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**GREEN COVE SPRINGS, FLORIDA**

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**INITIAL ASSESSMENT RESOLUTION  
FOR PROPERTY ABATEMENT ASSESSMENTS**

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**ADOPTED JULY 19, 2022**

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## TABLE OF CONTENTS

	<b>Page</b>
SECTION 1. AUTHORITY.....	1
SECTION 2. PURPOSE AND DEFINITIONS.....	1
SECTION 3. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.....	2
SECTION 4. DETERMINATION OF PROPERTY ABATEMENT SERVICE COST; ESTABLISHMENT OF INITIAL PROPERTY ABATEMENT ASSESSMENTS. ....	3
SECTION 5. IMPOSITION AND COMPUTATION OF PROPERTY ABATEMENT ASSESSMENTS.....	3
SECTION 6. PROPERTY ABATEMENT ASSESSMENT ROLL. ....	4
SECTION 7. AUTHORIZATION OF PUBLIC HEARING.....	4
SECTION 8. NOTICE BY PUBLICATION. ....	5
SECTION 9. NOTICE BY MAIL.....	5
SECTION 10. APPLICATION OF ASSESSMENT PROCEEDS.....	5
SECTION 11. METHOD OF COLLECTION.....	5
SECTION 12. EFFECTIVE DATE. ....	5
 APPENDIX A: FORM OF NOTICE TO BE PUBLISHED .....	 A-1
APPENDIX B: FORM OF MAILED NOTICE.....	B-1

## **RESOLUTION NO. R-09-2022**

**A RESOLUTION OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, RELATING TO THE PROVISION OF PROPERTY ABATEMENT SERVICES; DESCRIBING THE METHOD OF ASSESSING PROPERTY ABATEMENT SERVICE COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF GREEN COVE SPRINGS, FLORIDA; DETERMINING THE PROPERTY ABATEMENT SERVICE COSTS AND THE INITIAL PROPERTY ABATEMENT SPECIAL ASSESSMENTS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This resolution is adopted pursuant to the provisions of Chapter 78, Article VII of the City of Green Cove Springs Code of Ordinances (hereinafter referred to as the "Assessment Ordinance"), Chapter 22 of the City of Green Cove Springs Code of Ordinances, Article VIII, section 2(b), Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the City of Green Cove Springs Charter, and other applicable provisions of law.

### **SECTION 2. PURPOSE AND DEFINITIONS.**

(A) This resolution constitutes the Initial Assessment Resolution for Property Abatement Assessments as defined in the Assessment Ordinance.

(B) All capitalized words and terms not otherwise defined herein shall have the meanings set forth in Section of the Code. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

(C) As used in this resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

**"Code"** means the City of Green Cove Springs Code of Ordinances.

**"Property Abatement Assessment"** means a Service Assessment, as defined in the Assessment Ordinance, lawfully imposed by the Council against Assessed Property to fund all or any portion of the cost of the provision of property abatement services providing a special benefit to property that were provided in accordance with the Code and necessary to abate a violation of the Code that was present on the affected Tax Parcel.

**"Property Abatement Service Cost"** means the Service Cost, as defined in the Code, that is properly attributable to the provision of the property abatement services under generally accepted accounting principles, including, without limiting the generality of the foregoing: (A) the costs incurred by the City, including all actual, administrative, and collection costs, in performing any work authorized in accordance with the Property Abatement Ordinance and

necessary to abate or correct a violation of the Code, which condition was located on a Tax Parcel and was found to present a serious threat to the public health, safety, or welfare in accordance with the Property Abatement Ordinance; and (B) interest and reimbursement to the City or any other Person for any moneys advanced for any costs incurred by the City or such Person in connection with any of the foregoing components of Property Abatement Service Cost.

**"Property Abatement Assessment Roll"** means the Assessment Roll as defined in the Assessment Ordinance relating to the Property Abatement Assessments.

**"Service Assessment Collection Cost"** means the estimated cost to be incurred by the City during any Fiscal Year in connection with the collection of Property Abatement Assessments.

**"Service Assessment Collection Cost Component"** means the amount computed for each Tax Parcel pursuant to Section 5(B) hereof.

**"Service Assessment Statutory Discount Amount"** means the amount computed for each Tax Parcel pursuant to Section 5(C) hereof.

