

HILLIARD TOWN COUNCIL MEETING

Hilliard Town Hall / Council Chambers
15859 West County Road 108
Post Office Box 249
Hilliard, FL 32046

TOWN COUNCIL MEMBERS

John P. Beasley, Mayor
Kenny Sims, Council President
Lee Pickett, Council Pro Tem
Joe Michaels, Councilman
Jared Wollitz, Councilman
Dallis Hunter, Councilman

ADMINISTRATIVE STAFF

Lisa Purvis, Town Clerk
Richie Rowe, Public Works Director
Gabe Whittenburg, Parks & Rec Director

TOWN ATTORNEY

Christian Waugh

AGENDA

THURSDAY, JULY 20, 2023, 7:00 PM

NOTICE TO PUBLIC

Anyone wishing to address the Town Council regarding any item on this agenda is requested to complete an agenda item sheet in advance and give it to the Town Clerk. The sheets are located next to the printed agendas in the back of the Council Chambers. Speakers are respectfully requested to limit their comments to three (3) minutes. A speaker's time may not be allocated to others.

PLEDGE OF CIVILITY

WE WILL BE RESPECTFUL OF ONE ANOTHER
EVEN WHEN WE DISAGREE.
WE WILL DIRECT ALL COMMENTS TO THE ISSUES.
WE WILL AVOID PERSONAL ATTACKS.
"Politeness costs so little." – ABRAHAM LINCOLN

CALL TO ORDER

PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

ITEM-1

Ordinance No. 2023-07 - Amending Chapter 62 Zoning and Land Development Regulations - Moving Division 7 to Chapter 14 Building and Building Regulations

Open Public Hearing

An Ordinance Amending Chapter 62 Zoning and Land Development Regulations: Moving Division 7, Building Permits and Inspections to Chapter 14 Building and Building Regulations; and Providing for Severability; Repealer; and Providing for an Effective Date.

Mayor Beasley

Open Public Comments

Close Public Hearing on Ordinance No. 2023-07

TOWN COUNCIL ACTION

Town Council adopting of Ordinance No. 2023-07, on First Reading and set Public Hearing & Final Reading on September 7, 2023.

ITEM-2

Ordinance No. 2023-08 - Amending Chapter 62 Zoning and Land Development Regulations - Adding Chapter 46 Subdivision

Open Public Hearing

An Ordinance Amending Chapter 62 Zoning and Land Development Regulations: Adding Chapter 46 Subdivision; and Providing for Severability; Repealer; and Providing for an Effective Date.

Mayor Beasley

Open Public Comments

Close Public Hearing on Ordinance No. 2023-08

TOWN COUNCIL ACTION

Town Council adopting of Ordinance No. 2023-08, on First Reading and set Public Hearing & Final Reading on September 7, 2023.

MAYOR

To call on members of the audience wishing to address the Council on matters not on the Agenda.

REGULAR MEETING

ITEM-3

Additions/Deletions to Agenda

ITEM-4

Town Council to consider Ordinance No. 2023-10, Vacating a portion of West Sixth Street ROW for the Dayspring Commons Planned Unit Development. Adoption on First Reading and Set Public Hearing & Final Reading for August 17, 2023.

Lisa Purvis, MMC – Town Clerk

ITEM-5

Town Council to consider Ordinance No. 2023-09, Amending the Town’s Business Tax Rate Schedule in accordance with FS 205.0535(4), by increasing the rate of each classification by no greater than five percent. Adopting on First Reading and Set Public Hearing & Final Reading for August 17, 2023.

Lisa Purvis, MMC – Town Clerk

ITEM-6

Town Council consideration to adopt Resolution No. 2023-14, amending Water & Sewer Charges & Fees by adding a deposits fee for subdivisions & landlords and addition subdivisions water tap-in fees.

Lisa Purvis, MMC – Town Clerk

ITEM-7

Town Council to accept the Town Clerk’s recommendation that Administrative Assistant Hannah Martinez’s successful completion of her 90 Day Action Plan that began on April 12, 2023, because of Town Council action taken at the April 6, 2023, meeting.

Lisa Purvis, MMC – Town Clerk

ITEM-8

Town Council to accept the resignation of Tiffany Bowden from the position of Deputy Town Clerk, effective July 11, 2023.

Lisa Purvis, MMC – Town Clerk

ITEM-9 Town Council to set a Workshop for Thursday, August 3, 2023, at 6:00 p.m. to discuss the Proposed Millage Rate, Rolled-Back Rate, and date, time and meeting place of the Tentative Budget Hearing for the 2023-2024, fiscal year.
Lisa Purvis, MMC – Town Clerk

ITEM-10 Town Council to discuss video recording of Workshops.
John P. Beasley – Mayor

ITEM-11 Town Council to set a Workshop to discuss the Wastewater and Drinking Water Asset Management Plans.
Richie Rowe – Public Works Director

ITEM-12 Town Council approval of the Minutes from the July 6, 2023, Regular Meeting.
Lisa Purvis, MMC - Town Clerk

ADDED ITEMS

ADDITIONAL COMMENTS

PUBLIC

MAYOR & TOWN COUNCIL

ADMINISTRATIVE STAFF

TOWN ATTORNEY

ADJOURNMENT

The Town may take action on any matter during this meeting, including items that are not set forth within this agenda.

TOWN COUNCIL MEETINGS

The Town Council meets the first and third Thursday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in the Town Hall Council Chambers located at 15859 West County Road 108. Video and audio recordings of the meetings are available in the Town Clerk's Office upon request.

PLANNING & ZONING BOARD MEETINGS

The Planning & Zoning Board meets the second Tuesday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in the Town Hall Council Chambers located at 15859 West County Road 108. Video and audio recordings of the meetings are available in the Town Clerk's Office upon request.

MINUTES & TRANSCRIPTS

Minutes of the Town Council meetings can be obtained from the Town Clerk's Office. The Meetings are usually recorded but are not transcribed verbatim for the minutes. Persons requiring a verbatim transcript may make arrangements with the Town Clerk to duplicate the recordings, if available, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

TOWN WEBSITE & YOUTUBE MEETING VIDEO

The Town’s Website can be access at www.townofhilliard.com.
Live & recorded videos can be access at www.youtube.com search - Town of Hilliard, FL.

ADA NOTICE

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Town Clerk’s Office at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

APPEALS

Pursuant to the requirements of Section 286.0105, Florida Statues, the following notification is given: If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

PUBLIC PARTICIPATION

Pursuant to Section 286.0114, Florida Statutes, effective October 1, 2013, the public is invited to speak on any “proposition” before a board, commission, council, or appointed committee takes official action regardless of whether the issue is on the Agenda. Certain exemptions for emergencies, ministerial acts, etc. apply. This public participation does not affect the right of a person to be heard as otherwise provided by law.

EXPARTE COMMUNICATIONS

Oral or written exchanges (sometimes referred to as lobbying or information gathering) between a Council Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the Town Council. The exchanges must be disclosed by the Town Council so the public may respond to such exchanges before a vote is taken.

