



City of North Port

ORDINANCE NO. 2026-15

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

29
30 **WHEREAS**, the City of North Port ("City") is experiencing rapid growth and has designated Activity Center
31 6 and Activity Center 10 in its Comprehensive Plan and Unified Land Development Code as key areas for
32 future commercial, industrial, employment, and limited mixed-use and high-intensity residential
33 development; and

34
35 **WHEREAS**, the City and region have long supported the development of an Interstate 75 interchange
36 located within Activity Centers 6 and 10 in the vicinity of Yorkshire Street and Raintree Boulevard as a

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

40
41 **WHEREAS**, the City has previously adopted resolutions expressing its support for the Interstate 75 –
42 Yorkshire Street and Raintree Boulevard interchange and recognizing that improved regional access will
43 foster economic development, create high-wage jobs, and diversify and broaden the City's tax base; and

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

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

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

64
65 **WHEREAS**, the City Commission further finds that it is fair, equitable, and in the public interest to allocate
66 all or a portion of the costs of such infrastructure and related facilities to the specially benefited real
67 property through non-ad valorem special assessments, levied in proportion to the special benefit received
68 and not based upon the value of the real property; and

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

75
76 **WHEREAS**, Florida Statutes Chapters 166, 170, and 197, together with the City's home-rule powers,
77 authorize the imposition and collection of non-ad valorem special assessments to fund the capital costs
78 and, if so determined by the City Commission, the maintenance and operating costs of public
79 improvements that specially benefit real property; and

80
81 **WHEREAS**, the City has previously created dependent special districts, including the North Port Fire
82 Rescue District, the North Port Road and Drainage District, and the North Port Solid Waste District, and
83 has implemented non-ad valorem assessment programs, thereby providing proven models for
84 governance, financial structure, and collection practices; and

85 **WHEREAS**, the City Commission finds that the creation of a City-created dependent special district is a
86 lawful and appropriate mechanism to collect non-ad valorem assessments to support the planning,
87 design, permitting, acquisition, and implementation of infrastructure improvements necessary to activate
88 Activity Centers 6 and 10 and support the Florida Department of Transportation’s funding and
89 construction of the Interstate 75 – Yorkshire Street and Raintree Boulevard interchange; and
90

91 **WHEREAS**, the City Commission intends for the Activity Centers 6 and 10 Infrastructure District to operate
92 in coordination with existing City dependent special districts, including the North Port Fire Rescue District,
93 the North Port Road and Drainage District, and the North Port Solid Waste District, to ensure equitable
94 allocation of costs, avoid duplication of assessments for improvements, and to maintain consistency in
95 governance and financing practices; and
96

97 **WHEREAS**, the City Commission finds that these amendments and the creation of an Infrastructure
98 District are consistent with and implement the City’s Comprehensive Plan policies relating to Activity
99 Centers, transportation, utilities, public safety, recreation and open space, capital improvements,
100 economic development, and growth management; and
101

102 **WHEREAS**, the City Commission specifically finds that the Activity Centers 6 and 10 Infrastructure District
103 is the best alternative within the meaning of Florida Statutes Section 189.02, as the Infrastructure District
104 (i) encompasses a defined geographic area with common infrastructure needs and a common nexus of
105 special benefit; (ii) allows costs to be funded through non-ad valorem special assessments levied upon
106 specially benefited property rather than through broadly distributed citywide revenues; (iii) provides a
107 single governmental structure for coordinated implementation of transportation, interchange, drainage,
108 utility, public safety, parks and recreation, and related improvements; (iv) remains fully dependent upon
109 and accountable to the City Commission, thereby avoiding unnecessary duplication of governmental
110 administration while preserving public oversight; and (v) provides a practical financing mechanism,
111 including use of the uniform method of collection and other lawful financing tools, for phased delivery of
112 improvements serving Activity Centers 6 and 10; and
113

114 **WHEREAS**, the City Commission finds that these amendments promote the public health, safety, and
115 general welfare of the City and its residents by enabling timely, efficient, and equitable financing of critical
116 infrastructure and facilities to support economic development and regional mobility; and
117

118 **WHEREAS**, the City Commission finds that these amendments serve the public health, safety, and welfare
119 of the citizens of the City of North Port, Florida.
120

121 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:**
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123 **SECTION 1 – FINDINGS**
124

