



City of North Port

ORDINANCE NO. 2026-15

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, CREATING THE DEPENDENT SPECIAL DISTRICT KNOWN AS THE ACTIVITY CENTER 6 AND 10 INFRASTRUCTURE DISTRICT; PROVIDING LEGISLATIVE FINDINGS AND INTENT; ESTABLISHING THE DISTRICT AS A NON-AD VALOREM SPECIAL ASSESSMENT DISTRICT WITHIN CHAPTER 66 OF THE CODE OF THE CITY OF NORTH PORT, FLORIDA; DEFINING THE DISTRICT'S STATUS AS A DEPENDENT SPECIAL DISTRICT AND IDENTIFYING ITS PURPOSE, POWERS, FUNCTIONS, DUTIES, BOUNDARIES, AUTHORITY, GOVERNANCE, FINANCING METHODS, AND COMPREHENSIVE PLAN CONSISTENCY AS REQUIRED BY SECTION 189.02, FLORIDA STATUTES; PROVIDING FOR THE PLANNING, DESIGN, LAND ACQUISITION, CONSTRUCTION, EXPANSION, MAINTENANCE, OPERATION, AND ALL OTHER ASSOCIATED COSTS OF CERTAIN PUBLIC INFRASTRUCTURE AND RELATED FACILITIES, INCLUDING BUT NOT LIMITED TO ROAD, STORMWATER, POTABLE WATER, WASTEWATER, RECLAIMED WATER, ELECTRIC, GAS, FIBER/COMMUNICATION UTILITIES, PUBLIC SAFETY FACILITIES, SOLID WASTE FACILITIES, MULTIMODAL FACILITIES AND PARKS AND RECREATION FACILITIES AND ALL OTHER ASSOCIATED COSTS; PROVIDING FOR THE LEVY AND COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS TO FUND THE COSTS OF THE DEPENDENT SPECIAL DISTRICT; PROVIDING FOR USE OF THE UNIFORM METHOD OF COLLECTION PURSUANT TO SECTION 197.3632, FLORIDA STATUTES, BY SEPARATE RESOLUTION; PROVIDING FOR LIENS AND REVENUE SHORTFALLS; PROVIDING FOR GOVERNANCE BY THE CITY COMMISSION; PROVIDING FOR A DISTRICT DIRECTOR APPOINTED BY THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE; PROVIDING FOR FINANCES, CLAIMS, CONSISTENCY WITH THE COMPREHENSIVE PLAN, MEETINGS, ATTORNEY TO THE BOARD, RIGHT-OF-WAY USE PERMITS, PROHIBITION OF HAZARDOUS ACTIVITIES, FEES, FINES, AND PENALTIES; AMENDING THE CODE OF THE CITY OF NORTH PORT, FLORIDA, SECTION 66-98 THROUGH 66-117; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Port ("City") is experiencing rapid growth and has designated Activity Center 6 and Activity Center 10 in its Comprehensive Plan and Unified Land Development Code as key areas for future commercial, industrial, employment, and limited mixed-use and high-intensity residential development; and

WHEREAS, the City and region have long supported the development of an Interstate 75 interchange located within Activity Centers 6 and 10 in the vicinity of Yorkshire Street and Raintree Boulevard as a

critical component of the regional transportation network, improving mobility, safety, hurricane evacuation, and providing direct access to the high-intensity development planned in the City's Activity Centers 6 and 10; and

WHEREAS, the City has previously adopted resolutions expressing its support for the Interstate 75 – Yorkshire Street and Raintree Boulevard interchange and recognizing that improved regional access will foster economic development, create high-wage jobs, and diversify and broaden the City's tax base; and

WHEREAS, the Florida Department of Transportation has indicated that state funding for the construction of the Interstate 75 – Yorkshire Street and Raintree Boulevard interchange will be influenced by the City's progress toward planning and implementing the local transportation improvements necessary to support the interchange; and

WHEREAS, the City Commission of the City of North Port, Florida finds that the full build-out of Activity Centers 6 and 10 and the Florida Department of Transportation's construction of the Interstate 75 – Yorkshire Street and Raintree Boulevard interchange requires planning, design, acquisition, construction, expansion, maintenance, and operation of an integrated system of transportation and mobility, interchange ramps, drainage, stormwater management, potable water, wastewater, reclaimed water, electric power, gas, fiber/communication/ITS utilities, public safety facilities, parks and recreation facilities, multimodal facilities, solid waste facilities and related infrastructure improvements to serve and specially benefit the real property within areas Activity Centers 6 and 10; and

