in such a manner as to ensure that the area will be reasonably compact and uniform.

(and other agencies that may be involved such as:)
**-Department of Environmental Protection/Office of
Greenways & Trails**

(2) Part or all of the area to be annexed must be developed for urban purposes. An area developed for urban purposes is defined as any area that meets any one of the following standards:

(a) It has a total resident population equal to at least two persons for each acre of land included within its boundaries; or

(b) It has a total resident population equal to at least one person for each acre of land included within its boundaries and is subdivided into lots and tracts so that at least 60 percent of the total number of lots and tracts are one (1) acre or less in size; or

(c) It is so developed that at least 60 percent of the total number of lots and tracts in the area at the time of annexation are used for urban purposes, and it is subdivided into lots and tracts so that at least 60 percent of the total acreage, not counting the acreage used at the time of annexation for nonresidential urban purposes, consists of lots and tracts 5 acres or less in size.

(3) In addition to the area developed for urban purposes, a municipal governing body may include in the area to be annexed any area which does not meet the requirements of subsection (2) if such area either:

(a) Lies between the municipal boundary and an area developed for urban purposes, so that the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services or water or sewer lines through such sparsely developed area; or

(b) Is adjacent, on at least 60 percent of its external boundary, to any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (2).

Required for submittal:

- **Statement that the area to be included is not within the boundary of another incorporated municipality.**
- **Must be developed for urban purposes either by:**
- **2 residents/acre (or land included within the boundaries)**

or

- Resident population equal to one person/acre and subdivided into lots and tracts showing that at least 60% of the total number of lots and tracts are one acre or less.

or

- 5 Acres or less in size per person (actually anything over 2 acres per person).

Indicate which formula is being used (provide data).

Source:

Southwest Florida Water Management District

Withlatchoochee Regional Planning Council

Economic Development Council of Marion County

Department of Environmental Protection/Office of Greenways & Trails

Property Appraiser's Office (or website).

171.0413 ANNEXATION PROCEDURE

Any municipality may annex contiguous, compact, unincorporated territory in the following manner:

(1) An ordinance proposing to annex an area of contiguous, compact, unincorporated territory shall be adopted by the governing body of the annexing municipality pursuant to the procedure for the adoption of a nonemergency ordinance established by s. 166.041. Prior to the adoption of the ordinance of annexation, the local governing body shall hold at least two advertised public hearings. The first public hearing shall be on a weekday at least 7 days after the day that the first advertisement is published. The second public hearing shall be held on a weekday at least 5 days after the day that the second advertisement is published. Each such ordinance shall propose only one reasonably compact area to be annexed. However, prior to the ordinance of annexation becoming effective, a referendum on annexation shall be held as set out below, and, if approved by the referendum, the ordinance shall become effective 10 days after the referendum or as otherwise provided in the ordinance, but not more than 1 year following the date of the referendum.

Required (by City):

Adoption of Ordinance - Same procedure as set forth in 166.041. (Each ordinance shall propose only one reasonably compact area to be annexed)

***Two (2) advertised public hearings**

**-First hearing at least 7 days after the day that the first advertisement is published;
and**

-Second hearing at least 5 days after the second advertisement.

(2) Following the final adoption of the ordinance of annexation by the governing body of the annexing municipality, the ordinance shall be submitted to a vote of the registered electors of the area proposed to be annexed. The governing body of the annexing municipality may also choose³ to submit the ordinance of annexation to a separate vote of the registered electors of the annexing municipality. The referendum on annexation shall be called and conducted and the expense thereof paid by the governing body of the annexing municipality.

(a) The referendum on annexation shall be held at the next regularly scheduled election following the final adoption of the ordinance of annexation by the governing body of the annexing municipality or at a special election called for the purpose of holding the referendum. However, the referendum, whether held at a regularly scheduled election or at a special election, shall not be held sooner than 30 days following the final adoption of the ordinance by the governing body of the annexing municipality.

³ Highly recommend using the voting process.