2023 HOLIDAYS

TOWN HALL OFFICES CLOSED

- | | |
|----------------------------------|-----------------------------|
| 1. Martin Luther King, Jr. Day | Monday, January 16, 2023 |
| 2. Memorial Day | Monday, May 29, 2023 |
| 3. Independence Day Monday | Tuesday, July 4, 2023 |
| 4. Labor Day | Monday, September 4, 2023 |
| 5. Veterans Day | Friday, November 10, 2023 |
| 6. Thanksgiving Day | Thursday, November 23, 2023 |
| 7. Friday after Thanksgiving Day | Friday, November 24, 2023 |
| 8. Christmas Eve | Monday, December 25, 2023 |
| 9. Christmas Day | Tuesday, December 26, 2023 |
| 10. New Year’s Eve | Monday, January 1, 2024 |
| 11. New Year’s Day | Tuesday, January 2, 2024 |



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Public Hearing & Reg Meeting Meeting Date: July 20, 2023

FROM: *Lisa Purvis, MMC – Town Clerk*

SUBJECT: Town Council to consider Ordinance No. 2023-07, Amending Chapter 62 Zoning and Land Development Regulations: Moving Division 7, Building Permits and Inspections to Chapter 14 Building and Building Regulations. Adopting on First Reading and Set Public Hearing & Final Reading on September 7, 2023.

BACKGROUND:

See Town Planner's agenda item report providing recommendation from the Planning & Zoning Board.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Town Council adoption of Ordinance No. 2023-07, on First Reading and Set Public Hearing & Final Reading on September 7, 2023.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Planning and Zoning Board Regular Meeting Meeting Date: July 11, 2023

FROM: ***Janis K. Fleet, AICP – Town Planning Consultant***

SUBJECT: Planning and Zoning Board Recommendation to the Town Council to Adopt Ordinance No. 2023-07 to Amend Chapter 62 by Moving Division 7, Building Permits and Inspections to Chapter 14

BACKGROUND:

See attached.

FINANCIAL IMPACT:

None

RECOMMENDATION:

Staff recommends the Planning and Zoning Board to recommend to the Town Council the adoption of Ordinance No. 2023-07 to Amend Chapter 62 by Moving Division 7, Building Permits and Inspections to Chapter 14.

BACKGROUND:

Florida Statutes Chapter 468.604 (1) requires building official to administrate, supervise, direct, enforce, or perform the permitting and inspection of construction, alteration, repair, remodeling, or demolition of structures and the installation of building systems within the boundaries of their governmental jurisdiction, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The building official must perform these responsibilities without interference from any person.

Hilliard Town Code Chapter 62, Division 7 of the contains the requirements contains the procedures and reviews for building permits and inspections. Chapter 62-33 states that “The land use administrator shall administer and enforce the provisions of this chapter”. Having the Land Use Administrator responsible for building permits and inspections is in violation of State Statutes. Division 7 needs to be removed from Chapter 62 to be in compliance with Florida Statutes Chapter 468.604 (1) and added to Chapter 14 of the Town Code.

Chapter 163, Florida Statutes requires local governments to update their Land Development Regulations for compliance with their Comprehensive Plan. The Town adopted their current Comprehensive Plan in April 2022. Prior to adoption of the updated Comprehensive Plan, the Planning and Zoning Board started reviewing the Town’s Land Development Regulations, Chapter 62, and made recommendations for revisions. After numerous workshops, at their meeting of April 12, 2022, the Planning and Zoning Board recommended revisions to Chapter 62 to the Town Council. The revision included moving Division 7 to Chapter 14. In May 2022, the Town Council and the Planning and Zoning began holding joint workshops to review the Planning and Zoning Board’s recommendations to update the Land Development Regulations. Since May 2022, the Council and the Planning and Zoning Board have held 9 joint workshops on the Land Development Regulations. After the Joint Workshops the Town Council recommended proceeding with the adoption of the revisions to Chapter 62 and moving Division 7 to Chapter 14. Division 7 needs to be moved to Chapter 14, prior to the update of Chapter 62 being adopted.

DATE: June 8, 2023
TO: Nassau County Record
FROM: Hannah Martinez, Town of Hilliard
RE: Advertisement

- Please place the following advertisement in your June 14, 2023, edition.
- Please do not deviate from the specified language.
- The notice should be two columns wide by 10 inches long.
- Do not place in the classified or legal section or an obscure portion of the newspaper.
- Headline in type no smaller than 18 Point.
- Please send Proof of Publications, as soon as possible.

NOTICE OF PUBLIC HEARINGS AND FIRST READING ORDINANCE 2023-07

AN ORDINANCE AMENDING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; MOVING DIVISION 7, BUILDING PERMITS AND INSPECTIONS TO CHAPTER 14 BUILDING AND BUILDING REGULATIONS; AND PROVIDING FOR SEVERABILITY; REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

The following Public Hearings have been scheduled:

Planning and Zoning Board – Tuesday, July 11, 2023, at 7:00 p.m.
Town Council – Thursday, July 20, 2023, at 7:00 p.m.

The Public Hearings will be held in the Hilliard Town Hall Council Chambers, located at 15859 West County Road 108, Hilliard, Florida, 32046.

Action on the matter may be taken following the closing of the Public Hearings. A copy of Ordinance No. 2023-07 is available for inspection and copying at Town Hall during normal business hours 9:00 a.m. to 5:00 p.m., Monday through Friday.

PURSUANT TO THE REQUIREMENTS OF F.S. 286.0105, the following notification is given: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring accommodation in order to participate in this proceeding should contact the Town Clerk at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

Town of Hilliard
Janis K. Fleet, AICP, Town Planning Consultant
Lisa Purvis, MMC, Town Clerk

ORDINANCE NO. 2023-07

AN ORDINANCE AMENDING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; MOVING DIVISION 7, BUILDING PERMITS AND INSPECTIONS TO CHAPTER 14 BUILDING AND BUILDING REGULATIONS; AND PROVIDING FOR SEVERABILITY; REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 468.604 (1), Florida Statutes requires building official to administrate, supervise, direct, enforce, or perform the permitting and inspection of construction, alteration, repair, remodeling, or demolition of structures and the installation of building systems within the boundaries of their governmental jurisdiction, when permitting is required, to ensure compliance with the Florida Building Code and any applicable local technical amendment to the Florida Building Code. The building official shall faithfully perform these responsibilities without interference from any person; and

WHEREAS, the land use administrator shall administer and enforce the provisions of Chapter 62 of the Hilliard Town Code; and

WHEREAS Chapter 62 – Division 7. - Building Permits and Inspections of the Hilliard Town Code contains the procedures and reviews for building permits and inspections; and

WHEREAS Chapter 62 – Division 7. - Building Permits and Inspections of the Hilliard Town Code needs to be removed from Chapter 62 of the Hilliard Town Code to be in compliance with Florida Statutes Chapter 468.604 (1); and

WHEREAS, Chapter 62, Division 7, Building Permits and Inspections of the Hilliard Town Code will be added to Chapter 14 - Buildings and Building Regulations of the Hilliard Town Code; and

WHEREAS, the Town of Hilliard has the authority to amend its Town's Code; and

WHEREAS, a duly noticed public hearing on this Ordinance was held before the Planning and Zoning Board on the 11th day of July, 2023; and

WHEREAS, a duly noticed public hearing on this Ordinance was held before the Town Council for the First Reading on the 20th day of July, 2023; and

WHEREAS, a duly noticed public hearing on this Ordinance was held before the Town Council for the Second and Final Reading on the 7th day of September, 2023; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA that the following Sections of the Hilliard Town Code, Chapter

14, Building and Building Regulations and Chapter 62, Zoning and Land Development Regulations, shall be amended as follows:

SECTION 1. Chapter 14, Building and Building Regulations shall be amended as described in Attachment “A”.

SECTION 2. Chapter 62, Zoning and Land Development Regulations shall be amended as described in Attachment “B”.