**"Service Component"** means the amount computed for each Tax Parcel pursuant to Section 5(A) hereof.

**"Tax Parcel"** means a parcel of property to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

**SECTION 3. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.** It is hereby ascertained, determined, and declared that the Property Abatement Service Costs provide a special benefit to each Tax Parcel of Assessed Property based upon the following legislative determinations:

(A) Pursuant to Article VIII, section 2(b), Florida Constitution, sections 166.021 and 166.041, Florida Statutes, and the City of Green Cove Springs Charter, the Council has all powers of local self-government to perform municipal functions and to render municipal services except when prohibited by law and such power may be exercised by the enactment of legislation in the form of City ordinances.

(B) The Council has enacted the Code to authorize the imposition of Property Abatement Assessments to fund the Property Abatement Service Cost for affected properties.

(C) The Property Abatement Assessments imposed pursuant to the procedures provided in the Code and this Initial Assessment Resolution will be imposed by the Council. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed solely as ministerial.

(D) Upon the adoption of this Initial Assessment Resolution determining the Property Abatement Service Costs and identifying the Tax Parcels of Assessed Property to be included in the Property Abatement Assessment Roll, the legislative determinations ascertained and declared in Section 78-164 of the Assessment Ordinance are hereby ratified and confirmed.

(E) The provision of property abatement services has enhanced the utilization and enjoyment of the property by one more of the following: (1) protecting or enhancing the value and use of the property through the elimination of an existing code violation that presents a

serious threat to the public health, safety, and welfare; (2) providing increased safety and better access to the property; (3) improving the property's appearance; (4) rendering the property more adaptable to a current or reasonably foreseeable new and higher use; (5) fostering the enhancement of environmentally responsible use and enjoyment of the property; and (6) eliminating the accrual of daily fines imposed on the property due to the original code violation.

(F) The Property Abatement Service Costs consists of costs incurred by the City, including all actual, administrative, and collection costs, in performing any work necessary to bring each affected Tax Parcel into compliance. The Council hereby determines that it is fair and equitable to allocate the Property Abatement Service Cost to property owners based upon the actual, administrative and collection costs incurred by the Council in bringing the Tax Parcel into compliance.

(G) Pursuant to Section of the Code, notice of the Property Abatement Assessment will be provided to each property owner proposed to be assessed.

#### **SECTION 4. DETERMINATION OF PROPERTY ABATEMENT SERVICE COST; ESTABLISHMENT OF INITIAL PROPERTY ABATEMENT ASSESSMENTS.**

(A) The estimated total Property Abatement Service Cost for the Fiscal Year commencing October 1, 2022, is hereby established as follows for the purpose of this Initial Assessment Resolution:

PARCEL ID	PROPERTY OWNER	ACTUAL COSTS
38-06-26-018207-004-00	Catherine Carpenter	\$251.49
38-06-26-018350-000-00	Diane Quarterman	\$412.31
		\$663.80

(B) The Property Abatement Service Cost will be funded through the imposition of Property Abatement Assessments against the identified Tax Parcels in the manner set forth in Section 5 hereof.

#### **SECTION 5. IMPOSITION AND COMPUTATION OF PROPERTY ABATEMENT ASSESSMENTS.** Property Abatement Assessments shall be imposed against those Tax Parcels identified in Section 4(A) above and shall be computed as follows:

(A) SERVICE COMPONENT. The "Service Component" shall be calculated based upon the actual costs incurred by the City in performing any work necessary to abate or correct a violation of the Code for each specific Tax Parcel identified in Section 4(A) above.

(B) SERVICE ASSESSMENT COLLECTION COST COMPONENT. The "Service Assessment Collection Cost Component" shall be computed by (1) dividing (a) the Service

Component for each Tax Parcel by (b) the Property Abatement Service Cost, and (2) multiplying the result by the Service Assessment Collection Cost.

(C) SERVICE ASSESSMENT STATUTORY DISCOUNT AMOUNT. The "Service Assessment Statutory Discount Amount" shall be computed for each Tax Parcel as the amount the City is allowed by law to budget receipts, which shall also include the maximum discount for early payment of ad valorem taxes and non-ad valorem assessment, such amount to be calculated by deducting (1) the sum of (a) the Service Component and (b) the Service Assessment Collection Cost Component, from (2) the amount computed by dividing (a) the sum of (i) the Service Component and (ii) the Service Assessment Collection Cost Component, by (b) the factor of 0.95.

(D) PROPERTY ABATEMENT ASSESSMENT. The Property Abatement Assessment for each Tax Parcel shall be computed as the sum of (1) the Service Component, (2) the Service Assessment Collection Cost Component, and (3) the Service Assessment Statutory Discount Amount.

