

RESOLUTION NO. 2017-06

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF
THE NORTH RIVER FIRE DISTRICT SEEKING FLORIDA
ATTORNEY GENERAL'S OPINION.

WHEREAS, the North River Fire District ("District") is an independent special fire control district established pursuant to Chapters 189 and 191, Florida Statutes, and Chapter 2007-280, Laws of Florida, to provide fire and rescue services within its geographical boundaries in northern Manatee County, Florida; and,

WHEREAS, Section 191.009(2)(a), Florida Statutes, provides that "(a) district may levy non-ad valorem assessments as defined in s. 197.3632 to construct, operate, and maintain those district facilities and services provided pursuant to the general powers listed in s. 191.006, the special powers listed in s. 191.008, any applicable general laws of local application, and a district's enabling legislation;" and

WHEREAS, under Section 5, Subsection (1), of the District's special act, the District "shall have the right, power, and authority to levy non-ad valorem assessments against the taxable real estate lying within its territorial bounds...in order to provide funds for the purpose of the (D)istrict;" and

WHEREAS, the District's Board of Fire Commissioners ("Fire Commission") desires an opinion on the applicability of statutory exemptions to the District's levy of non-ad valorem assessments against taxable real estate lying within the territorial bounds of the District to ensure that the District's assessments are being assessed in accordance with Florida law; and

WHEREAS, the Florida Attorney General's Office will issue an opinion and guidance to a government entity, including a Board, on questions of statutory interpretation.

NOW THEREFORE BE IT RESOLVED that the Fire Commission desires to seek an opinion by the Florida Attorney General's Office regarding the applicability of statutory exemptions to the District's levy of non-ad valorem assessments against taxable real estate lying within the territorial bounds of the District.

This resolution, upon adoption by the Fire Commission, shall take effect immediately.

Adopted with a quorum present, in regular session on this 19th day of October, 2017.

Paul J. Pitcher, Chairman

Robert M. Bell, Vice-Chairman

Scott R. Smith, Treasurer

Harry L. Blenker, Commissioner

James Alderman, Commissioner

Amy C. Willis, Commissioner

ATTEST:

Michael P. Browning, Secretary