- 125 1.01 The above recitals are true and correct and are incorporated in this ordinance by reference.
126
127 1.02 In accordance with Florida Statutes Section 166.041(4)(a), the City timely posted a business
128 impact estimate on the City’s website on or before the date the newspaper published notice of
129 this ordinance’s final reading.
130

131 **SECTION 2 – ADOPTION**

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133 2.01 Chapter 66 of the Code of the City of North Port, Florida is hereby amended as follows:

134

135 **“Chapter 66 – SPECIAL DISTRICTS**

136

137 **ARTICLE V. – INFRASTRUCTURE DISTRICT**

138

139 **Sec. 66–98. – Legislative intent.**

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

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

153

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

160

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

164

165 (b) The city commission further declares:

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

173

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

177

- 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

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

236
237 (e) Improvements. Public infrastructure improvements and related facilities benefiting and
238 reasonably related to serving property within the Infrastructure District, including but not
239 limited to:

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241 (1) Arterial, collector, and local roads, streets, boulevards, and alleys; including construction,
242 reconstruction, widening, turn lanes, intersection improvements, medians, sidewalks,
243 bicycle and pedestrian facilities, street lighting, traffic signals, signage, markings, traffic
244 control devices, and access management features;

245
246 (2) Bridges, overpasses, culverts, canals, waterways, drainage structures, storm sewers,
247 inlets, stormwater management systems, water retention and detention facilities, swales,
248 outfalls, water-quality treatment facilities, and related flood protection improvements;

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250 (3) Transfer stations, recycling centers, material recovery facilities, composting and yard
251 waste processing areas, household hazardous waste collection sites, solid waste drop-off
252 locations, and related access roads, scales, loading areas, and equipment storage;

253
254 (4) Potable water transmission and distribution mains, wastewater collection and
255 transmission mains, reclaimed water mains, force mains, lift stations, valves, meters,
256 hydrants, wells, water or wastewater treatment facilities, deep-well injection sites and
257 facilities, and related utility appurtenances;

258
259 (5) Electric utility facilities, including but not limited to electric distribution and transmission
260 lines, substations, transformers, and related equipment and appurtenances;

261
262 (6) Gas utility facilities, including but not limited to gas mains, service lines, regulators,
263 meters, and related equipment and appurtenances;

264
265 (7) Fiber optic, communication, and intelligent transportation system (“ITS”) infrastructure,
266 including but not limited to fiber and communication lines, conduit, duct banks, cabinets,
267 signals, sensors, cameras, and related equipment and appurtenances;

268
269 (8) Public safety facilities, including but not limited to fire rescue stations and substations,
270 police or law enforcement stations and substations, emergency medical facilities,
271 emergency operations facilities, and related storage, training, and support facilities;

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- 273 (9) Parks and recreation facilities, including but not limited to neighborhood and community
274 parks, plazas, greenways, trails, paths, recreation centers, athletic fields, courts,
275 playgrounds, amphitheaters, event lawns, associated parking and restrooms, and related
276 amenities;
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- 278 (10) Landscaping, buffering, fencing, walls, gateways, entry features, signage, streetscape,
279 lighting, and aesthetic or safety enhancements located within or adjacent to rights-of-
280 way, parks, public safety sites, or easements associated with the such improvements;
281
- 282 (11) Parking facilities, transit stops, shared-use paths, and other multimodal facilities that
283 support access to and within activity centers 6 and 10;
284
- 285 (12) Administrative, maintenance, and storage facilities, reasonably necessary to support the
286 operation, maintenance, or administration of the above improvements and facilities;
287 and
288
- 289 (13) Any other infrastructure or facility reasonably related to the improvements and facilities
290 defined herein or as authorized by general law.
291
- 292 (f) *Infrastructure District.* The Activity Centers 6 and 10 Infrastructure District, a dependent
293 special district of the City of North Port, Florida, created by this article and any areas added
294 or removed pursuant to this article, that is wholly situated within the corporate limits of the
295 city, as it may be amended from time to time by annexation or contraction of real property.
296
- 297 (g) *Real property.* All land, buildings, fixtures, and other improvements to land located within the
298 boundaries of the Infrastructure District, regardless of ownership.
299
- 300 (h) *Uniform method.* The uniform method for the levy, collection, and enforcement of non-ad
301 valorem assessments authorized under F.S. § 197.3632, as amended.
302