(b) The governing body of the annexing municipality shall publish notice of the referendum on annexation at least once each week for 2 consecutive weeks immediately preceding the date of the referendum in a newspaper of general circulation in the area in which the referendum is to be held. The notice shall give the ordinance number, the time and places for the referendum, and a brief, general description of the area proposed to be annexed. The description shall include a map clearly showing the area and a statement that the complete legal description by metes and bounds and the ordinance can be obtained from the office of the city clerk.

(c) On the day of the referendum on annexation there shall be prominently displayed at each polling place a copy of the ordinance of annexation and a description of the property to be annexed. The description shall be by metes and bounds and shall include a map clearly showing such area.

(d) Ballots or mechanical voting devices used in the referendum on annexation shall offer the choice "For annexation of property described in ordinance number ____ of the City of ____" and "Against annexation of property described in ordinance number ____ of the City of ____" in that order.

(e) If the referendum is held only in the area proposed to be annexed and receives a majority vote (in each area), or if the ordinance is submitted to a separate vote of the registered electors of the annexing municipality and the area proposed to be annexed and there is a separate majority vote for annexation in the annexing municipality and in the area proposed to be annexed, the ordinance of annexation shall be come effective on the effective date specified therein. If there is any majority vote against annexation, the ordinance shall not be come effective, and the area proposed to be annexed shall not be the subject of an annexation ordinance by the annexing municipality for a period of 2 years from the date of the referendum on annexation.

(4) Except as otherwise provided in this law, the annexation procedure as set forth in this section shall constitute a uniform method for the adoption of an ordinance of annexation by the governing body of any municipality in this state, and all existing provisions of special laws which establish municipal annexation procedures are repealed hereby; except that any provision or provisions of special law or laws which prohibit annexation of territory that is separated from the annexing municipality by a body of water or watercourse shall not be repealed.

(5) If more than 70 percent of the land in an area proposed to be annexed is owned by individuals, corporations, or legal entities which are not registered electors of such area, such area shall not be annexed unless the owners of more than 50 percent of the land in such area consent⁴ to such annexation. The parties proposing the annexation, prior to the referendum to be held on the annexation, shall obtain such consent.

Required by City:

⁴ Written consent with notarized affidavit.

Verification of land ownership with comparison to voter registration.

Resources:

Property Appraiser's Office or website (tax rolls) and the Supervisor of Elections.

(6) Notwithstanding subsections (1) and (2), if the area proposed to be annexed does not have any registered electors on the date the ordinance is finally adopted, a vote of electors of the area proposed to be annexed is not required. In addition to the requirements of subsection (5), the area may not be annexed unless the owners of more than 50 percent of the parcels of land in the area proposed to be annexed consent to the annexation, the governing body does not choose to hold a referendum of the annexing municipality pursuant to subsection (2), then the property owner consents⁵ required pursuant to subsection (5) shall be obtained by the parties proposing the annexation prior to the final adoption of the ordinance, and the annexation ordinance shall be effective upon becoming a law or as otherwise provided in the ordinance.

Required by City:

1. Referendum. Following adoption of the ordinance of annexation, the ordinance shall be submitted to a vote of the registered voters of the area proposed to be annexed⁶.

a. Referendum to be held at the next regularly scheduled election or scheduled for a special election at least 30 days following the final adoption of the ordinance.

b. Notice of referendum to be published at least once each week for 2 consecutive weeks immediately preceding referendum. The notice shall give:

- **The ordinance number;**
- **The time and places for the referendum; and**
- **A brief, general description of proposed area to be annexed, including a map clearly showing the area, and a statement that the complete legal description by metes and bounds and copy of the ordinance can be obtained from the office of the city clerk.**

c. On day of referendum at polling place, there must be displayed:

- **Copy of the ordinance of annexation; and**
- **Description of the property proposed to be annexed.**

⁵ Written consent with notarized affidavit.

⁶ It is also recommended that a vote be obtained from the citizens within the Dunnellon City limits.

- The ballots or mechanical voting devices used shall offer the choice: “For annexation of property described in ordinance number _____ of the City of Dunnellon” and “Against annexation of property described in ordinance number _____ of the City of Dunnellon”, in that order.

d. If the referendum receives a majority vote, the ordinance of annexation shall become effective on the effective date specified (ten (10) days to one (1) year).

e. If there is a majority vote against annexation, the ordinance shall not become effective, and the area proposed to be annexed shall not be the subject of an annexation ordinance by the annexing municipality for a period of 2 years from the date of the referendum on annexation.