WHEREAS, the City Commission has determined that properties within Activity Centers 6 and 10 will receive a special benefit from the availability and improvement of such infrastructure and facilities in the form of enhanced access, developable land, safety, public services, recreational amenities, and value, which benefits are special and particular to those properties and in addition to the general benefits enjoyed by the public at large; and

WHEREAS, the City Commission further finds that it is fair, equitable, and in the public interest to allocate all or a portion of the costs of such infrastructure and related facilities to the specially benefited real property through non-ad valorem special assessments, levied in proportion to the special benefit received and not based upon the value of the real property; and

WHEREAS, Florida Statutes Chapter 189 authorizes municipalities to create dependent special districts by ordinance within their municipal boundaries and requires that the ordinance identify, among other things, the district's status as a dependent district, its purpose, powers, functions, duties, boundary limits, authority, governing body, financing methods, financial reporting, and consistency with the comprehensive plan; and

WHEREAS, Florida Statutes Chapters 166, 170, and 197, together with the City's home-rule powers, authorize the imposition and collection of non-ad valorem special assessments to fund the capital costs and, if so determined by the City Commission, the maintenance and operating costs of public improvements that specially benefit real property; and

WHEREAS, the City has previously created dependent special districts, including the North Port Fire Rescue District, the North Port Road and Drainage District, and the North Port Solid Waste District, and has implemented non-ad valorem assessment programs, thereby providing proven models for governance, financial structure, and collection practices; and

WHEREAS, the City Commission finds that the creation of a City-created dependent special district is a lawful and appropriate mechanism to collect non-ad valorem assessments to support the planning, design, permitting, acquisition, and implementation of infrastructure improvements necessary to activate Activity Centers 6 and 10 and support the Florida Department of Transportation's funding and construction of the Interstate 75 – Yorkshire Street and Raintree Boulevard interchange; and

WHEREAS, the City Commission intends for the Activity Centers 6 and 10 Infrastructure District to operate in coordination with existing City dependent special districts, including the North Port Fire Rescue District, the North Port Road and Drainage District, and the North Port Solid Waste District, to ensure equitable allocation of costs, avoid duplication of assessments for improvements, and to maintain consistency in governance and financing practices; and

WHEREAS, the City Commission finds that these amendments and the creation of an Infrastructure District are consistent with and implement the City's Comprehensive Plan policies relating to Activity Centers, transportation, utilities, public safety, recreation and open space, capital improvements, economic development, and growth management; and

WHEREAS, the City Commission specifically finds that the Activity Centers 6 and 10 Infrastructure District is the best alternative within the meaning of Florida Statutes Section 189.02, as the Infrastructure District (i) encompasses a defined geographic area with common infrastructure needs and a common nexus of special benefit; (ii) allows costs to be funded through non-ad valorem special assessments levied upon specially benefited property rather than through broadly distributed citywide revenues; (iii) provides a single governmental structure for coordinated implementation of transportation, interchange, drainage, utility, public safety, parks and recreation, and related improvements; (iv) remains fully dependent upon and accountable to the City Commission, thereby avoiding unnecessary duplication of governmental administration while preserving public oversight; and (v) provides a practical financing mechanism, including use of the uniform method of collection and other lawful financing tools, for phased delivery of improvements serving Activity Centers 6 and 10; and

WHEREAS, the City Commission finds that these amendments promote the public health, safety, and general welfare of the City and its residents by enabling timely, efficient, and equitable financing of critical infrastructure and facilities to support economic development and regional mobility; and

WHEREAS, the City Commission finds that these amendments serve the public health, safety, and welfare of the citizens of the City of North Port, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 – FINDINGS

1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.

1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business impact estimate on the City's website on or before the date the newspaper published notice of this ordinance's final reading.

SECTION 2 – ADOPTION

2.01 Chapter 66 of the Code of the City of North Port, Florida is hereby amended as follows:

“Chapter 66 – SPECIAL DISTRICTS

...

ARTICLE V. – INFRASTRUCTURE DISTRICT

Sec. 66–98. – Legislative intent.