(E) The estimated Property Abatement Assessments established in this Initial Assessment Resolution shall be the estimated assessment rates applied by the County Administrator in the preparation of the preliminary Property Abatement Assessment Roll for the Fiscal Year commencing October 1, 2022, as provided in Section 6 of this Initial Assessment Resolution.

(F) When imposed, the Property Abatement Assessments shall constitute a lien upon the Tax Parcels identified in Section 4(A) above pursuant to Section of the Code.

#### **SECTION 6. PROPERTY ABATEMENT ASSESSMENT ROLL.**

(A) The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Property Abatement Assessment Roll for the Fiscal Year commencing October 1, 2022, in the manner provided in the Code. The Property Abatement Assessment Roll shall include all Tax Parcels identified in Section 4(A) hereof.

(B) A copy of this Initial Assessment Resolution and the preliminary Property Abatement Assessment Roll shall be maintained on file in the office of the City Manager and open to public inspection. The foregoing shall not be construed to require that the preliminary Property Abatement Assessment Roll be in printed form if the amount of the Property Abatement Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(C) It is hereby ascertained, determined, and declared that the method of determining the Property Abatement Assessments for property abatement services as set forth in this Initial Assessment Resolution is a fair and reasonable method of apportioning the Property Abatement Service Cost among parcels of Assessed Property.

**SECTION 7. AUTHORIZATION OF PUBLIC HEARING.** There is hereby established a public hearing to be held at 7:00 p.m. on September 6, 2022, in City Council Chambers, City Hall, 321 Walnut Street, Green Cove Springs, Florida, at which time the Council

will receive and consider any comments on the Property Abatement Assessments from the public and affected property owners and consider imposing Property Abatement Assessments and collecting such assessments on the same bill as ad valorem taxes.

**SECTION 8. NOTICE BY PUBLICATION.** The City Clerk shall publish a notice of the public hearing authorized by Section 7 hereof in the manner and time provided in Section 78-205 of the Assessment Ordinance. The notice shall be published no later than August 16, 2022, in substantially the form attached hereto as Appendix "A."

**SECTION 9. NOTICE BY MAIL.**

(A) The City Manager shall, at the time and in the manner specified in Section 78-204 of the Assessment Ordinance, provide first class mailed notice of the public hearing authorized by Section 7 hereof to each property owner proposed to be assessed at the address indicated on the Tax Roll.

(B) The mailed notice shall be mailed no later than August 16, 2022, in substantially the form attached hereto as Appendix "B."

(C) For Tax Parcels with exempt "home addresses" pursuant to Section 119.071(d), Florida Statutes, the City Manager shall work with the Property Appraiser and/or Tax Collector for provision of notice.

**SECTION 10. APPLICATION OF ASSESSMENT PROCEEDS.** Proceeds derived by the City from the Property Abatement Assessments shall be used to reimburse the City for the costs incurred in performing any work necessary to abate or correct a violation of the Code.

**SECTION 11. METHOD OF COLLECTION.** The Property Abatement Assessments shall be collected pursuant to the Uniform Assessment Collection Act as provided in Section of the Code. The full amount of the Property Abatement Assessment attributable to each Tax Parcel, as computed pursuant to Section 5 hereof, shall be collected on the tax bill to be mailed in November 2022.

**SECTION 12. EFFECTIVE DATE.** This Initial Assessment Resolution shall take effect immediately upon its passage and adoption.

**DONE AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, IN REGULAR SESSION THIS 19TH DAY OF JULY, 2022.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Daniel M. Johnson, Mayor

**ATTEST:**

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Erin West, City Clerk

**APPROVED AS TO FORM ONLY:**

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L. J. Arnold, III, City Attorney

**APPENDIX A**  
**FORM OF NOTICE TO BE PUBLISHED**

## APPENDIX A

### FORM OF NOTICE TO BE PUBLISHED

To Be Published by August 16, 2022

#### NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF PROPERTY ABATEMENT SPECIAL ASSESSMENTS FOR REMOVAL OR SECURING UNSAFE STRUCTURES AND ABATEMENT OF NUISANCES

Notice is hereby given that the City Council of the City of Green Cove Springs, Florida will conduct a public hearing to consider the imposition of property abatement special assessments for the Fiscal Year beginning October 1, 2022 to reimburse the City for the costs incurred in performing the work necessary to abate or correct a violation of the Code on the following properties:

PARCEL ID	PROPERTY OWNER	ASSESSMENT
38-06-26-018207-004-00	Catherine Carpenter	\$_____
38-06-26-018350-000-00	Diane Quarterman	\$_____
		\$_____

The hearing will be held at 7:00 p.m. on September 6, 2022, in City Council Chambers, City Hall, 321 Walnut Street, Green Cove Springs, Florida, for the purpose of receiving public comment on the proposed assessments and their collection on the same bill as ad valorem taxes. All affected property owners have a right to appear at the hearing and to file written objections with the City within 20 days of this notice. If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk, Erin West, (904) 297-7500, ext. 3307, at least three (3) days prior to the meeting.

The assessments for each parcel of property will be based upon the actual cost and extent of work necessary to abate unsafe structures or nuisances or correct a violation of the Code. The total cost allocated to each property, plus administrative and collection costs, will be collected on the tax bill to be mailed in November 2022. The amount of the assessment for each parcel of property is shown in the table above.

Copies of the Assessment Ordinance, the Property Abatement Ordinance, the Initial Assessment Resolution for Property Abatement Services, and the preliminary Property Abatement Assessment Roll are available for inspection at the office of the City Clerk, located at City Hall, 321 Walnut Street, Green Cove Springs, Florida

The assessments will be collected on the ad valorem tax bill to be mailed in November 2022, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the City at (904) 297-7500, Monday through Thursday between 7:00 a.m. and 5:30 p.m.

**GREEN COVE SPRINGS, FLORIDA**

**APPENDIX B**  
**FORM OF NOTICE TO BE MAILED**

**FORM OF NOTICE TO BE MAILED**

**\*\*\*\*\* NOTICE TO PROPERTY OWNER \*\*\*\*\***

**City of Green Cove Springs**  
**[Address]**  
**[City], Florida [zip code]**

**Owner Name**  
**Address**  
**City, State Zip**

GREEN COVE SPRINGS, FLORIDA  
NOTICE OF HEARING TO IMPOSE AND  
PROVIDE FOR COLLECTION OF PROPERTY  
ABATEMENT NON-AD VALOREM  
ASSESSMENTS  
NOTICE DATE: August 16, 2022

*Tax Parcel #* \_\_\_\_\_  
*Legal Description:* \_\_\_\_\_

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As required by Section 197.3632, Florida Statutes, notice is given by the City of Green Cove Springs that an assessment for property abatement services using the tax bill collection method, may be levied on your property for the fiscal year beginning on October 1, 2022. The purpose of this assessment is to reimburse the City for the costs incurred in performing the work necessary to abate or correct a violation of the City of Green Cove Springs Code of Ordinances ("property abatement services") on your property located within the City. The total property abatement assessment revenue to be collected is estimated to be \$\_\_\_\_\_ for the fiscal year beginning October 1, 2022. The assessment for each parcel of property will be based upon the actual, administrative and collection costs incurred by the City in performing any work necessary to abate or correct a violation of the City of Green Cove Springs Code of Ordinances.

The total amount of actual, administrative and collection costs incurred by the City in performing the work necessary to abate or correct a violation of the City of Green Cove Springs Code of Ordinances on the above parcel is \$\_\_\_\_\_.

The Property Abatement Assessment for the above parcel is \$\_\_\_\_\_ for the fiscal year beginning October 1, 2022.

A public hearing will be held at 7:00 p.m. on September 6, 2022, in City Council Chambers, City Hall, 321 Walnut Street, Green Cove Springs, Florida, for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City within 20 days of this notice. If you decide to appeal any decision made by the City Council with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special

accommodation or an interpreter to participate in this proceeding should contact the City Clerk, Erin West, (904) 297-7500, ext. 3307, at least three (3) days prior to the meeting.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City's action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Assessment Ordinance, the Property Abatement Ordinance, the Initial Assessment Resolution, and the preliminary assessment roll are available for inspection at the office of the City Clerk, located at City Hall, 321 Walnut Street, Green Cove Springs, Florida.

The property abatement service non-ad valorem assessment amount shown on this notice will be mailed by the Clay County Tax Collector in November of 2022. Failure to pay the assessment could cause a tax certificate to be issued against your property which may result in a loss of title.

If you have any questions, please contact the City at (904) 297-7500, Monday through Thursday between 7:00 a.m. and 5:30 p.m.

**\*\*\*\*\* THIS IS NOT A BILL \*\*\*\*\***