303 **Sec. 66-101. – Establishment; boundaries.**
304

- 305 (a) Pursuant to the authority contained in F.S. ch. 189, the city commission hereby creates and
306 establishes the Infrastructure District, comprising of Activity Centers 6 and 10 and wholly
307 situated within the corporate limits of the city as it may be amended from time to time by
308 annexation or contraction of real property. The purpose of the Infrastructure District is to
309 provide a mechanism to fund improvements, including but not limited to the planning, design,
310 acquisition, construction, expansion, maintenance, and operation of an integrated system of
311 transportation, interchange ramps, drainage, stormwater management, potable water,
312 wastewater, reclaimed water, electric power, gas, fiber/communication/ITS utilities, public
313 safety facilities, solid waste facilities, parks and recreation facilities, multimodal facilities, and
314 related infrastructure improvements serving the Infrastructure District.
315
- 316 (b) The boundaries of the Infrastructure District shall consist of all lands comprising activity
317 center 6 and activity center 10, as such activity centers are delineated and amended in the
318 city’s adopted comprehensive plan and unified land development code from time to time.
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321 (c) The board may, by ordinance, or as otherwise permitted by Florida law:

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(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;

- 369 (3) To purchase, with or without bids, pursuant to this Code, F.S. Ch. 255, and other
370 applicable general and special law, all necessary equipment and supplies deemed
371 necessary to carry out the purposes of the Infrastructure District, purchase all necessary
372 real and personal property and sell surplus real and personal property in the same manner
373 and subject to the same restrictions as provided for such sales by municipalities;
374
- 375 (4) To negotiate and enter into contracts, including but not limited to intergovernmental
376 contracts, joint project contracts, construction and maintenance contracts with other
377 governmental entities and agencies, public and investor-owned utilities, and other
378 private parties, as necessary, to plan and implement the planning, design, permitting,
379 acquisition, construction, maintenance, and operation of improvements;
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- 381 (5) To negotiate and enter into other contracts, including but not limited to collective
382 bargaining agreements;
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- 384 (6) To apply for, negotiate, and enter into grant and funding contracts with federal, state,
385 regional, and other governmental entities and agencies, and to accept grants,
386 contributions, and other revenues to fund and support Infrastructure District purposes
387 and improvements;
388
- 389 (7) To levy, collect, increase, and decrease the non-ad valorem special assessments against
390 specially benefited real property within the Infrastructure District to fund the costs of
391 improvements and related services authorized in this article by resolution without
392 referendum or ordinance;
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- 394 (8) To establish, by resolution, a schedule of non-ad valorem assessments, and to classify
395 properties within the Infrastructure District into categories based on land use,
396 development status, intensity of use, and other relevant characteristics, and to apply
397 different assessment rates and methodologies to such categories so long as the resulting
398 apportionment of costs is found by the board to be fair, reasonable, and proportional to
399 the special benefit received;
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- 401 (9) To adopt and periodically update benefit and rate studies and other documentation
402 supporting the levy of assessments in accordance with applicable law;
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- 404 (10) To borrow money for the purposes of the Infrastructure District, provided that any
405 borrowing must comply with the limitations and requirements of the Florida
406 constitution, the general laws of the State of Florida, and the Charter. The Infrastructure
407 District shall have the power to issue bonds, notes, or other debt instruments from time
408 to time without limitation as to amount. Such bonds may be secured by non-ad-valorem
409 assessments and any other legally available funds of the Infrastructure District. Such
410 bonds shall not constitute a general obligation or a pledge of the full faith and credit of
411 the city or Infrastructure District. Two or more projects may be combined and
412 consolidated into a single project and may be operated and maintained as a single
413 project. The bonds, notes, or other debt instruments authorized may be issued to finance
414 or refinance any one or more of such projects regardless of whether or not such projects
415 have been combined and consolidated into a single project. If the commission deems it
416 advisable, the proceedings authorizing such bonds, notes, or other instruments may