(a) Pursuant to authority contained in F.S. chs. 166, 170, and 189, and the city’s home rule authority as set forth in applicable Florida law, the city commission hereby declares its intent and purpose in adopting this article to:

(1) Provide a municipal service assessment and benefit dependent special district by creating an Activity Centers 6 and 10 Infrastructure District, comprising of activity center 6 and activity center 10 located within the corporate limits of this municipality as it exists at the time of adoption of this ordinance, through which specially benefited property is assessed for the costs of infrastructure and services defined herein; thereby creating a financial mechanism to support such services on an equitable basis to promote the health, safety, and general welfare of the city’s citizens by ensuring that necessary infrastructure is provided in a timely, financially feasible, and fiscally responsible manner;

(2) Provide a mechanism to fund the planning, design, acquisition, construction, expansion, maintenance, and operation of an integrated system of transportation, interchange ramps, drainage, stormwater management, potable water, wastewater, reclaimed water, electric power, gas, fiber/communication/ITS utilities, public safety facilities, solid waste facilities, parks and recreation facilities, multimodal facilities, and related infrastructure improvements serving the Activity Centers 6 and 10 Infrastructure District; and

(3) Authorize the levy of non-ad valorem special assessments against specially benefited real property within the Infrastructure District to fund these improvements and related services in proportion to the special benefit received.

(b) The city commission further declares:

(1) The territory included within the Activity Centers 6 and 10 Infrastructure District constitutes a unified planning area with an integrated system of transportation, interchange ramps, drainage, stormwater management, potable water, wastewater, reclaimed water, electric power, gas, fiber/communication/ITS utilities, public safety facilities, solid waste facilities, parks and recreation facilities, multimodal facilities, and related infrastructure improvements, as defined herein;

(2) Funding this integrated system solely from city-wide ad-valorem taxation, impact or mobility fees, or other city-wide revenues that may be amended from time to time would unjustly burden property owners outside activity center 6 and activity center 10;

- 178 (3) The benefits of an integrated system of infrastructure improvements and facilities inure
 179 primarily to the specially benefited properties within the Activity Centers 6 and 10
 180 Infrastructure District and only incidentally and inconsequentially to the public at large;
 181 and
 182
 183 (4) All public and private real property within the Activity Centers 6 and 10 Infrastructure
 184 District will be specially benefited by the provision of these infrastructure improvements
 185 and facilities substantially to the extent to which each parcel is served and accessed by
 186 the integrated system.
 187
 188 (c) In furtherance of these declarations, the specific purposes in creating this dependent special
 189 district include, but are not limited to:
 190
 191 (1) Providing a mechanism to fund the planning, design, acquisition, construction, expansion,
 192 maintenance, and operation of the infrastructure improvements defined in this article;
 193
 194 (2) Providing a mechanism for equitable allocation of costs to specially benefited properties
 195 through non-ad valorem assessments; and
 196
 197 (3) Implementing the city's comprehensive plan policies, as amended, relating to Activity
 198 Centers 6 and 10, transportation, utilities, public safety, recreation and open space,
 199 capital improvements, and economic development.
 200
 201 (d) This article and the Activity Centers 6 and 10 Infrastructure District created herein are
 202 declared to be the best alternative for providing the described infrastructure and funding
 203 therefor, within the meaning of F.S. 189.02(4).
 204

205 **Sec. 66-99. – Title.**
 206

207 This article shall be known and may be cited as the "Infrastructure District Ordinance".
 208

209 **Sec. 66-100. – Definitions and word usage.**
 210

211 For the purposes of this article, the following terms, phrases, words and their derivations shall
 212 have the meanings given herein:
 213

- 214 (a) *Activity centers.* Together, those geographic areas designated and identified as activity center
 215 6 and activity center 10 in the city's adopted comprehensive plan in the Unified Land
 216 Development Code, as either may be amended from time to time.
 217
 218 (b) *Assessment or non-ad-valorem special assessment.* A charge against assessable real property
 219 based on the special benefit provided by the improvement as authorized by F.S. chs. 166, 170,
 220 189, and F.S. §§ 197.3631 and 197.3632.
 221
 222 (c) *Board.* The City Commission of the City of North Port, Florida, serving as the governing body
 223 of the Activity Centers 6 and 10 Infrastructure District.
 224

(d) Cost(s). All costs of operating the Infrastructure District, including but not limited to the acquisition of real property, easements, and rights-of-way; construction, reconstruction, expansion, relocation, repair, restoration, and enhancement of improvements; purchase, lease, and maintenance of equipment, facilities, and materials; wages, salaries, and benefits for personnel and administrators; creation and funding of reasonable reserves, renewal and replacement funds, and debt service funds; auditing, financial advisory, legal and consulting expenses; advertising, publishing notices, and costs associated with public hearings, meetings, and any required referenda; authorized reimbursements to any person or firm for services performed for the benefit of the Infrastructure District or its residents or property owners; authorized reimbursement of any moneys advanced by the city or the board for services or improvements provided within the Infrastructure District.

