



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u>  * 0  </u>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>  0  </u>	_____	_____	_____	_____

Is Item Included in Proposed Budget?      Yes \_\_\_ No \_\_\_  
 Does this item include the use of federal funds      Yes \_\_\_ No X

Budget Account No.:      Fund \_\_\_ Dept \_\_\_ Unit \_\_\_ Rev Source \_\_\_

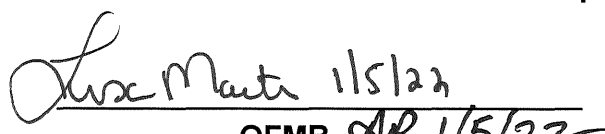
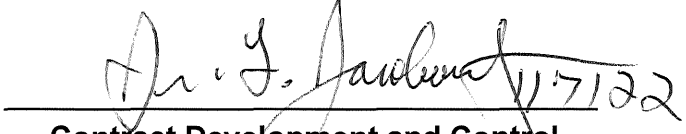
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

\* There is no fiscal impact associated with the receipt and filing of the municipal ordinance. Funding for service to the Town of Haverhill is currently provided from the main Fire/Rescue MSTU (Fund 1300). Extending the municipality's participation in the Fire/Rescue MSTU will not change the amount of revenue received for fire-rescue services.

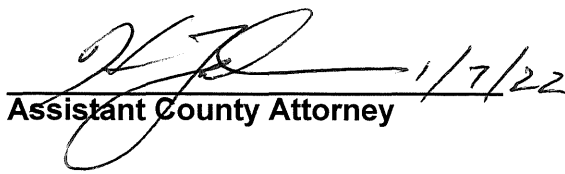
C. Departmental Fiscal Review: 

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development and Control Comments:**

<u></u> OFMB <u>AP 1/5/22</u>	<u></u> Contract Development and Control <u>1-7-22 TD</u>
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**B. Legal Sufficiency**

  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**ORDINANCE NO.506**

**AN ORDINANCE OF THE TOWN COUNCIL OF TOWN OF HAVERHILL, FLORIDA; AFFIRMING, RATIFYING AND EXTENDING THE TOWN'S CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE TOWN'S MUNICIPAL BOUNDARIES INTO PALM BEACH COUNTY'S FIRE/RESCUE MUNICIPAL SERVICE TAXING UNIT FOR FIRE-RESCUE, FIRE PROTECTION, ADVANCED LIFE SUPPORT (OR SIMILAR EMERGENCY SERVICES), FIRE CODE ENFORCEMENT AND OTHER NECESSARY AND INCIDENTAL SERVICES; PROVIDING FOR INTENT, PURPOSE AND CONSENT; PROVIDING FOR EFFECTIVENESS AND DURATION OF EXTENDED CONSENT; PROVIDING FOR EFFECTIVENESS OF REPEAL; ACKNOWLEDGING AD VALOREM MILLAGE RATE LIMITATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR CAPTIONS.**

**WHEREAS**, pursuant to Section 125.01(1)(q) and (r), Florida Statutes, the Florida Legislature has empowered counties to establish Municipal Service Taxing Units ("MSTU"s), whereby a county may levy a tax within the MSTU for certain essential municipal services, including the provision of fire-rescue services; and

**WHEREAS**, pursuant to Section 125.01(1)(q), Florida Statutes, a municipality may be included within an MSTU, subject to approval by ordinance of the governing body of the municipality giving consent either annually or for a term of years; and

**WHEREAS**, Palm Beach County ("County") established an MSTU known as the Fire/Rescue MSTU ("Fire/Rescue MSTU") to provide fire protection, fire rescue, advanced life support (or similar emergency services), code enforcement and other services necessary and incidental to the purpose for which the MSTU was created; and

**WHEREAS**, the Town of Haverhill ("Town") adopted Town Ordinance No. 246 on November 12, 1992, consenting to its inclusion in the Fire/Rescue MSTU, as a mechanism to receive and fund County fire-rescue services; and

**WHEREAS**, the County by Ordinance No. 92-39 amended the boundaries of the Fire/Rescue MSTU to include the Town; and

**WHEREAS**, the Town Council hereby desires to update, affirm and ratify its consent to be included in the Fire/Rescue MSTU and to extend said consent for an additional ten (10) year period; and

**WHEREAS**, the Town believes that its inclusion in the Fire/Rescue MSTU to receive and fund County fire-rescue and related services within the Town is in the best interest of the health, safety and welfare of the citizens of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, THAT:**

