

ORDINANCE NO. _____

AN ORDINANCE OF SUMTER COUNTY, FLORIDA CREATING THE SUMTER COUNTY FIRE RESCUE EMERGENCY MEDICAL SERVICES MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR SUMTER COUNTY, FLORIDA TO PROVIDE FIRE RESCUE AND EMERGENCY MEDICAL TRANSPORT AND NON TRANSPORT SERVICES; PROVIDING FOR ITS PURPOSE AND FINDINGS OF FACT; ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE MSTU; AUTHORIZING THE ANNUAL LEVY OF AD VALOREM TAXES WITHIN THE MSTU TO FUND FIRE RESCUE AND EMERGENCY MEDICAL TRANSPORT AND NON TRANSPORT SERVICES AND FACILITIES; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section I of the Florida Constitution and Section 125.01, and 125.66, Florida Statutes, grant the Sumter County Board of County Commissioners broad home rule authority and all powers of local self-government to perform county and municipal functions and to render services not inconsistent with general law exercised by the enactment and adoption of ordinances and resolutions to provide for health, safety, and welfare of the general public; and

WHEREAS, the provision of fire rescue and emergency medical services transport and non-transport are essential services for the benefit of the health, safety, and welfare of the public; and

WHEREAS, the Sumter County (the “County”) has adopted the Sumter County Code of Ordinances, which serve as the laws and regulations of Sumter County; and

WHEREAS, the Sumter County established the Fire and Emergency Medical Services Division (“Fire and EMS Division”) as set forth in Chapter 8 of the Sumter County Code; and

WHEREAS, Sumter County provides fire rescue and emergency medical services (EMS) including transport and non-transport services, through the support of two separate departments - Sumter County Fire & EMS Department and The Villages Public Safety Department, each delivering fire rescue and emergency medical service (“EMS”) transport services to a specified geographic area; and

WHEREAS, Section 125.01(1)(q), Florida Statutes, provides authorization for counties to establish a municipal service taxing unit to fund fire rescue services and emergency medical services, facilities, and operations within any part or all of the unincorporated area of the County; and

WHEREAS, the County has determined that certain costs associated with fire rescue and emergency medical services, facilities, and operations including, but not necessarily limited to, personnel costs, operational costs, and capital costs associated with fire rescue services and emergency medical services can be properly allocated between the two department's service areas; and

WHEREAS, the County has further determined that a fire rescue/EMS MSTU provides the flexibility to determine the appropriate level of service for fire rescue services and emergency medical services; and

WHEREAS, Section 123.01(1)(q) provides that the boundaries of a municipal service taxing unit may include all or part of the boundaries of a municipality if the affected municipality consents, by ordinance; and

WHEREAS, the Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, encourages and empowers local government to cooperate on matters of mutual interest and advantage, and provides for interlocal agreements between local governments on matters such as fire rescue and emergency medical service; and

WHEREAS, the County and municipalities within Sumter County have entered into that certain Interlocal Service Boundary Agreement, including a Fire Service Delivery SubAgreement, adopted by the County by Ordinance No. 2013-17 on November 28, 2023 with the City of Wildwood, Ordinance No. 2024-06 on February 27 2024 with the City of Center Hill, Ordinance No. 2024-07 on March 12, 2024 with the City of Webster, Ordinance No.2024-11 on March 26, 2024 with the City of Bushnell, and Ordinance No. 2024-03 on April 23, 2024 with the City of Coleman; and,

WHEREAS, the City of Wildwood, on November 13, 2023 pursuant to Ordinance No. O2023-62, has adopted that certain Interlocal Service Boundary Agreement and Fire Service Delivery Sub Agreement which provides for the consent to establish a Fire Rescue and EMS MSTU, and consent for the inclusion of the municipal boundaries of the City of Wildwood within the Sumter County Fire Rescue EMS MSTU; and

WHEREAS, the City of Bushnell, on March 4, 2024 pursuant to Ordinance No. 2024-06, has adopted that certain Interlocal Service Boundary Agreement and Fire Service Delivery Sub Agreement which provides for the consent to establish a Fire Rescue and EMS MSTU, and consent for the inclusion of the municipal boundaries of the City of Bushnell within the Sumter County Fire Rescue EMS MSTU; and

WHEREAS, the City of Coleman, on April 8, 2024 pursuant to Ordinance No. 2024-03, has adopted that certain Interlocal Service Boundary Agreement and Fire Service Delivery Sub Agreement which provides for the consent to establish a Fire Rescue and EMS MSTU, and consent for the inclusion of the municipal boundaries of the City of Coleman within the Sumter County Fire Rescue EMS MSTU; and

