

ORDINANCE NO. 90- 25

AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, CREATING AN EMERGENCY SERVICES DISTRICT, BEING A SPECIAL DEPENDENT TAXING DISTRICT OF THE BOARD OF COUNTY COMMISSIONERS FOR THE PROVISION OF FIRE, RESCUE, EMERGENCY MEDICAL SERVICES, AND OTHER EMERGENCY SERVICES IN ALL OF INDIAN RIVER COUNTY EXCEPT FOR THE TOWN OF INDIAN RIVER SHORES; PROVIDING FOR AN ELECTION TO BE HELD AUTHORIZING THE DISTRICT TO LEVY AN AD VALOREM TAX OF UP TO THREE AND ONE-HALF MILLS; PROVIDING FOR REPEAL OF THE THREE EXISTING DEPENDENT SPECIAL TAXING FIRE DISTRICTS FOR THE NORTH, WEST, AND SOUTH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, before 1980 fire protection services were provided by the City of Vero Beach and by volunteer firemen; and

WHEREAS, in 1980 the voters of Indian River County established the North, West, and South Indian River County Fire Districts, with differing millage caps, replacing the service provided by the City of Vero Beach; and

WHEREAS, although this system has operated for approximately ten years, with increasing populations and with increasing demands for professional services in all areas, the public health, safety, and welfare would now be better protected by having a unified, fairly-funded fire district which could provide professional emergency services throughout the district without regard to the old district boundaries and millage disparities; and

WHEREAS, the County through the general fund has provided emergency medical services and advanced life support systems since assumption of this responsibility from the Indian River County Hospital District in 1989, and now wishes to have the new Emergency Services District provide this service; and

WHEREAS, to accomplish this unification and expansion of duties, it is necessary that the three existing fire districts be abolished and that a new district be created, with the millage cap increased to fund the additional services;

NOW, THEREFORE, BE IT ORDAINED by Indian River County, acting through its Board of County Commissioners, that:

SECTION 1. CREATION AND BOUNDARIES OF INDIAN RIVER COUNTY EMERGENCY SERVICES DISTRICT

Pursuant to §125.01(5)(a), Florida Statutes, there is hereby created a dependent special taxing district of the Board of County Commissioners to be known as the Indian River County Emergency Services District. The boundaries of the district shall be all of Indian River County except for that property located within the Town of Indian River Shores.

SECTION 2. PURPOSE OF DISTRICT

The district shall be organized for the purpose of providing fire, rescue, emergency medical services, and other emergency services to property and persons within the district boundaries.

SECTION 3. GOVERNING BODY

The governing body of the district shall be the Board of County Commissioners sitting as the Board of Commissioners of the Emergency Services District.

SECTION 4. POWERS OF DISTRICT

The district shall have all powers necessary, convenient, or customary to provide fire protection, rescue services, basic and advanced life support services, and other emergency services to the property and people within the district. The powers shall include the power to sue and be sued, own property, issue bonds, employ personnel, make contracts, and do any other act which the Board finds is in the interest of the district.

SECTION 5. TAXING ABILITY

The district shall be empowered to levy an annual ad valorem property tax of not-to-exceed three and one-half mills.

SECTION 6. REPEAL OF EXISTING SPECIAL DISTRICTS

The North Indian River County Fire District created by Ordinance No. 80-5, the West Indian River County Fire District created by Ordinance No. 80-25, and the South Indian River County Fire District created by Ordinance No. 80-32 are abolished and these ordinances repealed. All assets and liabilities of these three abolished districts shall become the property and responsibility of the new district.

SECTION 7. TRANSFER OF EMPLOYEES

Any and all employees of the North, West, and South Indian River County Fire Districts shall become employees of the new district without loss of seniority or pay or other incidents of value accruing by virtue of their employment by the former districts.

SECTION 8. CALL FOR ELECTION

There shall be an election on March 12, 1991, at which the following question shall be put before the voters of the proposed district:

SHALL THE NORTH, WEST, AND SOUTH INDIAN
RIVER COUNTY FIRE DISTRICTS AND THE
COUNTY EMERGENCY MEDICAL SERVICES
DIVISION BE CONSOLIDATED INTO A NEW
EMERGENCY SERVICES DISTRICT, BEING A
DEPENDENT SPECIAL TAXING DISTRICT OF THE
BOARD OF COUNTY COMMISSIONERS, COMPOSED
OF ALL OF INDIAN RIVER COUNTY EXCEPT FOR
THE TOWN OF INDIAN RIVER SHORES AND WITH
AN AUTHORIZED AD VALOREM TAXING POWER OF
NOT-TO-EXCEED THREE AND ONE-HALF MILLS?
FOR THE DISTRICT _____
AGAINST THE DISTRICT _____

SECTION 9. WITHDRAWAL FROM DISTRICT BY MUNICIPALITY

Any municipality which desires to withdraw from the Emergency Services District may do so by adopting the appropriate ordinance so declaring by April 1st of any year to be effective on October 1st of the following year; i.e., approximately eighteen months later.

SECTION 10. EFFECTIVE DATE

Except for Paragraph #8 of the ordinance, which shall take effect immediately on becoming law, this ordinance shall become effective and the district shall be created on October 1, 1992, if the referendum question in paragraph #8 is adopted by the voters at an election held on March 12, 1991. Failure to adopt the referendum question shall mean that this ordinance shall not become effective and the existing fire districts shall continue unaffected by this ordinance.

This ordinance was approved and adopted by the Board of County Commissioners of Indian River County, Florida, on this 27 day of November, 1990, after being advertised in the Vero Beach Press Journal on the 1 day of November, 1990, for a public hearing to be held on the 27 day of November, 1990, at which time it was moved for adoption by Commissioner Scurlock, seconded by Commissioner Wheeler, and adopted by the following vote:

Chairman Carolyn K. Eggert	Aye
Vice Chairman Richard N. Bird	Aye
Commissioner Don C. Scurlock, Jr.	Aye
Commissioner Margaret C. Bowman	Aye
Commissioner Gary C. Wheeler	Aye

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

Attest:

By Carolyn K. Egger
Carolyn K. Egger
Chairman

Jaffrey K. Barton
Jaffrey K. Barton, Clerk
W. A. Waterhouse
W.A.

Acknowledgment by the Department of State of the State of Florida, this 4th day of December, 1990.

Effective Date: Acknowledgment from the Department of State received on this 7th day of December, 1990, at 1:00 a.m./p.m. and filed in the Office of the Clerk to the Board of COUNTY Commissioners of Indian River County, Florida.

Indian River Co.	Approved	Date
Admin.	<u>YSC</u>	<u>11-19-90</u>
Legal	<u>[Signature]</u>	<u>11-19-90</u>
Budget		
Dept.		
Risk Mgr.		