Legal Summary:

1. Unless the owner agrees, no parcel of land may be severed, separated, divided.

2. If the owners of more than 70% of the land proposed to be annexed are not registered electors of such area, the area shall not be annexed unless the owners of more than 50% of the land in the area consent⁷ to the annexation.

a. Consent⁸ shall be obtained by the parties proposing the annexation prior to the referendum.

3. If the area to be annexed does not have any registered voters on the date the ordinance is adopted, a vote of electors of the area proposed to be annexed is not required.

In addition to requirements of Paragraph 4 above, if 50% of the owners of land in the proposed annexation area consent to annexation, and the governing body does not choose to hold a referendum, then “owner consents” shall be obtained prior to the final adoption of the ordinance, and the annexation ordinance shall be effective upon becoming a law or as otherwise provided in the ordinance.

⁷ Written consent required with a notarized affidavit.

⁸ Written consent required with a notarized affidavit.

171.044 VOLUNTARY ANNEXATION

Note: The same information will be required for voluntary annexations as with involuntary annexations with the exception of the referendum process⁹

(1) The owner or owners of real property in an unincorporated area of a county that is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property¹⁰ be annexed to the municipality.

(2) Upon determination by the governing body of the municipality that the petition bears the signatures of all owners of property in the area proposed to be annexed, the governing body may, at any regular meeting, adopt a non-emergency ordinance to annex said property and redefine the boundary lines of the municipality to include said property. Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town or, if no newspaper is published in said city or town, then in a newspaper published in the same county; and if no newspaper is published in said county, then at least three printed copies of said notice shall be posted for 4 consecutive weeks at some conspicuous place in said city or town. The notice shall give the ordinance number and a brief, general description of the area proposed to be annexed. The description shall include a map clearly showing the area and a statement that the complete legal description by metes and bounds and the ordinance can be obtained from the office of the city clerk.

(3) An ordinance adopted under this section shall be filed with the clerk of the circuit court and the chief administrative officer of the county in which the municipality is located and with the Department of State within 7 days after the adoption of such ordinance. The ordinance must include a map which clearly shows the annexed area and a complete legal description of that area by metes and bounds.

(4) The method of annexation provided by this section shall be supplemental to any other procedure provided by general or special law, except that this section shall not apply to municipalities in counties with charters which provide for an exclusive method of municipal annexation.

(5) Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.

(6) Upon publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the

⁹ Highly recommend using the voting process.

¹⁰ Must provide proof of ownership.

municipality is located. The notice provision provided in this subsection shall not be the basis of any cause of action challenging the annexation.

171.045 ANNEXATION LIMITED TO A SINGLE COUNTY.

In order for an annexation proceeding to be valid for the purposes of this chapter, the annexation must take place within the boundaries of a single county.

Section 171.046 ANNEXATIONS OF ENCLAVES¹¹.

(1) The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves.

(2) In order to expedite the annexation of enclaves of 10 acres or less into the most appropriate incorporated jurisdiction based upon existing or proposed service provision arrangements, a municipality may:

(a) Annex an enclave by Interlocal agreement with the county having jurisdiction of the enclave; or

(b) Annex an enclave with fewer than 25 registered voters by municipal ordinance within the annexation is approved in a referendum by at least 60 percent of the registered voters who reside in the enclave.

(3) This section does not apply to undeveloped or unimproved real property.

¹¹ "Enclave" means (a) any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality; or (b) Any unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows passage of vehicular traffic to that unincorporated area only through the municipality.

STATUTE COMPLIANCE CHECKLIST

171.042 Prerequisites to Annexation

(Required by Petitioner)

- City boundary map including other maps necessary to provide details, showing 5-mile radius outward from city limits.
- Proposed development plans (if applicable).
- An overlay with proposed/existing utilities.
- Estimated costs of proposed infrastructure (water, sewer, roadways, Stormwater structures, etc.).
- Identify who will be responsible for the costs of proposed infrastructure.
- State the method for financing any costs associated with the annexation.