(e) Improvements. Public infrastructure improvements and related facilities benefiting and reasonably related to serving property within the Infrastructure District, including but not limited to:

- (1) Arterial, collector, and local roads, streets, boulevards, and alleys; including construction, reconstruction, widening, turn lanes, intersection improvements, medians, sidewalks, bicycle and pedestrian facilities, street lighting, traffic signals, signage, markings, traffic control devices, and access management features;
- (2) Bridges, overpasses, culverts, canals, waterways, drainage structures, storm sewers, inlets, stormwater management systems, water retention and detention facilities, swales, outfalls, water-quality treatment facilities, and related flood protection improvements;
- (3) Transfer stations, recycling centers, material recovery facilities, composting and yard waste processing areas, household hazardous waste collection sites, solid waste drop-off locations, and related access roads, scales, loading areas, and equipment storage;
- (4) Potable water transmission and distribution mains, wastewater collection and transmission mains, reclaimed water mains, force mains, lift stations, valves, meters, hydrants, wells, water or wastewater treatment facilities, deep-well injection sites and facilities, and related utility appurtenances;
- (5) Electric utility facilities, including but not limited to electric distribution and transmission lines, substations, transformers, and related equipment and appurtenances;
- (6) Gas utility facilities, including but not limited to gas mains, service lines, regulators, meters, and related equipment and appurtenances;
- (7) Fiber optic, communication, and intelligent transportation system ("ITS") infrastructure, including but not limited to fiber and communication lines, conduit, duct banks, cabinets, signals, sensors, cameras, and related equipment and appurtenances;
- (8) Public safety facilities, including but not limited to fire rescue stations and substations, police or law enforcement stations and substations, emergency medical facilities, emergency operations facilities, and related storage, training, and support facilities;

(9) Parks and recreation facilities, including but not limited to neighborhood and community parks, plazas, greenways, trails, paths, recreation centers, athletic fields, courts, playgrounds, amphitheaters, event lawns, associated parking and restrooms, and related amenities;

(10) Landscaping, buffering, fencing, walls, gateways, entry features, signage, streetscape, lighting, and aesthetic or safety enhancements located within or adjacent to rights-of-way, parks, public safety sites, or easements associated with the such improvements;

(11) Parking facilities, transit stops, shared-use paths, and other multimodal facilities that support access to and within activity centers 6 and 10;

(12) Administrative, maintenance, and storage facilities, reasonably necessary to support the operation, maintenance, or administration of the above improvements and facilities; and

(13) Any other infrastructure or facility reasonably related to the improvements and facilities defined herein or as authorized by general law.

(f) Infrastructure District. The Activity Centers 6 and 10 Infrastructure District, a dependent special district of the City of North Port, Florida, created by this article and any areas added or removed pursuant to this article, that is wholly situated within the corporate limits of the city, as it may be amended from time to time by annexation or contraction of real property.

(g) Real property. All land, buildings, fixtures, and other improvements to land located within the boundaries of the Infrastructure District, regardless of ownership.

(h) Uniform method. The uniform method for the levy, collection, and enforcement of non-ad valorem assessments authorized under F.S. § 197.3632, as amended.

Sec. 66-101. – Establishment; boundaries.

(a) Pursuant to the authority contained in F.S. ch. 189, the city commission hereby creates and establishes the Infrastructure District, comprising of Activity Centers 6 and 10 and wholly situated within the corporate limits of the city as it may be amended from time to time by annexation or contraction of real property. The purpose of the Infrastructure District is to provide a mechanism to fund improvements, including but not limited to the planning, design, acquisition, construction, expansion, maintenance, and operation of an integrated system of transportation, interchange ramps, drainage, stormwater management, potable water, wastewater, reclaimed water, electric power, gas, fiber/communication/ITS utilities, public safety facilities, solid waste facilities, parks and recreation facilities, multimodal facilities, and related infrastructure improvements serving the Infrastructure District.

(b) The boundaries of the Infrastructure District shall consist of all lands comprising activity center 6 and activity center 10, as such activity centers are delineated and amended in the city's adopted comprehensive plan and unified land development code from time to time.