SECTION 3. It is the intention of the Town Council that the provisions of this Ordinance shall be and made part of the Code of Ordinances of Town of Hilliard, Florida, and that the Sections and paragraphs of this Ordinance may be renumbered or re-lettered in order to accomplish such intentions.

SECTION 4. The Town Council hereby authorizes the Town Attorney or his designee to make any and all revisions necessary to codify this Ordinance, including repagination or reenumeration of Articles or Sections. Changes necessary to correct scriveners’ errors or cross-reference inaccuracies are hereby authorized to be made by the Town Attorney or his designee.

SECTION 5. Repealer. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. Severability. The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 7. Effective date. This ordinance shall become effective upon passage.

ADOPTED this _____ day of _____, 2023, by the Hilliard Town Council, Hilliard, Florida.

Kenneth A. Sims
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley

Planning & Zoning Board Publication:	June 14, 2023
Planning & Zoning Board Public Hearing:	July 11, 2023
Town Council First Publication:	June 14, 2023
Town Council First Public Hearing:	July 20, 2023
Town Council Second Publication:	August 2, 2023
Town Council Second Public Hearing:	September 7, 2023

ATTACHMENT "A"**ARTICLE III. - BUILDING PERMITS AND INSPECTIONS****Sec. 14-71. - Building permit application.**

- (a) All applicants for a building permit shall submit with their applications the following:
- (1) Duplicate prints or drawings at an adequate scale of the building or structures to be built upon the lot, showing plumbing and electrical layout.
 - (2) A survey with monuments and stakes as required by a licensed surveyor, in duplicate, and drawn at an adequate scale, showing the actual dimensions and shape of the lot to be built upon. Original survey will be furnished as proof that proposed and existing buildings are within equal dimensions. The location of the building on the property, the location of waste collection areas, the layout of the trees, land and structure elevations, drainageways, off-street parking or loading spaces and other constructions are as required under the provisions of this chapter showing access and maneuvering space.
 - (3) Permits, as applicable, from county and state agencies such as the Nassau County Health Department, state department of environmental protection and the St. Johns River Water Management District.
- (b) The following provisions apply to application for building, electrical, mechanical and plumbing permits:
- (1) The applicant for a building permit shall be made by the owner or lessees, or agent of either, or the architect, engineer or builder employed in connection with the proposed work.
 - (2) The electrical contractor or person responsible for performing electrical work shall make application for the electrical permit, certifying that installation will be made in accordance with prints or drawings specified in subsection (a)(1) of this section and shall also furnish such other information as may be required in order to determine the permit fee to be assessed.
 - (3) The plumbing contractor or person responsible for performing plumbing installation shall make application for a permit, certifying that installation will be in accordance with prints or drawings specified in subsection (a)(1) of this section and shall also furnish such other information as may be required in order to determine the permit fee to be assessed. The mechanical contractor or person responsible for performing mechanical installation shall make application for a permit, certifying that installation will be in accordance with the prints or drawings specified under subsection (a)(1) of this section and shall also furnish such other information as may be required in order to determine the permit fee to be assessed.

Sec. 14-72. - Compliance with technical codes.

All permits referenced in section 14-71 shall be issued and work shall be performed in compliance with requirements set forth in chapter 14, article II of this Code and the latest editions the Florida Building Code.

Sec. 14-73. - Issuance.

It shall be the duty of the building official, upon receiving applications for permits provided for in this division, to examine such applications within a reasonable time after filing, not to exceed 30 days. If, after examination, he finds no objections to such applications, and it appears that the proposed work will be in compliance with the Florida Building Code and any other applicable rules and regulations and the proposed construction will be safe, he shall approve such application. Thereafter, permits shall be issued, and one copy of the plans returned to the applicant marked as approved and attested by his signature. If his examination reveals otherwise, he shall reject such application, noting his findings in a report to be attached to the application and disapproved plans and deliver a copy of such report to the applicant.

Sec. 14-74. - Inspections.

- (a) It shall be the duty of the building department to inspect and determine that buildings are located on lots in accordance with the plan submitted with the application.
- (b) Electrical, mechanical and plumbing installations shall require two inspections. The first inspection will be considered as the "rough in" inspection, and shall be made on plumbing and sewer lines, electrical wiring and outlets, AC duct and control circuits, while exposed for visual inspection, including all work that will be concealed in floors, walls, and ceilings.
- (c) The second inspection will be considered the final inspection and will be made when plumbing fixtures have been installed, electrical work completed and ready for service connection by the utility company and mechanical equipment installation completed.
- (d) When the building official has made the final inspection on electrical installation, and it appears that such installation has been made in accordance with rules and regulations of this chapter, he shall forthwith notify the electric utility company that installation is ready for service connection.
- (e) Every effort will be made to develop a schedule as to the time the administrative officer will be available in the various sections of the town, in order to avoid delays in construction.
- (f) The building inspector shall record the time and date of each and every inspection on his department's copy of each permit issued.

Sec. 14-75. - Permit fees.

- (a) No permits as provided in this division shall be issued until the appropriate permit fee shall have been paid to Town. The fee charged by the town for building, electrical, mechanical and plumbing permits shall be consistent with fees established by the town.

Sec. 14-76. - Posting of permits.

A copy of all permits shall be kept on the premises open to public inspection during the prosecuting of the work and until the completion of such work, and final inspection made.

Sec. 14-77. - Building, electrical, mechanical and plumbing permit expiration.

- (a) If the work described in any permit has not begun within six months from the date of issuance thereof, such permit shall expire. It shall be cancelled by the building official and written notice thereof shall be given to the persons affected.
- (b) If the work described in any building permit has not been substantially completed within one year of the date of issuance thereof, with up to two extensions which can be permitted if work has progressed, such permit shall expire and be canceled by the building official and written notice shall be given to the persons affected.

Sec. 14-78. - Permit revocation.

The building official may revoke any permit issued pursuant to this division in case there has been false statement or misrepresentation as to a material fact in the application or plans on which the permit was based.

Sec. 14-79. - Certificate of occupancy.

No person shall use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof until a certificate of occupancy shall have been issued by the land use administrator to ensure that the building or land conforms to all the requirements of the Land Development Regulations.

Sec. 14-80. - Manufactured homes older than five years.

- (a) Any manufactured home older than five years from the current calendar year shall be subject to inspection by the building official prior to being brought into the town for setup.
- (b) Any manufactured home older than five years from the current calendar year, currently set up within the town, shall be subject to an inspection by the building official prior to being relocated within said town.
- (c) The inspection fee required shall be \$200.00 and shall be paid in advance to the town prior to permitting for setup.
- (d) Any items noted on pre-inspection that do not meet the minimum HUD standard shall be brought into compliance prior to the manufactured home being either brought into the town or moved within the town. This will also apply to all exterior conditions and the conditions of the roofing materials.
- (e) All manufactured homes shall have vertical or horizontal skirting and meet the wind load for the Florida Building Code and shall match with the manufactured homes color and material being skirted.
- (f) The inspection fee shall be distributed as follows: \$100.00 to the town for administrative costs and \$100.00 to the building official for the inspection. If the manufactured home is located within 30 miles from town, the mileage assessment for the building official shall be in accordance with state statutes in addition to the inspection fee, payable to the town.
- (g) The penalty for an individual bringing a manufactured home into the town that is in violation of the section shall be subject to a fine as stated in section 1-7.