- 417 provide that the Infrastructure District may thereafter combine the projects then being
 418 financed or theretofore financed with other projects to be subsequently financed by the
 419 Infrastructure District and that bonds, notes, or other debt instruments to be thereafter
 420 issued by the Infrastructure District shall be on parity with the bonds, notes, or other
 421 debt instruments then being issued, all on such terms, conditions, and limitations that
 422 have been provided in the proceeding which authorized the original bonds, notes, or
 423 other debt instruments;
 424
- 425 (11) To enter into leases and lease-purchase arrangements relating to properties both real
 426 and tangible, needed for Infrastructure District purposes for periods not to exceed 30
 427 years at a stipulated rental to be paid from current or other legally available funds, and
 428 to make all other contracts and arrangements necessary or convenient to carry out such
 429 objectives. Such leases and lease-purchase arrangements may be with private
 430 individuals, governmental agencies, or corporations;
 431
- 432 (12) To exercise any other powers provided by ordinance, supplemental or as an amendment
 433 hereto, adopted by the board without referendum election;
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- 435 (13) To supplement Infrastructure District revenues with other legally available city revenues,
 436 including, without limitation, impact and mobility fees, grants, and general fund
 437 contributions, when the board determines that supplementation is in the public interest;
 438
- 439 (14) To dispose of the Infrastructure District's surplus real and personal property, supplies,
 440 and equipment, pursuant to F.S. ch. 287, this Code, and any other applicable general law;
 441
- 442 (15) To participate in state retirement and pension plans for the benefit of employees if
 443 eligible;
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- 445 (16) To adopt any rules, regulations, policies, and procedures as may be necessary or
 446 desirable to implement the purposes of this article, including but not limited to standards
 447 for right-of-way use, access management, driveway connections, utility crossings, and
 448 traffic control devices within Infrastructure District rights-of-way;
 449
- 450 (17) To assign the Infrastructure District director to the city's development review committee
 451 to review and comment on development proposals, plats, and site plans within the
 452 Infrastructure District for the limited purpose of determining consistency as they relate
 453 to improvements, when such review and comment does not conflict with and/or is not
 454 prohibited by the Florida Statutes and/or the unified land development code, and to
 455 coordinate with the city's development review processes regarding Improvements;
 456
- 457 (18) To require and grant permits for the placement of structures, signs, utilities, and other
 458 fixtures within Infrastructure District rights-of-way or easements associated with
 459 improvements;
 460
- 461 (19) To delegate the authority to the city manager to negotiate and execute contracts on
 462 behalf of the Infrastructure District for the expenditure of appropriated funds;
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464 (20) To acquire, construct, and operate administrative, maintenance, and storage facilities
465 necessary for Infrastructure District purposes;

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

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

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

483
484 **Sec. 66-104. – District director.**

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

488
489 (b) The Infrastructure District director shall answer directly to the city manager and shall be
490 responsible for directing the Infrastructure District towards its primary objective and assume
491 overall management of the Infrastructure District.

492
493 (c) The Infrastructure District director is authorized to hire and fire Infrastructure District
494 employees subject to the rights afforded Infrastructure District employees under any
495 collective bargaining agreement, city personnel policy, and with the approval of the city
496 manager. All other personnel actions, including but not limited to promotions, demotions and
497 disciplinary actions, are at the sole discretion of the Infrastructure District director or
498 designee, in accordance with city personnel policy and any applicable collective bargaining
499 agreements.

500
501 **Sec. 66-105. – Finances.**

502
503 (a) The city's finance director is hereby designated as the financial officer of the Infrastructure
504 District and shall cause the necessary financial ledgers and journals to be instituted in the
505 name of the Infrastructure District, which shall be separate and distinct from any and all other
506 accounts to ensure proper and accurate financial accountability for all receipts and
507 disbursements of the Infrastructure District, and shall subject the same for audit.

508
509 (b) Budgeting, accounting, auditing, cash, debt and financial management and reporting of the
510 Infrastructure District shall be in accordance with applicable federal law, Florida Statutes, this
511 Code, and administrative rules and administrative procedures of the city.

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

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- (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.

560 (c) The board shall enter into a written agreement with the property appraiser as provided in F.S.
561 § 197.3632(2), for reimbursement of necessary administrative costs incurred by the
562 Infrastructure District in its compliance with the requirements of F.S. § 197.3632
563

564 (d) If the board elects not to utilize the uniform method, it may provide by resolution for
565 alternative billing and collection procedures consistent with law.
566

567 **Sec. 66-108. – Non-ad-valorem special assessments to constitute liens.**
568

569 The non-ad-valorem special assessments authorized by this article shall constitute a lien upon the
570 land so assessed and shall be collected in the same manner as the municipal ad valorem property
571 taxes. The lien shall continue until all non-ad-valorem special assessments have been paid, and if
572 the assessment becomes delinquent, the lien shall be considered a part of the municipal tax
573 subject to the same penalties, charges, fees and remedies for enforcement and collection as
574 provided for the collection of ad valorem property taxes, pursuant to the laws of the State of
575 Florida. These non-ad-valorem special assessments shall become liens against the property upon
576 the finalization of the assessment roll.
577