(c) The board may, by ordinance, or as otherwise permitted by Florida law:

(1) Adjust the boundaries of the Infrastructure District to remain consistent with amendments to the city's comprehensive plan and unified land development code affecting activity centers 6 and 10; provided that any boundary adjustment must be accompanied by findings of a special benefit and, if necessary, updates to any existing benefit and rate studies to ensure equitable apportionment of costs to newly included or excluded properties.

(2) Annex into or de-annex from the Infrastructure District any lands annexed into or de-annexed from the city to the extent such lands are located within activity centers 6 or 10.

(d) The furnishing of improvements and related services in accordance with the purposes of the Infrastructure District is hereby declared to specially benefit all real property within the Infrastructure District, whether government or privately owned, and the costs of providing such improvements and services are hereby found to be commensurate with the special benefit provided to such real property.

Sec. 66-102. – Governing body of district.

The board of the Infrastructure District shall be the City Commission of the City of North Port, Florida, and will meet as set forth within F.S. chs. 119, 189, 286, to conduct the business of the Infrastructure District.

The board is hereby recognized as the legislative and governing body of the Infrastructure District and shall have the full authority granted by the Florida Statutes, the Charter, this article, and the city's home rule authority conferred under applicable Florida law, to carry out the intent and purpose of this article.

Sec. 66-103. – Power and duties of the board.

(a) The board is charged with the authority and responsibility to provide for the planning, design, acquisition, construction, expansion, maintenance, and operation of improvements and related services within the Infrastructure District and shall have all of the powers granted by Florida Statutes, the Charter, this article, and the city's home rule authority conferred under applicable Florida law, to carry out the intent and purpose of the Infrastructure District. Additionally, the board is charged with the following specific powers and authorities:

(1) To plan, design, acquire, construct, reconstruct, widen, realign, improve, maintain, and operate the improvements defined in this article, including the acquisition of real property and rights-of-way, by purchase, dedication, donation, or eminent domain to the extent permitted by law;

(2) To pay for all costs of the Infrastructure District, including but not limited to, acquisition, improvement, and operation of improvements and related services within the Infrastructure District. The Infrastructure District shall reimburse the city for all actual costs incurred by the city for the benefit of the Infrastructure District;

- (3) To purchase, with or without bids, pursuant to this Code, F.S. Ch. 255, and other applicable general and special law, all necessary equipment and supplies deemed necessary to carry out the purposes of the Infrastructure District, purchase all necessary real and personal property and sell surplus real and personal property in the same manner and subject to the same restrictions as provided for such sales by municipalities;
- (4) To negotiate and enter into contracts, including but not limited to intergovernmental contracts, joint project contracts, construction and maintenance contracts with other governmental entities and agencies, public and investor-owned utilities, and other private parties, as necessary, to plan and implement the planning, design, permitting, acquisition, construction, maintenance, and operation of improvements;
- (5) To negotiate and enter into other contracts, including but not limited to collective bargaining agreements;
- (6) To apply for, negotiate, and enter into grant and funding contracts with federal, state, regional, and other governmental entities and agencies, and to accept grants, contributions, and other revenues to fund and support Infrastructure District purposes and improvements;
- (7) To levy, collect, increase, and decrease the non-ad valorem special assessments against specially benefited real property within the Infrastructure District to fund the costs of improvements and related services authorized in this article by resolution without referendum or ordinance;
- (8) To establish, by resolution, a schedule of non-ad valorem assessments, and to classify properties within the Infrastructure District into categories based on land use, development status, intensity of use, and other relevant characteristics, and to apply different assessment rates and methodologies to such categories so long as the resulting apportionment of costs is found by the board to be fair, reasonable, and proportional to the special benefit received;
- (9) To adopt and periodically update benefit and rate studies and other documentation supporting the levy of assessments in accordance with applicable law;
- (10) To borrow money for the purposes of the Infrastructure District, provided that any borrowing must comply with the limitations and requirements of the Florida constitution, the general laws of the State of Florida, and the Charter. The Infrastructure District shall have the power to issue bonds, notes, or other debt instruments from time to time without limitation as to amount. Such bonds may be secured by non-ad-valorem assessments and any other legally available funds of the Infrastructure District. Such bonds shall not constitute a general obligation or a pledge of the full faith and credit of the city or Infrastructure District. Two or more projects may be combined and consolidated into a single project and may be operated and maintained as a single project. The bonds, notes, or other debt instruments authorized may be issued to finance or refinance any one or more of such projects regardless of whether or not such projects have been combined and consolidated into a single project. If the commission deems it advisable, the proceedings authorizing such bonds, notes, or other instruments may

provide that the Infrastructure District may thereafter combine the projects then being financed or theretofore financed with other projects to be subsequently financed by the Infrastructure District and that bonds, notes, or other debt instruments to be thereafter issued by the Infrastructure District shall be on parity with the bonds, notes, or other debt instruments then being issued, all on such terms, conditions, and limitations that have been provided in the proceeding which authorized the original bonds, notes, or other debt instruments;