Attachment "B"

DIVISION 7. BUILDING PERMITS AND INSPECTIONS***Sec. 62-211. Building permit application.***

- (a) All applicants for a building permit, in addition to the other requirements in this chapter, shall submit with their applications the following:
- (1) Duplicate prints or drawings at an adequate scale of the building or structures to be built upon the lot, showing plumbing and electrical layout.
 - (2) A survey with monuments and stakes as required by a licensed surveyor, in duplicate, and drawn at an adequate scale, showing the actual dimensions and shape of the lot to be built upon. Original survey will be furnished as proof that proposed and existing buildings are within equal dimensions. The location of the building on the property, the location of waste collection areas, the layout of the trees, land and structure elevations, drainageways, off-street parking or loading spaces and other constructions are as required under the provisions of this chapter showing access and maneuvering space.
 - (3) Permits, as applicable, from state agencies such as the state department of environmental protection and the St. Johns River Water Management District.
- (b) The following provisions apply to application for building, electrical, mechanical and plumbing permits:
- (1) The applicant for a building permit shall be made by the owner or lessees, or agent of either, or the architect, engineer or builder employed in connection with the proposed work.
 - (2) The electrical contractor or person responsible for performing electrical work shall make application for the electrical permit, certifying that installation will be made in accordance with prints or drawings specified in subsection (a)(1) of this section and shall also furnish such other information as may be required in order to determine the permit fee to be assessed.
 - (3) The plumbing contractor or person responsible for performing plumbing installation shall make application for a permit, certifying that installation will be in accordance with prints or drawings specified in subsection (a)(1) of this section and shall also furnish such other information as may be required in order to determine the permit fee to be assessed. The mechanical contractor or person responsible for performing mechanical installation shall make application for a permit, certifying that installation will be in accordance with the prints or drawings specified under subsection (a)(1) of this section and shall also furnish such other information as may be required in order to determine the permit fee to be assessed.

(Code 1997, § 62-211; Ord. No. 87-119, § 3-22-1(a), (b), 12-29-1987; Ord. No. 92-139)

Sec. 62-212. Compliance with technical codes.

All permits referenced in section 62-211 shall be issued and work shall be performed in compliance with requirements set forth in chapter 14, article II of this Code.

(Code 1997, § 62-212; Ord. No. 87-119, § 3-22-1(c), 12-29-1987; Ord. No. 92-139)

Sec. 62-213. Issuance.

It shall be the duty of the building official, upon receiving applications for permits provided for in this division, to examine such applications within a reasonable time after filing, not to exceed 30 days. If, after examination, he finds no objections to such applications, and it appears that the proposed work will be in compliance with any and all rules and regulations made by this chapter and the proposed construction will be safe, he shall approve such application. Thereafter, permits shall be issued and one copy of the plans returned to the applicant marked as approved and attested by his signature. If his examination reveals otherwise, he shall reject such application, noting his findings in a report to be attached to the application and disapproved plans and deliver a copy of such report to the applicant. Nothing in this section shall be construed to prevent the administrative officer, upon examining such application, from issuing a permit for the construction of part of a building or structure before the entire plan and a detailed statement of such building or structure have been submitted or approved, if adequate plans and detailed statements have been presented for examination and have been found to comply with the act relating thereto.

(Code 1997, § 62-213; Ord. No. 87-119, § 3-22-2(a), 12-29-1987; Ord. No. 92-139)

Sec. 62-214. Inspections.

- (a) ~~It shall be the duty of the building department to inspect and determine that buildings are located on lots in accordance with the plan submitted with the application.~~
- (b) ~~Electrical, mechanical and plumbing installations shall require two inspections. The first inspection will be considered as the "rough in" inspection, and shall be made on plumbing and sewer lines, electrical wiring and outlets, AC duct and control circuits, while exposed for visual inspection, including all work that will be concealed in floors, walls, and ceilings.~~
- (c) ~~The second inspection will be considered the final inspection and will be made when plumbing fixtures have been installed, electrical work completed and ready for service connection by the utility company and mechanical equipment installation completed.~~
- (d) ~~When the building official has made the final inspection on electrical installation, and it appears that such installation has been made in accordance with rules and regulations of this chapter, he shall forthwith notify the electric utility company that installation is ready for service connection.~~
- (e) ~~Every effort will be made to develop a schedule as to the time the administrative officer will be available in the various sections of the town, in order to avoid delays in construction.~~
- (f) ~~The building inspector shall record the time and date of each and every inspection on his department's copy of each permit issued.~~

(Code 1997, § 62-214; Ord. No. 87-119, § 3-22-2(b), 12-29-1987; Ord. No. 92-139)

Sec. 62-215. Permit fees.

- (a) ~~No permits as provided in this division shall be issued until the appropriate permit fee shall have been paid to the deputy town clerk. The fee charged by the town for building, electrical, mechanical and plumbing permits shall be consistent with fees recommended in the various codes or separately established by the town.~~
- (b) ~~If after completion it is determined by the person issuing such permit that the cost or description of the work is more than was shown on the permit, then the permit shall be corrected accordingly and any additional fees paid thereon. All fees received by the town clerk under this section shall be put into the general fund of the town.~~

(Code 1997, § 62-215; Ord. No. 87-119, § 3-22-3, 12-29-1987)

Sec. 62-216. Posting of permits.

A copy of all permits shall be kept on the premises open to public inspection during the prosecuting of the work and until the completion of such work, and final inspection made.

(Code 1997, § 62-216; Ord. No. 87-119, § 3-22-4, 12-29-1987)

Sec. 62-217. Building, electrical, mechanical and plumbing permit expiration.

(a) If the work described in any permit has not begun within six months from the date of issuance thereof, such permit shall expire. It shall be cancelled by the building official and written notice thereof shall be given to the persons affected.

(b) If the work described in any building permit has not been substantially completed within one year of the date of issuance thereof, with up to two extensions which can be permitted if work has progressed, such permit shall expire and be canceled by the building official and written notice shall be given to the persons affected.

(Code 1997, § 62-217; Ord. No. 87-119, § 3-22-5, 12-29-1987)

Sec. 62-218. Permit revocation.

The building official may revoke any permit issued pursuant to this division in case there has been false statement or misrepresentation as to a material fact in the application or plans on which the permit was based.

(Code 1997, § 62-218; Ord. No. 87-119, § 3-22-4, 12-29-1987)

Sec. 62-219. Certificate of occupancy.

No person shall use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof until a certificate of occupancy shall have been issued by the land use administrator to ensure that the building or land conforms to all the requirements of this chapter.

(Code 1997, § 62-219; Ord. No. 87-119, § 3-22-6, 12-29-1987)
Sec. 62-220. Manufactured homes older than five years.

- (a) ~~Any manufactured home older than five years from the current calendar year shall be subject to inspection by the building official prior to being brought into the town for setup.~~
- (b) ~~Any manufactured home older than five years from the current calendar year, currently set up within the town, shall be subject to an inspection by the building official prior to being relocated within said town.~~
- (c) ~~The inspection fee required in section 62-215(a) shall be \$200.00 and shall be paid in advance to the town prior to permitting for setup.~~
- (d) ~~Any items noted on preinspection that do not meet the minimum HUD standard shall be brought into compliance prior to the manufactured home being either brought into the town or moved within the town. This will also apply to all exterior conditions and the conditions of the roofing materials.~~
- (e) ~~All manufactured homes shall have vertical or horizontal skirting and meet the wind load for the Florida Building Code and shall match with the manufactured homes color and material being skirted.~~
- (f) ~~The inspection fee shall be distributed as follows: \$100.00 to the town for administrative costs and \$100.00 to the building official for the inspection. If the manufactured home is located within 30 miles from town, the mileage assessment for the building official shall be in accordance with state statutes in addition to the inspection fee, payable to the town.~~
- (g) ~~The penalty for an individual bringing a manufactured home into the town that is in violation of the section shall be subject to a fine as stated in section 1-7.~~

(Code 1997, § 62-220; Ord. No. 2004-19, § 3, 1-6-2005)

Secs. 62-221—62-250. Reserved.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Public Hearing & Reg Meeting Meeting Date: July 20, 2023

FROM: *Lisa Purvis, MMC – Town Clerk*

SUBJECT: Town Council to consider Ordinance No. 2023-08, Amending Chapter 62 Zoning and Land Development Regulations: Adding Chapter 46 Subdivision. Adopting on First Reading and Set Public Hearing & Final Reading on September 7, 2023.