(Required by City)

- Report to be sent to the Board of County Commissioners (certified mail) with the following information:
 - Map of proposed annexation with details of all required components or criteria relating to annexed area.
- A statement certifying that the area to be annexed meets the criteria in s. 171.043.
- A statement identifying which services are to be extended to annexed area.
- Provide for future utility extensions along with timelines.
- Identify method of financing the extension of services into the area to be annexed.

171.043 Character of the Area to be Annexed

(Required by Petitioner)

- Map with existing and future land uses.
- Proof that the property is contiguous.
- Property is reasonably compact.
 - Natural boundaries demonstrated on map.
 - Subdivisions identified.
 - Density shown.
 - # People per acre established.

- Total resident population equals one (1) person per acre.
- ☐ Statement that the area to be included is not within the boundary of another incorporated municipality.
- ☐ Indicate which of the following formulas are being used:
 - 2 Residents/acre
 - Resident population equal to 1 person/acre; and, subdivided into lots and tracts showing that at least 60% of the total number of lots and tracts are one acre or less.
 - 5 Acres or less in size per person (actually, anything over 2 acres/person)

171.0413 Annexation Procedure

(Required by Petitioner)

- ☐ Verification that any parcels of land that are severed, separated, or divided have written consent by the owner.
- ☐ Written consent with notarized affidavit by at least 50% of the property owners (if the owners of more than 70% of the land proposed to be annexed are not registered electors of such area) prior to the referendum.
 - Note: If the area to be annexed does not have any registered voters on the date the ordinance is adopted, a referendum is not required.
 - If the referendum does not take place, written consent from 50% of the property owners must be submitted prior to the final adoption of the ordinance.

(Required by City)

- ☐ Adoption of Ordinance (Each ordinance shall propose only one reasonably compact area to be annexed).
 - Two (2) advertised public hearings.
 - First hearing at least 7 days after the day that the first advertisement is published; and
 - Second hearing at least 5 days after the second advertisement is published.
- ☐ Referendum (expense to be paid for by City)
 - Can be held by special election or at the next scheduled election following the final adoption of the ordinance.
 - Cannot be held any sooner than 30 days following the final adoption of the ordinance.

- Notice of referendum to be published at least once each week for two (2) consecutive weeks immediately preceding the date of the referendum.
 - On the day of the referendum, prominently display at each polling place a copy of the ordinance of annexation and a metes and bounds description of the property to be annexed including a map clearly showing the area of annexation
 - Ballots or mechanical voting devices shall offer the choice "For annexation of property described in Ord. Number ____ of the City of ____" and "Against annexation of property described in ordinance number ____ of the City of ____" in that order.

PUBLIC INFORMATION CHECKLIST

CAUSE/EFFECT OF PROPOSED ANNEXATION **Considerations on behalf of City**

Identify changes required and associated costs in relation to:

- Additional City Staff Required
- Police Services
- Fire Services
- Schools (impact on student population)
- Transportation needs
- Infrastructure needs (type & cost)
- Financing Costs for Special Assessments (if applicable)
- Tax Base Change or other revenues (break out each)
- Ad Valorem Taxes
- Traffic (impact on LOS)
- Services/Stores
- Insurance Ratings
- Grant opportunities
- Trash Removal
- Revenue Sharing

Other considerations:

- Identify if any of the proposed improvements are currently identified within 5-year plan (map + all associated costs).

If not:

- Re-prioritize existing or provide support that project can be added within reasonable time and cost.
- A feasibility study should be prepared identifying the time frame/cost of proposed improvements along with any necessary phasing of development.
- A study should be completed identifying other services that will be affected by the proposed annexation (fire, police, transportation, etc.). Include any necessary phasing.