- (11) To enter into leases and lease-purchase arrangements relating to properties both real and tangible, needed for Infrastructure District purposes for periods not to exceed 30 years at a stipulated rental to be paid from current or other legally available funds, and to make all other contracts and arrangements necessary or convenient to carry out such objectives. Such leases and lease-purchase arrangements may be with private individuals, governmental agencies, or corporations;
- (12) To exercise any other powers provided by ordinance, supplemental or as an amendment hereto, adopted by the board without referendum election;
- (13) To supplement Infrastructure District revenues with other legally available city revenues, including, without limitation, impact and mobility fees, grants, and general fund contributions, when the board determines that supplementation is in the public interest;
- (14) To dispose of the Infrastructure District's surplus real and personal property, supplies, and equipment, pursuant to F.S. ch. 287, this Code, and any other applicable general law;
- (15) To participate in state retirement and pension plans for the benefit of employees if eligible;
- (16) To adopt any rules, regulations, policies, and procedures as may be necessary or desirable to implement the purposes of this article, including but not limited to standards for right-of-way use, access management, driveway connections, utility crossings, and traffic control devices within Infrastructure District rights-of-way;
- (17) To assign the Infrastructure District director to the city's development review committee to review and comment on development proposals, plats, and site plans within the Infrastructure District for the limited purpose of determining consistency as they relate to improvements, when such review and comment does not conflict with and/or is not prohibited by the Florida Statutes and/or the unified land development code, and to coordinate with the city's development review processes regarding Improvements;
- (18) To require and grant permits for the placement of structures, signs, utilities, and other fixtures within Infrastructure District rights-of-way or easements associated with improvements;
- (19) To delegate the authority to the city manager to negotiate and execute contracts on behalf of the Infrastructure District for the expenditure of appropriated funds;

(20) To acquire, construct, and operate administrative, maintenance, and storage facilities necessary for Infrastructure District purposes;

(21) To coordinate capital planning, cost allocation, and assessment programs with the North Port Fire Rescue District, the North Port Road and Drainage District, the North Port Solid Waste District, and any other city special district(s) to avoid duplication of assessments for the same improvements and to ensure fair and transparent allocation of shared project costs; and

(22) To review the assessment methodology and rates at least once every four (4) years. If during review a study is determined to be needed, it will be conducted in the following fiscal year.

(b) The board may acquire by gift, purchase, grant, dedication, or condemnation, any lands or rights in land as may be necessary for the purpose of the Infrastructure District, including but not limited to any property, whether real or personal, as may be necessary, desirable, or convenient for the providing of improvements within the Infrastructure District. The Infrastructure District is hereby specifically conferred with the authority to avail itself of and exercise all the powers of eminent domain as provided in F.S. chs. 73 and 74, as amended. .

Sec. 66-104. – District director.

(a) The city manager shall appoint an Infrastructure District director who shall serve until the appointee resigns or is terminated by the city manager.

(b) The Infrastructure District director shall answer directly to the city manager and shall be responsible for directing the Infrastructure District towards its primary objective and assume overall management of the Infrastructure District.

(c) The Infrastructure District director is authorized to hire and fire Infrastructure District employees subject to the rights afforded Infrastructure District employees under any collective bargaining agreement, city personnel policy, and with the approval of the city manager. All other personnel actions, including but not limited to promotions, demotions and disciplinary actions, are at the sole discretion of the Infrastructure District director or designee, in accordance with city personnel policy and any applicable collective bargaining agreements.

Sec. 66-105. – Finances.

(a) The city's finance director is hereby designated as the financial officer of the Infrastructure District and shall cause the necessary financial ledgers and journals to be instituted in the name of the Infrastructure District, which shall be separate and distinct from any and all other accounts to ensure proper and accurate financial accountability for all receipts and disbursements of the Infrastructure District, and shall subject the same for audit.