BACKGROUND:

See Town Planner's agenda item report providing recommendation from the Planning & Zoning Board.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Town Council adoption of Ordinance No. 2023-08, on First Reading and Set Public Hearing & Final Reading on September 7, 2023.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Planning and Zoning Board Regular Meeting Meeting Date: July 11, 2023

FROM: **Janis K. Fleet, AICP – Town Planning Consultant**

SUBJECT: Planning and Zoning Board Recommendation to the Town Council to Adopt Ordinance No. 2023-08 to Move Chapter 46 into Chapter 62, the Land Development Regulations.

BACKGROUND:

Chapter 163.3202(2)(a), Florida Statutes requires that local land development regulations contain “specific and detailed provisions that regulate the subdivision of land”. Currently the Town’s subdivision regulations are in Chapter 46 and not Chapter 62, the Land Development Regulations. In a Municode review of the Town’s Code, it was recommended by Municode to move the subdivision regulations from Chapter 46 to Chapter 62.

Chapter 163, Florida Statutes requires local governments to update their Land Development Regulations for compliance with their Comprehensive Plan. The Town adopted their current Comprehensive Plan in April 2022. Prior to adoption of the updated Comprehensive Plan, the Planning and Zoning Board started reviewing the Town’s Land Development Regulations, Chapter 62, and made recommendations for revisions. After numerous workshops, at their meeting of April 12, 2022, the Planning and Zoning Board recommended revisions to Chapter 62 to the Town Council. In addition to revisions to Chapter 62, revisions to Chapter 46 were also recommended and it was recommended Chapter 46 be moved to Chapter 62. In May 2022, the Town Council and the Planning and Zoning began holding joint workshops to review the Planning and Zoning Board’s recommendations to update the Land Development Regulations. After the Joint Workshops the Town Council recommended proceeding with the adoption of the revisions to Chapter 62 and moving Chapter 46 to Chapter 62. Chapter 46 needs to be moved to Chapter 62, prior to the update of Chapter 62 being adopted.

The following Articles will be added to Chapter 62 from Chapter 46:

- Article XIII. Subdivisions
- Article XIV. Platting
- Article XV. Design Standards
- Article XVI. Required Improvements

FINANCIAL IMPACT: None

RECOMMENDATION: Staff recommends the Planning and Zoning Board to recommend to the Town Council the adoption of Ordinance No. 2023-08 to Move Chapter 46 into Chapter 62, the Land Development Regulations.

DATE: June 8, 2023
TO: Nassau County Record
FROM: Hannah Martinez, Town of Hilliard
RE: Advertisement

- Please place the following advertisement in your June 14, 2023, edition.
- Please do not deviate from the specified language.
- The notice should be two columns wide by 10 inches long.
- Do not place in the classified or legal section or an obscure portion of the newspaper.
- Headline in type no smaller than 18 Point.
- Please send Proof of Publications, as soon as possible.

**NOTICE OF PUBLIC HEARINGS
AND
FIRST READING
ORDINANCE 2023-08**

AN ORDINANCE AMENDING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; BY ADDING CHAPTER 46 SUBDIVISION; AND PROVIDING FOR SEVERABILITY; REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

The following Public Hearings have been scheduled:

- Planning and Zoning Board – Tuesday, July 11, 2023, at 7:00 p.m.
- Town Council – Thursday, July 20, 2023, at 7:00 p.m.

The Public Hearings will be held in the Hilliard Town Hall Council Chambers, located at 15859 West County Road 108, Hilliard, Florida, 32046.

Action on the matter may be taken following the closing of the Public Hearings. A copy of Ordinance No. 2023-08 is available for inspection and copying at Town Hall during normal business hours 9:00 a.m. to 5:00 p.m., Monday through Friday.

PURSUANT TO THE REQUIREMENTS OF F.S. 286.0105, the following notification is given: If a person decides to appeal any decision made by the Town Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring accommodation in order to participate in this proceeding should contact the Town Clerk at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

Town of Hilliard
Janis K. Fleet, AICP, Town Planning Consultant
Lisa Purvis, MMC, Town Clerk

ORDINANCE NO. 2023-08

AN ORDINANCE AMENDING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; BY ADDING CHAPTER 46 SUBDIVISION; AND PROVIDING FOR SEVERABILITY; REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hilliard adopted amendment to the Town of Hilliard's Comprehensive Plan in 2021; and

WHEREAS, Chapter 163.3202, Florida Statutes requires to amend Land Development Regulations that are consistent with and implement the adopted Comprehensive Plan; and

WHEREAS, Chapter 163.3202 (2), Florida Statutes requires Land Development Regulations contain requirements for the subdivision of land; and

WHEREAS, the Town Council has found it desirable and necessary to update the Land Development Regulations to comply with the Florida Statutes; and

WHEREAS, Chapter 46 – Subdivision of the Hilliard Town Code will be added to Land Development Regulations, Chapter 62 of the Hilliard Town Code; and

WHEREAS, the Town of Hilliard has the authority to amend its Land Development Regulations; and

WHEREAS, the Town's Planning and Zoning Board have exhaustively studied the changes set forth at numerous public meetings over the past year; and

WHEREAS, a duly noticed public hearing on this Ordinance was held before the Planning and Zoning Board on the 11th day of July, 2023; and

WHEREAS, a duly noticed public hearing on this Ordinance was held before the Town Council for the First Reading on the 20th day of July, 2023; and

WHEREAS, a duly noticed public hearing on this Ordinance was held before the Town Council for the Second and Final Reading on the 7th day of September, 2023; and

WHEREAS, the amendments set forth herein are found to be consistent with the Town of Hilliard's Comprehensive Plan; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA that the following Section of the Hilliard Town Code, Chapter 62, Zoning and Land Development Regulations, shall be amended as follows:

SECTION 1. Chapter 62, Zoning and Land Development Regulations shall be amended by adding the Sections as described in Attachment “A”.

SECTION 2. It is the intention of the Town Council that the provisions of this Ordinance shall be and made part of the Code of Ordinances of Town of Hilliard, Florida, and that the Sections and paragraphs of this Ordinance may be renumbered or re-lettered in order to accomplish such intentions.

SECTION 3. The Town Council hereby authorizes the Town Attorney or his designee to make any and all revisions necessary to codify this Ordinance, including repagination or reenumeration of Articles or Sections. Changes necessary to correct scrivener’s errors or cross-reference inaccuracies are hereby authorized to be made by the Town Attorney or his designee.

SECTION 4. Repealer. Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. Severability. The various parts, sections and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 6. Effective date. This ordinance shall become effective upon passage.

ADOPTED this _____ day of _____, 2023, by the Hilliard Town Council, Hilliard, Florida.

