

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NUMBER _____

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS FOR MARTIN COUNTY, FLORIDA, REPEALING DIVISION 2 INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT, ARTICLE 10 SPECIAL DISTRICTS, CHAPTER 71 FINANCE AND TAXATION, GENERAL ORDINANCES, MARTIN COUNTY CODE AND DISSOLVING THE INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 189, FLORIDA STATUTES; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS AND SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, TRANSMISSION TO FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Martin County, Florida (the “County”) has previously adopted Division 2 Indiantown Community Development District, Article 10 Special Districts, Chapter 71 Finance and Taxation, General Ordinances, Martin County Code on February 12, 2008, which became effective on February 20, 2008, by which the Indiantown Community Development District (the “District”) was created pursuant to the requirements of Chapter 190, Florida Statutes; and

WHEREAS, the District has become inactive, it does not own any property, assets, or have any outstanding obligations, it has not issued any bonds, and it has not undertaken to construct any infrastructure projects. As such, the District’s Board of Supervisors has unanimously adopted a Resolution formally declaring the District to be inactive pursuant to the requirements of Section 189.062(1)(a)(6), Florida Statutes, and transmitted the same to the Florida Department of Economic Opportunity (“DEO”); and

WHEREAS, the DEO has followed the necessary statutory steps to declare the District to be inactive, including publication of a notice of intent to declare the District inactive, and no objections were received. Accordingly, on January 20, 2023, the DEO changed the District’s status to inactive; and

WHEREAS, the DEO notified the County by letter of February 2, 2023, of this declaration and informed the County of the requirement to dissolve the District pursuant to the requirements of Section 189.062(4), Florida Statutes, and requested that the County provide documentation of such action to the DEO.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA, THAT:

PART 1: REPEAL OF DIVISION 2 INDIANTOWN COMMUNITY DEVELOPMENT DISTRICT

Pursuant to the requirements of Section 189.062(4), Florida Statutes, Division 2 Indiantown Community Development District, Article 10 Special Districts, Chapter 71 Finance and Taxation, General Ordinances, Martin County Code adopted February 12, 2008, which became effective February 20, 2008, is hereby repealed and the Indiantown Community Development District is accordingly hereby dissolved. The District shall transfer all official records of the District to the Clerk of the Circuit Court & Comptroller, Martin County, Florida, as soon as practicable after the dissolution of the District.

PART 2: APPLICABILITY OF ORDINANCE.

This Ordinance shall be applicable throughout the unincorporated area of Martin County.

PART 3: CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan, pursuant to Chapter 163, Part II, Florida Statutes.

PART 4: SEVERABILITY.

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

PART 5: FILING WITH THE DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this Ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART 6: TRANSMITTAL TO DEO

The County Administrator is directed to transmit documentation of the action of the County to the DEO.

PART 7: CODIFICATION

Provisions of this ordinance shall be incorporated into the Martin County General Ordinances, except that Parts 2 through 8 shall not be codified. The word “ordinance” may be changed to “article”, “section” or other word, and the sections of this ordinance may be renumbered or relettered.

PART 8: EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Department of State.

DULY PASSED AND ADOPTED THIS ____ DAY OF _____, 2023.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

**CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT AND
COMPTROLLER**

EDWARD V. CIAMPI, CHAIRMAN

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

**SARAH W. WOODS
COUNTY ATTORNEY**