WHEREAS, the City of Webster, on February 15, 2024 pursuant to Ordinance No. 2024-05, has adopted that certain Interlocal Service Boundary Agreement and Fire Service Delivery Sub Agreement which provides for the consent to establish a Fire Rescue and EMS

MSTU, and consent for the inclusion of the municipal boundaries of the City of Webster within the Sumter County Fire Rescue EMS MSTU; and

WHEREAS, the City of Center Hill, on February 6, 2024 pursuant to Ordinance No. 2024-01, has adopted that certain Interlocal Service Boundary Agreement and Fire Service Delivery Sub Agreement which provides for the consent to establish a Fire Rescue and EMS MSTU, and consent for the inclusion of the municipal boundaries of the City of Center Hill within the Sumter County Fire Rescue EMS MSTU; and,

WHEREAS, the Board of County Commissioners of Sumter County, after the appropriate publication of notice of its intention to create the Sumter County Fire Rescue and EMS MSTU through adoption of this Ordinance, and after having a public hearing on the ordinance, determined that in consideration of all the foregoing reasons, and the health, safety, and welfare of its citizens, it is in the best interests of Sumter County, Florida to adopt this ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to create a municipal service taxing unit to levy ad valorem tax on real property within the corporate limits of Sumter County, Florida to fund the provision of fire rescue and emergency medical transport and non-transport services, facilities and operations for the reasons set forth herein.

SECTION 2. FINDINGS.

The Whereas Clauses set forth above are incorporated as fully set forth herein, and It is hereby ascertained, determined and declared that the Recitals shall constitute the legislative Findings of the County.

SECTION 3. AUTHORITY.

Pursuant to Article VIII, Section I of the Florida Constitution and Sections 125.01 and 125.66 of the Florida Statutes, the Sumter County Board of County Commissioners has all powers of local self-government to perform county functions and render county services and facilities except when prohibited by law, including the authority to amend its Code of Ordinances.

SECTION 4. CREATION

The Sumter County Fire Rescue and Emergency Medical Transport and Non Transport Services Municipal Services Taxing Unit (Sumter County Fire Rescue and EMS MSTU) is hereby created as a new taxing unit for the purpose of funding the operations and facilities of a fire rescue and emergency medical services system within the unincorporated area of the County. The boundaries of the Sumter County Fire Rescue and EMS MSTU shall be as set forth in the attached Exhibit A by map and legal description. Where there is any conflict or discrepancy

between the map and the legal description, the legal description shall prevail.

SECTION 5. AUTHORIZATION TO LEVY AD VALOREM TAXES.

The Board of County Commissioners is hereby authorized to levy annual ad valorem taxes upon taxable real and personal property within the Sumter County Fire Rescue and EMS MSTU beginning with the County budget for Fiscal Year beginning October 1, 2024. The budget and millage rate for the Sumter County Fire Rescue and EMS MSTU shall be approved and levied in a manner consistent with and as provided by general law for the levy of County ad valorem taxes.

SECTION 6. EXPENDITURES.

Revenues derived from ad valorem taxes levied with the Sumter County Fire Rescue and EMS MSTU shall be used for the provision of fire rescue services and emergency medical transport and non-transport services, facilities, and operations within the boundaries of the Sumter County Fire Rescue EMS MSTU, which would include any mutual aid services performed pursuant to any adopted mutual aid agreement.

SECTION 7. CONSENT OF CITIES.

Each municipality within Sumter County by approval of the Interlocal Service Boundary Agreement, Fire Service Delivery SubAgreement dated November 13, 2023 for the City of Wildwood, March 4, 2024 for the City of Bushnell, April 8, 2024 for City of Coleman, February 15, 2024 for City of Webster, February 6, 2024 for City of Center Hill adopted by ordinance by each municipality has consented to the inclusion of all of the incorporated areas of Sumter County, Florida, within an identified municipal service taxing unit or specific geographic area created or identified by the County to provide fire rescue and emergency medical transport and non-transport services, facilities and operations and to the levy of ad valorem taxes by the County to fund such services, facilities and operations.

SECTION 8. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. CONFLICT AND REPEALER.

All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 10. EFFECTIVE DATE.

This ordinance shall take effect immediately upon its adoption by the Sumter County

Board of County Commissioners.

PASSED AND ADOPTED at a duly called session of the Sumter County Board of County Commissioners, this 23rd day of April 2024.

**GLORIA HAYWARD
SUMTER COUNTY CLERK**

**BOARD OF COUNTY COMMISSIONERS,
SUMTER COUNTY, FLORIDA**

ATTEST:

Deputy Clerk

BY: _____
Craig A. Estep
Chairman

Approved as to form for the reliance of the
Sumter County Board of County
Commissioners, only:

Jennifer C. Rey, Esq.
The Hogan Law Firm, LLC, County Attorney