Kenneth A. Sims
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

Planning & Zoning Board Publication:	June 14, 2023
Planning & Zoning Board Public Hearing:	July 11, 2023
Town Council First Publication:	June 14, 2023
Town Council First Public Hearing:	July 20, 2023
Town Council Second Publication:	August 2, 2023
Town Council Second Public Hearing:	September 7, 2023

ATTACHMENT "A"

ARTICLE XIII. SUBDIVISIONS

Sec. 62-576. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means a tier or group of lots existing within well-defined and fixed boundaries within a subdivision, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter or other name by which it may be identified.

Building includes the term "structure" and shall be construed as if followed by the phrase "or part thereof."

Developer means the owners of record executing the dedication required by F.S. § 177.081 and applying for approval of a plat of a subdivision pursuant to F.S. § 177.01 et seq.

Developer's engineer means a professional engineer registered in the state and engaged by the developer to prepare engineering plans and to supervise construction.

Land includes the term "water," "marsh" or "swamp."

Lot includes the term "plot" or "parcel." A lot is also identified as a single unit in a subdivision.

Plat means a map on which the developer's plan for subdivision is presented and which he submits for approval and intends, in final form, to record.

Subdivision means one of the following:

- (1) The division of any parcel of land, of any size whatsoever, into two or more lots of any size.
- (2) The establishment or dedication of a road, street or alley through a tract of land, regardless of area.
- (3) The resubdivision of land heretofore or hereafter divided or platted into lots.

The following shall not be included within this definition nor be subject to this chapter:

- (1) The sale or exchange of lots to or between adjoining property owners, where the sale or exchange does not create additional lots.
- (2) The public acquisition by purchase, acceptance of deed of dedication or exercise of the right of eminent domain of strips of land for the widening or opening of streets or roads.

Surveyor means a land surveyor registered in the state and engaged by the developer to survey and plat the land for subdivision.

Town-approved road or street means a road or street paved in accordance with the specifications prescribed in this chapter, involved in any division of land into a recorded or unrecorded subdivision plat.

Sec. 62-577. Intent and purposes.

It is determined and declared:

- (1) The public health, safety, order, convenience, prosperity, morals and welfare require the harmonious, orderly and progressive development of land throughout the town. It is intended that this chapter be liberally construed to accomplish those purposes.
- (2) These subdivision regulations are adopted for the following purposes:
 - a. To establish uniform and adequate standards for the design of subdivision plats and for minimum necessary improvements.
 - b. To provide regular and orderly procedures for the uniform and expeditious processing of subdivision plats by the proper agencies and officials.
 - c. To ensure coordination of subdivision plats with public improvements of the county and the town.
 - d. To ensure subdivision, design which will encourage the development of a sound and economically stable community and the creation of a healthful living environment.
 - e. To prevent traffic hazards and to provide safe and convenient traffic circulation, both vehicular and pedestrian.
 - f. To discourage premature, uneconomical and scattered development
 - g. To assure cooperation and greater convenience for developers.

Sec. 62-578. Jurisdiction; compliance.

The regulations set out in this chapter apply to all land within the town. No land shall be subdivided or laid out into lots, unless by plat in accordance with this chapter, nor shall any building be constructed in a subdivision unless the subdivision conforms to this chapter.

Sec. 62-579. When plat not recorded.

The clerk of the circuit court will not record any instrument showing a subdivision of land that does not bear the approval of the town attorney, the town clerk and the mayor.

Sec. 62-580. Town not to approve expenditure of money.

The town will not permit any money to be expended for improvements in any area that has been subdivided or upon any street that has been platted after the effective date of the ordinance from which this chapter is derived unless the subdivision or street has been approved in accordance with this chapter.

Sec. 62-581. Right-of-way vacations.

Definitions. The following words, terms, and phrases, when used in Section 62-581, shall have the meanings ascribed to them in this Subsection, except where the context clearly indicates a different meaning:

1. Vacate. Vacate shall mean the relinquishment of the Town's right, title, or interest in a public right-of-way.

2. Public right-of-way. A public right-of-way in the Town of Hilliard shall mean public road, street, lane, thoroughfare or travel way that has been platted or dedicated for public purposes such as roads, utilities, or stormwater.

(b) Review Procedures

1. Application. An application to vacate a public right-of-way may be submitted by the Town Council, Land Use Administrator, or by a property owner abutting or surrounding the public right-of-way.
 - a. Applicant must submit an application with a statement outlining the reason for the request, and a sketch of description and legal description of the area to be vacated, including the tax parcel identification number, if applicable. The burden will be on the applicant to show that the request complies with all of the following:
 - i. That the request is in conjunction with a new development, redevelopment, or new use of
 - ii. That the request is in the "public interest" (defined as something that benefits the public as a whole, not just a singular property owner - such as increasing size of property);
 - iii. That the request will not adversely affect surrounding property owners; and
 - iv. That the request conforms with utility company regulations by providing a letter from each utility company stating they approve or disapprove the vacate.
2. Board review. Applications to vacate a public right-of-way shall be reviewed by the Planning and Zoning Board and the Town Council according to the criteria provided in this section, with notice of the board hearings provided in accordance with law and this article. The Planning and Zoning Board's review shall be a recommendation to the Town Council. Prior to the public hearing before the Planning and Zoning Board, the application shall be reviewed by the Land Use Administrator in accordance with the development plan review process as stated in Section 62-581.
3. Fees. The application shall be accompanied by a fee, which amount shall be determined by a fee schedule passed by a resolution of the Town Council. Any fees incurred by the Town in order to process the application, including advertising, mailing, and legal fees, shall also be charged to the applicant and be payable prior to any vacating of the right-of way being recorded or final.

(c) Review criteria. Rights-of-way may only be vacated by the Town Council upon its finding that the criteria in both 1. and 2. as provided below have been met:

1. Public Interest. The public right-of-way no longer serves a public purpose and the vacation of the public right-of-way is in the public interest, which shall be based on a consideration of the following:
 - a. Whether the public benefits from the use of the subject right-of-way as part of the city street system;
 - b. Whether the proposed action is consistent with the Comprehensive Plan;
 - c. Whether the proposed vacation is consistent with the minimum block size requirements and other applicable street connectivity standards;

- d. Whether the proposed action would deny access to private property;
 - e. The effect of the proposed action upon public safety;
 - f. The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
 - g. The effect of the proposed action upon the provision of municipal services including, but not limited to, emergency service and waste removal;
 - h. The necessity to relocate utilities both public and private; and the effect of the proposed action on the design and character of the area.
2. Streets. If the public right-of-way is a street, the city shall not vacate the right of-way except if the following additional criteria are met:
- a. The loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. There is no reasonably foreseeable need for any type of transportation corridor for the area.

(d) Notice requirements

- 1. Specific Notice Requirements for Vacations. Public hearing notices to vacate a public right-of-way or portion thereof shall be published in a manner consistent with Florida and Town law regarding ordinances.
- 2. Neighbors. If the parcel to be vacated includes an alley, all property owners serviced by the alley and all property owners serviced by a connecting alley shall be noticed.
- 3. Petitioner's Responsibility. The Town, Town Council, and all officers, employees, and agents thereof shall not assume any responsibility or liability for any matters and things to be done or completed by the petitioner pursuant to the provisions hereof. It is recognized that this procedure may affect substantial interests in real property and other proprietary rights, and the petitioner shall assume full and complete responsibility for compliance with the requirements of law, and these procedures in connection with or arising out of any vacation proceedings instituted by the petitioner, including the payment of all fees required by this Section."

ARTICLE XIV. PLATTING

Sec. 62-581. General procedure for plat approval.

