

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS
OF MARTIN COUNTY, FLORIDA AMENDING SECTION 79.257 OF
ARTICLE 7 OF CHAPTER 79, FIRE PREVENTION AND PROTECTION;
REGARDING MUNICIPAL SERVICE TAXING UNIT FOR FIRE/RESCUE
SERVICES; PROVIDING FOR CONFLICTING PROVISIONS;
SEVERABILITY; APPLICABILITY; FILING WITH THE DEPARTMENT
OF STATE; EFFECTIVE DATE; AND CODIFICATION.**

WHEREAS, the Board of County Commissioners of Martin County, Florida is authorized by Chapter 125, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers; and

WHEREAS, the Town of Ocean Breeze desires to be part of the County's Municipal Service Taxing Unit for fire/rescue services.

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

PART ONE. **SECTION 79.257 OF ARTICLE 7 OF CHAPTER 79, FIRE PREVENTION AND PROTECTION is amended as follows:**

Sec. 79.257. Countywide fire/rescue MSTU.

79.257.A. Purpose. A municipal service taxing unit (MSTU) is hereby established for fire/rescue services as provided for in F.S. § 125.01(q), within all of unincorporated Martin County.

79.257.B. Boundaries. The boundaries shall include the following areas:

Beginning at the northwest corner of township thirty-eight south, range thirty-seven east; thence east, concurrent with the south boundary line of St. Lucie County, to the southwest corner of section thirty-one, township thirty-seven south, range forty-one east; thence north on the west line of said section thirty-one and section thirty, township thirty-seven south, range forty-one east, 6,459 feet to a point lying within the water body of the north fork of the St. Lucie River; thence departing said line within the north fork of the St. Lucie River a bearing direction (State Plane Coordinate System, Florida East Zone) of 41 degrees north, 4 minutes west, a distance of 6,155 feet, more or less, to a point lying within the

water body of the north fork of the St. Lucie River; thence departing said point a bearing direction (State Plane Coordinate System, Florida East Zone) of 45 degrees north, 16 minutes east, a distance of 2,355 feet, more or less, to a point intersecting with the north shore of the north fork of the St. Lucie River and the west edge of the Howard Creek as concurrent with the City of Port St. Lucie municipal boundary limits; thence departing said intersecting shore and edge lines following along the City of Port St. Lucie municipal boundary line north along the west edge of Howard Creek to the south line of the northeast quarter of section twenty-four, township thirty-seven south, range forty east; thence east along said south line of the northeast quarter to the intersection of the east 924.15 feet of section twenty-four, township thirty-seven south, range forty east; thence north along said east 924.15-foot line of section twenty-four, township thirty-seven south, range forty east, to the intersection of the north line of the south 508.15 feet of the northeast quarter of section twenty-four, township thirty-seven south, range forty east; thence east along said south 508.15-foot line of the northeast quarter of said section twenty-four, township thirty-seven south, range forty east, to an intersection with the west line of township thirty-seven south, range forty-one east, also being the existing Martin County boundary line; thence north concurrent with the Martin County boundary line, along the west line of sections nineteen and eighteen, township thirty-seven south, range forty-one east, to the northwest corner of section eighteen, township thirty-seven south, range forty-one east; thence east on the north line of said section eighteen and other sections to the waters of the Atlantic Ocean; thence easterly to the eastern boundary of the State of Florida; thence southward along the coast, including the waters of the Atlantic Ocean within the jurisdiction of the State of Florida, to the south line of section twenty, township forty south, range forty-three east, produced easterly; thence west on the south line of said section twenty, and other sections, to the southwest corner of section twenty-two, township forty south, range forty-two east; thence south on the east line of section twenty-eight, township forty south, range forty-two east, to the southeast corner of said section twenty-eight; thence west on the south line of said section twenty-eight and other sections to the east shore of Lake Okeechobee; thence continue west in a straight course to the northeast corner of section thirty-six, township forty south, range thirty-four east, being the southwest corner of section thirty, township forty south, range thirty-five east; thence northeasterly in a straight course to the line of normal water level on the boundary of Lake Okeechobee at its intersection with the line dividing ranges thirty-six and thirty-seven east, township thirty-eight south; thence north on said range line to the place of beginning, and including the incorporated area of the Town of Ocean Breeze, less and except all other incorporated municipalities.

PART TWO. CONFLICTS PROVISIONS

Special acts of the Florida Legislature applicable only to unincorporated area of Martin County, County Ordinances and 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.

PART THREE. 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 FOUR. APPLICABILITY

This Ordinance shall be applicable throughout Martin County's jurisdiction.

PART FIVE. 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 SIX. EFFECTIVE DATE

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

PART SEVEN. CODIFICATION

Provisions of this Ordinance shall be incorporated in the General Ordinances, Martin County Code except that Parts Two to Seven 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.

DULY PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

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:

KRISTA STOREY, ACTING COUNTY ATTORNEY

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