(b) Budgeting, accounting, auditing, cash, debt and financial management and reporting of the Infrastructure District shall be in accordance with applicable federal law, Florida Statutes, this Code, and administrative rules and administrative procedures of the city.

Sec. 66-106. – Levy and collection of non-ad-valorem special assessments.

- (a) The board shall have the duty, right, power, and authority, to levy by resolution and collect non-ad-valorem special assessments against all real property specially benefited within its territorial boundary in order to provide funds to fulfill the Infrastructure District's purpose.
- (b) The board may, by resolution, establish a schedule of non-ad valorem special assessments, classify properties within the Infrastructure District into categories, and apply different assessment rates or methodologies to such categories, so long as the board finds that the resulting apportionment of costs is fair, reasonable, and proportional to the special benefit received.
- (c) Assessments may be based on differing measures of benefit, including but not limited to gross or net developable acreage, land available for developed for single-family use, permitted development intensity, frontage, footage, trip generation, floor area ratio, equivalent benefit units, or a combination of such measures, as determined by the board and based upon professional studies or other competent substantial evidence.
- (d) The board may supplement the funds available for budgeted Infrastructure District expenditures from other revenue sources of any kind, including the city. The appropriation to the Infrastructure District of additional revenue sources shall be by resolution or ordinance, as applicable, and shall otherwise comply with the requirements of the Charter, this Code, the Florida Statutes, and Florida Constitution.
- (e) The board may periodically review and amend, by resolution, the schedule of assessments, methodologies, and classifications to reflect changes in land use, development patterns, project costs, or other relevant factors.
- (f) The board shall levy assessments by resolution following all public hearing and notice requirements as provided by applicable Florida law.
- (g) The board may elect to bill assessments directly or to utilize the uniform method of collection provided under F.S. § 197.3632.

Sec. 66-107. – Certification of taxable value; collection of fees; compensation of appraiser and collector.

- (a) Pursuant to F.S. § 197.3632, the board shall, by resolution, state its intention to use the uniform method for the levy collection and enforcement of non-ad-valorem special assessments. The annual non-ad-valorem special assessments shall be placed on the annual ad valorem property tax bill of the specially benefited property and shall be collected by the Sarasota County Tax Collector. The board shall certify the non-ad-valorem assessment roll on compatible electronic medium to the Sarasota County Tax Collector pursuant to F.S. § 197.3632(5), on or before September 15 of each year.
- (b) The board shall enter into a written agreement with the Sarasota County Tax Collector as provided in F.S. § 197.3632(2), for reimbursement of necessary administrative costs incurred in implementing the uniform methodology law and as otherwise required in F.S. § 197.3632.

(c) The board shall enter into a written agreement with the property appraiser as provided in F.S. § 197.3632(2), for reimbursement of necessary administrative costs incurred by the Infrastructure District in its compliance with the requirements of F.S. § 197.3632

(d) If the board elects not to utilize the uniform method, it may provide by resolution for alternative billing and collection procedures consistent with law.

Sec. 66-108. – Non-ad-valorem special assessments to constitute liens.

The non-ad-valorem special assessments authorized by this article shall constitute a lien upon the land so assessed and shall be collected in the same manner as the municipal ad valorem property taxes. The lien shall continue until all non-ad-valorem special assessments have been paid, and if the assessment becomes delinquent, the lien shall be considered a part of the municipal tax subject to the same penalties, charges, fees and remedies for enforcement and collection as provided for the collection of ad valorem property taxes, pursuant to the laws of the State of Florida. These non-ad-valorem special assessments shall become liens against the property upon the finalization of the assessment roll.

Sec. 66-109. – Terms of existence.

(a) The Infrastructure District shall continue to exist until it is dissolved in accordance with the general laws of the State of Florida. If a court of competent jurisdiction finds that any part of lands included within the boundaries of the Infrastructure District as established in this article, is for any reason invalid for inclusion therein, then the inclusion of that land will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the lands included within the boundaries established in this article.

(b) The Infrastructure District may be merged with or into another special district or governmental entity, or dissolved, in the manner provided by F.S. Ch. 189 or other applicable law. In the event of such merger or dissolution, the disposition of the Infrastructure District's assets and obligations shall be governed by such laws and any applicable special act or ordinance.

Sec. 66-110. – Claims against district.