578 **Sec. 66-109. – Terms of existence.**
579

580 (a) The Infrastructure District shall continue to exist until it is dissolved in accordance with the
581 general laws of the State of Florida. If a court of competent jurisdiction finds that any part of
582 lands included within the boundaries of the Infrastructure District as established in this article,
583 is for any reason invalid for inclusion therein, then the inclusion of that land will be deemed
584 a separate, distinct, and independent provision and will not affect the validity of the
585 remaining portions of the lands included within the boundaries established in this article.
586

587 (b) The Infrastructure District may be merged with or into another special district or
588 governmental entity, or dissolved, in the manner provided by F.S. Ch. 189 or other applicable
589 law. In the event of such merger or dissolution, the disposition of the Infrastructure District's
590 assets and obligations shall be governed by such laws and any applicable special act or
591 ordinance.
592

593 **Sec. 66-110. – Claims against district.**
594

595 No suit, action, or proceeding shall be instituted or maintained in any court against the
596 Infrastructure District, the board, or any member of the board for or upon any claim, right, or
597 demand, unless the claimant has complied with the provisions of the Charter and the general laws
598 of the State of Florida.
599

600 **Sec. 66-111. – Meetings.**
601

602 (a) The board shall govern itself as set forth within F.S. chs. 119, 189, and 286.
603

604 (b) The board shall schedule and convene regular public meetings in accordance with F.S. §
605 189.015, as may be amended from time to time. The schedule of the Infrastructure District's
606 regular meetings, which shall include the date, time, and location of each scheduled meeting,
607 shall be filed with the city clerk and the schedule shall be published quarterly, semiannually,

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

613
614 **Sec. 66-113. – Attorney to the board.**

615
616 The City Attorney or designee shall serve as attorney of record to the board.

617
618 **Sec. 66-114. – Right-of-way use permits and regulation.**

619
620 (a) The board may require right-of-way use permits for the construction, installation, placement,
621 or maintenance of structures, signs, utilities, landscaping, or other fixtures within rights-of-
622 way or easements associated with improvements within the Infrastructure District, except to
623 the extent otherwise provided by this Code or Florida law.

624
625 (b) The board may establish, by resolution, standards and conditions for the issuance of right-of-
626 way use permits, including but not limited to requirements relating to safety, access
627 management, sight distance, drainage, restoration, and insurance.

628
629 (c) Any structure, sign, utility, or other fixture constructed, installed, placed, or maintained within
630 rights-of-way or easements without a valid permit, or in violation of the terms and conditions
631 of an issued permit, shall constitute a public nuisance and may be removed by the
632 Infrastructure District as provided by Florida law, without liability to the city or the
633 Infrastructure District, and the costs of such removal may be charged to the responsible party.

634
635 **Sec. 66-115. – Prohibition of hazardous activities on or near district property.**

636
637 (a) The board hereby prohibits hazardous activities within its jurisdiction, including but not
638 limited to tampering with, loitering, or trespassing on critical structures, unsafe access to
639 bridges and drainage structures, or other activities which pose an unreasonable risk to public
640 safety.

641
642 (b) The Infrastructure District director shall be responsible for ordering the posting and
643 maintenance of signs expressly prohibiting the hazardous activities prohibited under this
644 section.

645
646 (c) It shall be unlawful for any person to engage in the activities prohibited by this section.

647
648 (d) Any person violating this section may be subject to fines and penalties as set forth by the
649 board, as amended from time to time.

650
651 **Sec. 66-116. – District consistent with comprehensive plan.**

652
653 At the time of creation and continuing through adoption of the most recent amendment to the
654 enabling legislation for the Infrastructure District, the Infrastructure District is consistent with
655 the city’s adopted comprehensive plan.

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

657

658 (a) To the extent a real property owner adjacent to or served by an improvement seeks
659 authorization from the Infrastructure District to connect to, encroach upon, or otherwise
660 utilize such improvement beyond customary public use, and such connection or use is
661 deemed feasible and appropriate by the Infrastructure District director, the property owner
662 shall pay any applicable application, connection, review, and/or inspection fees as established
663 by ordinance or resolution.

664

665 (b) In addition to liability for the actual damage to the Infrastructure District’s property or
666 improvements, the board may levy fines or penalties against any person who damages or
667 destroys the Infrastructure District’s property improvements or facilities as set forth by
668 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