The preliminary and final plat shall be submitted to the town in the format required by the town for recommendation Planning and Zoning to the council for approval. No plat shall be recorded and no lots shall be sold from the plat unless and until the final plat is approved as provided in this chapter.

Sec. 62-582. Preliminary plat.

The developer shall submit the proposed plat accompanied by the following information in a form specified by the Town that will show the following:

The preliminary plat shall contain the following information:

- (1) The boundary lines of the area being subdivided with the distance and bearings and the legal description of the property.
- (2) The lines of all proposed streets with their widths and names.
- (3) The outline of any portions of the property intended to be dedicated for public use, such as for schools, parks, etc.
- (4) The lines of adjoining streets with their widths and names.
- (5) All lot lines together with the identification system for all lots and blocks, the square foot area of each lot, and the net usable acreage (less jurisdictional areas). The lot number within a subdivision shall be assigned counterclockwise from the northeast corner and shall follow in a logical numerical order within a particular block.
- (6) The location of all setback lines and easements provided for public use, service, utilities or drainage.
- (7) All dimensions both linear and angular for locating the boundaries of the subdivision, lots, streets, easements, and any other areas for public use or private use.
- (8) The radii, arcs, chords, chord bearings, points of tangencies and central angles for curved streets and rounded block corners, per F.S. § 177.091.
- (9) The location of all survey monuments, permanent points and azimuth marks with their descriptions.
- (10) The name of the subdivision, the scale of the plat, points of the compass and the name of the owner and owners of the subdivision.
- (11) Certification of a currently registered surveyor of the state as to the correct representation of the plat per F.S. § 177.061.
- (12) Private restrictions and trusteeships and their period of existence.
- (13) Acknowledgment of the owner and owners to the plat and restrictions, including dedication to public use of all streets and parks, alleys, easements, rights-of-way and public areas shown on such plat, the dedication of or granting of easements required.
- (14) All flood hazard zones as established by the FEMA flood insurance rate maps.
- (15) The location of permanent benchmarks which shall be provided at convenient points with elevations indicated.

Sec. 62-583. Final plat.

The final plat shall show the following in a required by the Town and in compliance with Chapter 177, F.S.:

- (1) The boundary lines of the area platted with distance and bearings and the legal description of the property. The property appraiser's parcel identification number is not acceptable as legal description.
- (2) The lines of all proposed streets with their widths and names.
- (3) The outline of any portions of the property intended to be dedicated for public use, such as for schools, parks and so forth.
- (4) The lines of adjoining streets with their widths and names.
- (5) All lot lines, together with the identification system of all lots and blocks, and the square foot area of each lot. The lot numbers within a subdivision shall be assigned counterclockwise from the northeast corner and shall follow in a logical numerical order within a particular block.
- (6) The location of all setback lines and easements provided for public use, service, utilities or drainage.
- (7) All dimensions, both linear and angular, for locating the boundaries of the subdivision, lots, streets, easements and any other areas for public or private use. Linear dimensions shall be given to the nearest 1/100 of a foot. Closure shall be shown on the plat.
- (8) The radii, arcs, chords, chord bearings, points of tangencies and central angles for curved streets and rounded block corners.

- (9) The location of all survey monuments and benchmarks with their descriptions.
- (10) The name of the subdivision, the scale of the plat, points of the compass and the name of the owner of the subdivision.
- (11) The certificate of the surveyor as to the correct representation of the plat and as to F.S. ch. 177, pt. I (F.S. § 177.011 et seq.).
- (12) Private restrictions and trusteeships and their period of existence.
- (13) Acknowledgment of the owner to the plat and restrictions, including dedication to public use of all streets and parks, the dedication of or granting of required easements and a statement that all streets are paved and drained or will be paved and drained before any lots are sold.

Sec. 62-584. Signatures; certifications and acknowledgments.

The final plat must contain space and forms for the appropriate certifications and acknowledgments and shall be signed by the following:

- (1) A notary public or other officer authorized by law to take acknowledgments as to the certification of the acknowledgment by the owner or owners.
- (2) A surveyor for the town as for compliance with Chapter 177, F.S.
- (3) The town attorney as to legal sufficiency and compliance.
- (4) By the public works director certifying the water supply and sewage system's acceptability
- (5) By the county health officer if the lots will be served by septic tanks for the plat subject to review of each lot for septic tanks by the county environmental health officer according to the Florida Administrative Code.
- (6) By the chairman of the planning and zoning board as to approval by the planning and zoning board.
- (7) By the county tax collector as to the approval that the taxes are current.
- (8) The town clerk as to approval by the council.
- (9) The mayor as to approval for the town.
- (10) The clerk of the circuit court for the county as to the plat having been filed for record. The plat book and page designation shall be obtained from the clerk at the time it is presented to the clerk for recording.

ARTICLE XV. DESIGN STANDARDS

Sec. 62-585. Relation to adjoining street system.

The arrangement of streets in a subdivision shall make provision for the continuation of the principal existing streets in adjoining areas or their proper projection where adjoining land is not subdivided insofar as this may be deemed necessary by the council for public requirements. The street arrangement shall be such as not to cause hardships to owners of adjoining property when they plat their own land and seek to provide convenient access to it. Offset streets shall be avoided and the angle of intersection between streets shall not vary by more than ten degrees from a right angle. Streets obviously in alignment with existing streets shall bear the names of the existing streets.

Sec. 62-586. Street widths.

- (a) As a minimum requirement for streets, sidewalks and public utilities, the plat shall dedicate a minimum width of 50 feet. Dead-end streets and/or culs-de-sac, streets that terminate within a subdivision other than

at boundary line, shall have a minimum width of 50 feet and shall terminate in a turnaround with a minimum radius of 50 feet.

- (b) The council may, after proper study, require a street width in excess of 50 feet, if traffic engineering surveys indicate that present or anticipated future traffic densities justify a street of greater width.
- (c) Where streets parallel and adjoin section and half-section lines adjoining unsubdivided property, a half-street, 50 feet in width, shall be dedicated and, whenever subdivision property adjoins a half-street on a section or half-section line, the remainder of a 100-foot right-of-way shall be dedicated. Water systems shall be placed within 43½ feet of the section and half-section lines.
- (d) The council may, after proper study and due consideration, reduce the right-of-way on certain half-section lines to a width of 80 feet.
- (e) Alleys are not recommended in a residential district.

Sec. 62-587. Blocks.

- (a) Where a tract of land is of such size and location as to prevent a lot arrangement related to a normal street design, there may be established courts, dead-end streets or culs-de-sac, provided that a proper access shall be given to all lots from a dedicated street or court.
- (b) No block shall be longer than 600 feet. Where blocks are made longer than 600 feet in length, a crosswalk, ten feet in width, shall be required near the center of the block.

Sec. 62-588. Lots.

- (a) Lots shall comply with the zoning district that the subdivision is located within.
- (b) A corner lot shall have widths sufficient to permit the establishment of front building lines on both the front and side of the lot adjoining the streets.
- (c) The arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of the surrounding development.
- (d) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout.

ARTICLE XVI. REQUIRED IMPROVEMENTS

Sec. 62-589. Preparation of plans and specifications for improvements.

