

**CITY OF KEYSTONE HEIGHTS, FLORIDA**

**ORDINANCE 2016-566**

**BEFORE THE CITY COUNCIL**

**AN ORDINANCE OF THE CITY OF KEYSTONE HEIGHTS, FLORIDA, REQUESTING AND CONSENTING TO THE INCLUSION OF ALL OF THE CITY OF KEYSTONE HEIGHTS WITHIN A MUNICIPAL SERVICE BENEFIT UNIT OR OTHER SPECIFIC GEOGRAPHIC AREA DESIGNATED BY CLAY COUNTY WITHIN WHICH TO IMPOSE AND COLLECT ASSESSMENTS FOR PROVIDING SOLID WASTE COLLECTION SERVICES; PROVIDING FOR ANNUAL RENEWAL OF SUCH REQUEST AND CONSENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Keystone Heights seeks to protect the health, safety and well-being of both the citizens of the City as well as visitors; and

**WHEREAS**, Section 10-92 of the Clay County Code of Ordinances provides that municipalities within Clay County may consent to inclusion in the Clay County Solid Waste Disposal Municipal Service Benefit Unit;

**WHEREAS**, the City Council of Keystone Heights, Florida hereby finds and declares the adoption of this ordinance is appropriate and in the public interest of the citizens of this community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KEYSTONE HEIGHTS, FLORIDA:**

**Section 1. Recitals.** The foregoing recitals are adopted and hereby incorporated as if fully set forth herein.

**Section 2. Findings.** It is hereby ascertained, determined, and declared that:

A. The Board of County Commissioners of Clay County, Florida (the "County"), has enacted an ordinance or ordinances authorizing the County to create or identify a municipal service benefit unit or other specific geographic area within which the County imposes and collects assessments for providing solid waste collection services within incorporated and unincorporated areas of the County.

B. The City Council of Keystone Heights, Florida has determined that the inclusion of the incorporated area of the City of Keystone Heights, Florida within such municipal service benefit unit or specific geographic area by the County for the purpose of imposing and collecting assessments for providing solid waste collection services is in the best interests of the Owners of property within the corporate limits of the City of Keystone Heights.

**Section 3. Request and Consent.** The City Council of Keystone Heights hereby requests and consents to the boundaries of the City of Keystone Heights, Florida, as set forth in the attached Exhibit A to this Ordinance, being included in the Clay County Solid Waste Disposal Municipal Service Benefit District to provide solid waste collection services, facilities, and programs and to the imposition of a special assessment by the County to fund such solid waste collection services, facilities and programs. This request and consent shall become effective upon adoption of this ordinance for the upcoming Fiscal Year. The City Commission finds that the provision of solid waste collection services is an essential municipal purpose.

**Section 4. Annual Renewal of Request and Consent.** Request and consent of the City Council of Keystone Heights, Florida given to the County by this Ordinance shall be deemed given in advance for each Fiscal Year hereafter and shall be automatically renewed for each succeeding Fiscal Year unless such request and consent is subsequently withdrawn as provided herein. Request and consent shall be irrevocable for any Fiscal Year in which the subject solid waste collection service assessments are levied by the County within the incorporated area. The City of Keystone Heights may only withdraw such consent for any subsequent Fiscal Year by adopting an ordinance abandoning its consent and providing a certified copy of such ordinance to the County prior to May 1 preceding the Fiscal Year for which consent is being withdrawn.

**Section 5. Conflict.** If any portion of this ordinance is in conflict with any portion of any other ordinance, then the provisions of this ordinance shall govern.

**Section 4. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon adoption.

**DULY APPROVED** on First Reading this 3<sup>rd</sup> day of October, 2016, by the City Council of the City of Keystone Heights, Florida.

**DULY APPROVED AND ADOPTED** on Second Reading this 14<sup>th</sup> day of October, 2016, by the City Council of the City of Keystone Heights, Florida.

**CITY COUNCIL OF KEYSTONE HEIGHTS,  
FLORIDA**

By: \_\_\_\_\_  
R. Tony Brown, Mayor

ATTEST:

\_\_\_\_\_  
Lynn Rutkowski, City Clerk

FORM APPROVED:

\_\_\_\_\_  
Rich Komando, City Attorney

## EXHIBIT A

The geographical boundaries of the City of Keystone Heights, Florida in the County of Clay and the State of Florida, the territorial boundaries of which are as follows, to wit:

Commence at the most Southerly corner of Farm 43, as shown on plat of Lawrence Developing Company's Subdivision as recorded in plat book 2, page 18, of the public records of Clay County, Florida, and run thence in a Northeasterly direction along the Southeasterly boundary of said Farm 43 to the center of a stream which connects Lake Brooklyn and Keystone Lake; thence run along the center of said stream in a Northwesterly direction throughout its meanderings to a point 600 feet Northeasterly, as measured at right angles, from the Northeasterly side of the Georgia, Southern and Florida Railroad right-of-way line; thence run in a Southeasterly direction, parallel with and 600 feet distant from said Northeasterly side of the Georgia, Southern and Florida Railroad right-of-way to a point which is 6.79 chains westerly as measured at right angles, from the west line of the Southeast quarter (SE1/4) of Section 20, Township 8 South, Range 23 East, Clay County, Florida; thence run South, parallel with and 6.79 chains equidistant from the West line of said Southeast quarter (SE1/4) to a point in Lake Geneva, which point is 200 feet from the normal high-water line of Lake Geneva; thence in a Westerly and Southerly direction and 200 feet equidistant from the normal high-water mark of Lake Geneva to a point on a prolongation of the center line of Pointview Road (as shown on Plat of Lakeview Highlands, recorded in Plat Book 2, pages 69 and 70, of the public records of Clay County, Florida); thence run in a Northeasterly direction along the center line of said Pointview Road to the center line of Grove Avenue, as shown on said plat of Lakeview Highlands; thence run in a Northwesterly direction along the center line of said Grove Avenue to the center line of Orchid Avenue, as shown on said plat of Lakeview Highlands and as shown on plat of Keystone Heights as recorded in Plat Book 2, page 40, of the public records of Clay County, Florida; thence run in a Northeasterly direction along the center line of said Orchid Avenue to the Southwest boundary of Farm 40 (as extended Southeasterly) (said Farm 40 being shown on plat of "The Lawrence Developing Company's Subdivision" as recorded in Plat Book 2, page 18, of the Clay County public records); thence run Northwesterly along said extension and along the Southwesterly boundary lines of Farms 40, 63 and 62 to the most Westerly corner of said Farm 62; thence run Northeasterly to the most Northerly corner of said Farm 62; thence run in a Southeasterly direction to the most Easterly corner of said Farm 62; thence run Northeasterly along the Southeasterly lines of Farms 56 and 53 a distance of 1279.6 feet to a point thence deflect 89 degrees and 55 minutes to the right and run a distance of 1288.4 feet to a point on the Southeasterly boundary line of Farm 42; thence run Northeasterly along the Southeasterly boundary of said Farm 42 to the most Southerly corner of Farm 43 and the Point of Beginning to close.