No suit, action, or proceeding shall be instituted or maintained in any court against the Infrastructure District, the board, or any member of the board for or upon any claim, right, or demand, unless the claimant has complied with the provisions of the Charter and the general laws of the State of Florida.

Sec. 66-111. – Meetings.

(a) The board shall govern itself as set forth within F.S. chs. 119, 189, and 286.

(b) The board shall schedule and convene regular public meetings in accordance with F.S. § 189.015, as may be amended from time to time. The schedule of the Infrastructure District's regular meetings, which shall include the date, time, and location of each scheduled meeting, shall be filed with the city clerk and the schedule shall be published quarterly, semiannually,

or annually as required by F.S. § 189.015. Notice of the Infrastructure District's regular meetings not annotated on the schedule, other than emergency or recessed meetings, shall be advertised at least seven days prior to such meetings as required by F.S. § 189.015. Emergency meetings may be convened after reasonable notice has been given in the same manner in which such meetings are called by the commission.

Sec. 66-113. – Attorney to the board.

The City Attorney or designee shall serve as attorney of record to the board.

Sec. 66-114. – Right-of-way use permits and regulation.

- (a) The board may require right-of-way use permits for the construction, installation, placement, or maintenance of structures, signs, utilities, landscaping, or other fixtures within rights-of-way or easements associated with improvements within the Infrastructure District, except to the extent otherwise provided by this Code or Florida law.
- (b) The board may establish, by resolution, standards and conditions for the issuance of right-of-way use permits, including but not limited to requirements relating to safety, access management, sight distance, drainage, restoration, and insurance.
- (c) Any structure, sign, utility, or other fixture constructed, installed, placed, or maintained within rights-of-way or easements without a valid permit, or in violation of the terms and conditions of an issued permit, shall constitute a public nuisance and may be removed by the Infrastructure District as provided by Florida law, without liability to the city or the Infrastructure District, and the costs of such removal may be charged to the responsible party.

Sec. 66-115. – Prohibition of hazardous activities on or near district property.

- (a) The board hereby prohibits hazardous activities within its jurisdiction, including but not limited to tampering with, loitering, or trespassing on critical structures, unsafe access to bridges and drainage structures, or other activities which pose an unreasonable risk to public safety.
- (b) The Infrastructure District director shall be responsible for ordering the posting and maintenance of signs expressly prohibiting the hazardous activities prohibited under this section.
- (c) It shall be unlawful for any person to engage in the activities prohibited by this section.
- (d) Any person violating this section may be subject to fines and penalties as set forth by the board, as amended from time to time.

Sec. 66-116. – District consistent with comprehensive plan.

At the time of creation and continuing through adoption of the most recent amendment to the enabling legislation for the Infrastructure District, the Infrastructure District is consistent with the city's adopted comprehensive plan.

Sec. 66-117. – Fees, fines, and penalties.

- (a) To the extent a real property owner adjacent to or served by an improvement seeks authorization from the Infrastructure District to connect to, encroach upon, or otherwise utilize such improvement beyond customary public use, and such connection or use is deemed feasible and appropriate by the Infrastructure District director, the property owner shall pay any applicable application, connection, review, and/or inspection fees as established by ordinance or resolution.
- (b) In addition to liability for the actual damage to the Infrastructure District's property or improvements, the board may levy fines or penalties against any person who damages or destroys the Infrastructure District's property improvements or facilities as set forth by ordinance and as amended from time to time."

SECTION 3 – CONFLICTS

- 3.01 In the event of any conflict between the provisions of this ordinance and any other ordinance, in whole or in part, the provisions of this ordinance will prevail to the extent of the conflict.

SECTION 4 – SEVERABILITY

- 4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the ordinance.

SECTION 5 – CODIFICATION

- 5.01 In this ordinance, additions are shown as underlined and deletions as ~~striketrough~~. Any additional codification information and notations appear in *italics*. These editorial notations are not intended to appear in the codified text.

SECTION 6 – EFFECTIVE DATE

- 6.01 This ordinance takes effect immediately upon adoption.

READ BY TITLE ONLY at first reading by the City Commission of the City of North Port, Florida, in public session on July 7, 2026.

ADOPTED by the City Commission of the City of North Port, Florida, on the second and final reading in public session on July 21, 2026.

CITY OF NORTH PORT, FLORIDA

PETE EMRICH
MAYOR

ATTEST

HEATHER FAUST, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

MICHAEL FUINO, B.C.S.
CITY ATTORNEY