**Section 1: Intent, Purpose and Consent:** It is the intent, purpose and effect of this Ordinance to comply with the provisions of Section 125.01(1)(q), Florida Statutes. The Town Council of the Town of Haverhill hereby affirms, ratifies and extends its consent for all territory within the incorporated municipal boundaries of the Town, as may be amended from time to time, to be included within the County's Fire/Rescue MSTU continuously without interruption since its original consent granted by Town Ordinance 246 and continuing for an additional ten year period through tax year 2031, as a mechanism to continue to receive and fund County fire-rescue services until 7:30 a.m. on October 1, 2032. The purpose of the enactment of this Ordinance is to affirm, ratify and extend the Town's consent to be included in the Fire/Rescue MSTU in order to enable the County to fund and provide fire-rescue and related services within the territorial limits of the Town including, but not limited to, the County's enforcement of the Florida Fire Prevention Code and Palm Beach County Local Amendments thereto (collectively "Fire Code") and any other laws and regulations applicable within the Fire/Rescue MSTU.

**Section 2: Effectiveness and Duration of Extended Consent:** The Town's extended consent to be included in the Fire/Rescue MSTU shall continue through December 31, 2031; provided, however, that the Town's consent and inclusion in the Fire/Rescue MSTU shall be deemed to continue through 7:30 a.m. on October 1, 2032, to the extent necessary to enable the County to provide within the Town fire-rescue and related services funded by the final tax year including, but not limited to, the County's enforcement of the Fire Code and any other laws and regulations applicable within the Fire/Rescue MSTU. Notwithstanding anything here to the contrary, the Town's continuing participation in the Fire/Rescue MSTU is contingent upon the County maintaining an ordinance including the Town within the Fire/Rescue MSTU.

**Section 3: Effectiveness of Repeal:** Should the Town intend to repeal its consent to be included in the Fire/Rescue MSTU prior to its expiration on December 31, 2031, the Town shall provide written notice to the County, by March 1<sup>st</sup> of any given year, of the Town's intent to repeal this Ordinance and the consent provided herein effective December 31<sup>st</sup> of the same year. The

Town shall adopt an ordinance to repeal this Ordinance and the consent provided herein, and shall provide a certified copy of the repealing ordinance to the County and to the Property Appraiser, by said December 31<sup>st</sup>. The Town's inclusion in the Fire/Rescue MSTU shall terminate on said December 31<sup>st</sup>; provided, however, that the Town's inclusion in the Fire/Rescue MSTU shall be deemed to continue through the following October 1<sup>st</sup> at 7:30 a.m. to the extent necessary to enable the County to provide within the Town fire-rescue and related services funded by the final tax year, including, but not limited to, the County's enforcement of the Fire Code and any other laws and regulations applicable within the Fire/Rescue MSTU.

**Section 4: Ad Valorem Millage Rate Limitation:** The Town acknowledges that by opting into the Fire/Rescue MSTU, it cannot levy an annual ad valorem millage rate that would exceed the ten (10) mill cap for municipal purposes when combined with the Fire/Rescue MSTU's annual ad valorem millage rate.

**Section 5: Repeal of Conflicting Ordinances:** All other ordinances and parts of ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of the conflict. Notwithstanding the above, Town Ordinance No. 246 and the consent provided therein shall be deemed to continue in place to the extent necessary to enable the County to provide within the Town fire-rescue and related services funded by prior tax years.

**Section 6: Severability:** If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**Section 7: Codification:** The provisions of this Ordinance shall become and be made a part of the code of ordinances of the Town of Haverhill, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

**Section 8: Captions:** The captions, section headings, and section designations used in this Ordinance are intended only for the convenience of users and shall have no effect on the interpretation of the provisions of this Ordinance.

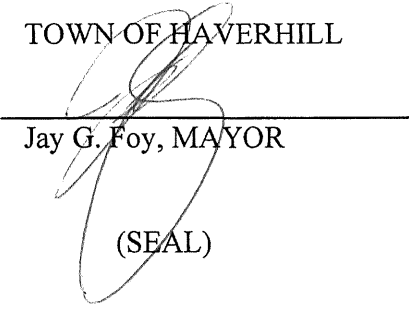
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**FIRST READING** this 8<sup>th</sup> day of September, 2021.

**APPROVED AND ADOPTED ON SECOND READING** by the Town Council of the  
Town of Haverhill, Florida, on this 14<sup>th</sup> day of October, 2021

TOWN OF HAVERHILL

By:

  
\_\_\_\_\_  
Jay G. Foy, MAYOR

(SEAL)

ATTESTED:

  
\_\_\_\_\_  
Janice C. Rutan  
TOWN ADMINISTRATOR

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
TOWN ATTORNEY