CAUSE/EFFECT OF PROPOSED ANNEXATION
Considerations by Petitioner

Identify changes required and associated costs in relation to:

- Animal Control
- Road Upgrade
- Cemetery
- Water/Sewer Connection Costs, financing (if available), special assessments.
- Acceptance of existing infrastructure
- Added or removed taxes
- Surveys (who provides this service?)
- Stormwater/flood retention
- Wells/Septic – Fees associated with connection to system
- Street lights (who pays?)
- Parks & recreation
- New property restrictions?
- How will Code Enforcement be affected?
- Zoning/Building services

NOTE: The above-mentioned items are benefits/costs that may or may not be incurred depending on the size and conditions surrounding the proposed annexed area. A general statement (for current residents and proposed annexed residents) is to be submitted in an effort to provide documented public information explaining expected changes and their effects due to the proposed annexation. This information will be made available to the general public along with planned public forums for educational purposes.

MASTER

ORDINANCE NO. 01-4

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, AMENDING ARTICLE III, OF THE CODE OF ORDINANCES BY ADDING SECTION 2-33, ENTITLED ANNEXATION PROCEDURES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council formed an Annexation Committee headed by Councilman, Rick Hancock, to formulate annexation procedures to be utilized by the City Council; and

WHEREAS, same Annexation Committee met and worked in conjunction with Councilman Hancock, the City Attorney and the Community Development Coordinator to formulate a set of annexation procedures consistent with Florida Law and to suit the needs of the citizens of the City of Dunnellon and surrounding areas; and

WHEREAS, City Council wishes to adopt said annexation procedures by Ordinance so that the current and future councils may use it when the annexation of contiguous lands to the City is to be considered by the Council and by the public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA AS FOLLOWS:

Section 1. The Code of Ordinances of the City of Dunnellon, Florida, is hereby amended by creating a new Article III, a Section 2-33, entitled, Annexation Procedures, to read as follows:

Sec. 2-33. Annexation Procedures. When considering the annexation of property contiguous to the City, the City Council shall follow the procedures set forth in Chapter 171, Florida Statutes, as amended, as well as Resolution No. 01-9, as amended, adopting by reference the annexation procedures set forth as Exhibit A to said Resolution dated May 2001.

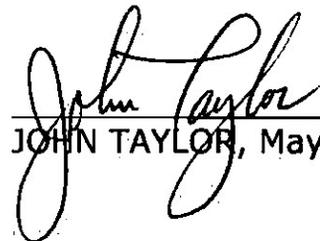
Section 2. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 3. Effective Date. The effective date of this Ordinance shall be immediately upon its passage.

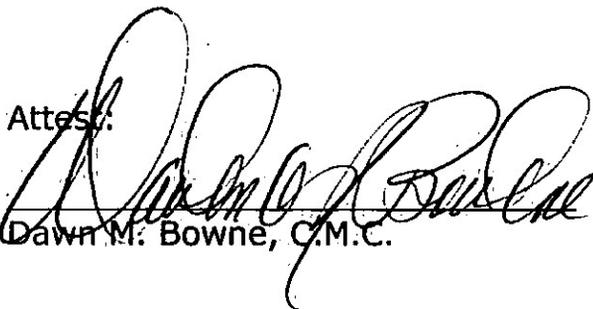
Upon motion duly made and carried, the foregoing Ordinance was adopted on the first reading on the 29th day of May, 2001.

Upon motion duly made and carried, the foregoing Ordinance was adopted on the second and final reading on the 25th day of June, 2001.

CITY OF DUNNELLON, FLORIDA

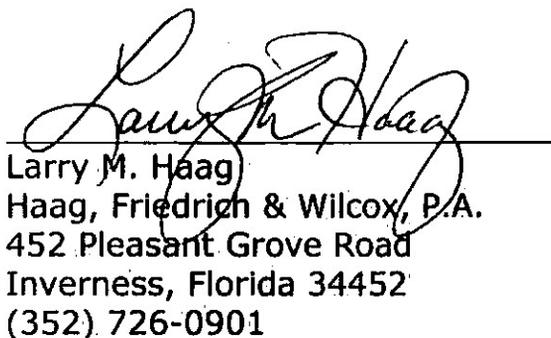


JOHN TAYLOR, Mayor

Attest:


Dawn M. Bowne, C.M.C.

Approved as to Form and Content:



Larry M. Haag
Haag, Friedrich & Wilcox, P.A.
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Inverness, Florida 34452
(352) 726-0901