Receipt of the signed copy of the approved preliminary plat is authorization for the developer to proceed with the preparation of plans and specifications for the minimum improvements required by this article and with preparation of the final plat. Prior to the construction of any required improvements, the developer shall furnish the town engineer all plans, information and data necessary to determine the character of the improvements. These plans shall be examined and will be approved if in accordance with this article. Following this approval, construction can be started or the amount of the bond guaranteeing the improvements determined. No final or official plat of a subdivision shall be approved unless either:

- (1) The improvements listed in this article have been installed prior to the approval; or
- (2) The developer files with the town a surety bond to secure the construction of the improvements listed in this article in a satisfactory manner and within a period specified by the council, this period not to exceed 12 months. The bond shall be in an amount at least equal to the cost of constructing the improvements as estimated by the developer's engineer and approved by the town engineer and in a form approved by the town attorney.

Sec. 62-590. Inspection.

- (a) The town may have an inspector on the project when deemed necessary during the construction period, and the inspector shall be authorized to enforce the construction of the work in accordance with the approved plans and specifications. The developer shall pay the cost of the inspector. If any changes are required in the approved plans or specifications during the period of construction, the changes must first be approved, in writing, by the town or its authorized representative so that subdivision files can be complete.
- (b) The developer shall have available, when necessary, a qualified engineer for the purpose of setting all line and grade stakes when required by the contractor or inspector.
- (c) The engineer shall furnish the town engineer with a written construction schedule at intervals of at least once each month. The schedule shall show the construction work to be accomplished during the period covered by the schedule.

Sec. 62-591. Acceptance for maintenance by town.

- (a) Prior to acceptance by the town, the developer shall furnish a certificate prepared by the developer's engineer to the effect that all improvements have been completed in accordance with the approved plans and specifications. Where the developer elects to post a bond ensuring that the work will be completed in a stated period of time, the certificate required by this section will be required at the time of completion of construction.
- (b) Upon completion of the work covered by the plans and a unilateral agreement, the owner shall notify the town engineer in writing. Upon receipt of notification, the town will make an inspection of the construction work. If all work is found to be satisfactorily completed, then the town, after a period of 90 days from the time of inspection, will make a final inspection. If the work is found satisfactory and if all deficiencies are repaired or corrected, then the town will accept the improvements for maintenance. A performance bond in the amount of 100 percent of the estimated cost of street improvements will be required in all subdivisions.

Sec. 62-592. Street improvements.

- (a) All streets and public ways shall be cleared and graded to their full width of right-of-way, including side slopes, and to the appropriate grade and shall be surfaced in accordance with the applicable standard specifications of the state department of transportation and the manual of uniform minimum standards. They shall meet the following minimum specifications:
 - (1) Pavement shall be 22 feet in width.
 - (2) Shoulders shall be six feet in width.
 - (3) Front and back slopes shall not be less than 3:1.
 - (4) All shoulders and slopes shall be seeded, mulched and fertilized.
 - (5) Paving specifications and application shall be according to the current edition of the state department of transportation specifications for road and bridge construction.
 - (6) Street cross drains will have headwalls and endwalls.
- (b) If required to prevent erosion or excessive washing of the shoulders, protective measures shall be taken as required by the town or its representative.
- (c) Curbs and gutters shall be constructed along both sides of all streets and in accordance with the standards of the state department of transportation. A modified curb, constructed in accordance with county specifications, may be used on streets with gradients of two percent or less. Where required, turnouts will comply with town specifications and be constructed before the building is completed and before the lot or building is sold.

- (d) The following pavement bases shall be constructed of the following type having a minimum thickness of six inches:
- (1) Sand-bituminous road mix.
 - (2) Florida limerock base.
 - (3) Limerock stabilized base (300 pounds per square yard).
 - (4) Shell cement mix.
 - (5) Soil cement mix.
- (e) All pavement bases shall have a surface wearing course of one of the following types, as outlined in the state department of transportation specifications:
- (1) Double surface treatment.
 - (2) Asphaltic concrete surface course, 1.5 inch minimum thickness.
 - (3) Hot sand asphalt surface course, one-inch minimum thickness.
 - (4) Concrete roads are not acceptable.
- (f) Subgrades, paving bases and surface wearing course shall be constructed in accordance with the specifications of the state department of transportation.
- (g) The owner or developer shall retain a reputable recognition commercial laboratory which shall certify to the town that all materials entering into the completed work are in accordance with these specifications. Where the pavement base is to be sand-bituminous road mix or soil cement mix, the laboratory shall furnish a report covering the blending of soil materials with bituminous materials or cement prior to base construction. A report of the laboratory shall be submitted covering the completed pavement.
- (h) Concrete sidewalks shall be required on one side of the streets in all new residential subdivisions in excess of 5 lots, unless, in the opinion of the council after proper study, pedestrian traffic or surrounding development will not justify the installation of sidewalks. Construction of sidewalks across individual residential lots, as shown on the approved engineering plans, may be deferred until the house on the individual lot is installed. However, the sidewalk across an individual lot shall be constructed prior to the issuing of a certificate of occupancy for the house on the lot when the engineering plans show a sidewalk is required for that lot. This requirement shall be stated in the Declaration of Covenants and Restrictions of the subdivision, or by other instrument of record which runs with title to the lot or lots. Nothing in the ordinance shall be construed to create an obligation on the part of the Town to construct any sidewalk.
- (i) All street markers will be constructed, painted and erected in accordance with town specifications. Street markers will be installed by the developer at the locations shown on the drawings.
- (j) Radii at intersections shall be a minimum of 25 feet.
- (k) A developer shall place appropriate road signs, within the area described by the plat to be recorded. The signs shall be constructed by the town and paid for by the developer.
- (l) All design shall meet requirements of the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways prepared by the state department of transportation.

Sec. 62-593. Drainage requirements.

- (a) All drainage pipe shall have adequate capacity to carry the runoff resulting from a rainfall intensity which may be exceeded on the average of at least once every year. All drainage facilities shall be designed for a positive outfall to existing storm sewer system, lakes, canals, rivers, streams or previously constructed town, county or state road ditches. If the added runoff from the developed area overtaxes the existing road or

outfall ditches, the developer shall include in the plans sufficient work to enlarge the present facilities to care for the added drainage imposed on the system.

- (b) Where storm sewers are provided, the maximum overland flow shall be 400 feet. Minimum grade for curb and gutter shall be three-tenths of one percent; provided that one-half percent grade shall be held insofar as practical.
- (c) Drainage pipe shall be corrugated plastic or metal pipe, plain or reinforced concrete pipe or plain or extra strength vitrified clay pipe, except that corrugated metal pipe shall not be installed under a paved road unless it is asphalt coated. Minimum pipe size shall be 15 inches in diameter.
- (d) All plans shall show, in addition to contours, the outlines and sizes in acres of drainage areas at the various points of concentration.
- (e) Catch basins, drop inlets, curb inlets and manholes shall be of a class A concrete or brick construction and in accordance with state department of transportation standards. All grates shall be cast iron or steel with minimum size of two square feet net open area.
- (f) Where land is subject to periodic flooding by the overflow from creeks, rivers or streams, a floodplain must be established and no building will be permitted within the area of the floodplain, unless the entire area is filled to two feet above the floodplain.
- (g) Permits shall be obtained from St. Johns River Water Management District prior to final approval.

Sec. 62-594. Water lines.

- (a) Where an approved public water supply is reasonably accessible or procurable, each lot within the subdivision shall be provided with a connection to the water supply. The water service for each lot will be installed at the time of the application for a building permit. All mains, to the under paving, shall be constructed prior to the paving installation. Fire hydrants will be installed in all subdivisions where a public water supply is available.
- (b) Where no approved public water supply is available, the installation of a private water supply system will be required at the time of the application for a building permit. The private water supply system shall be constructed in such a manner that an adequate supply of potable water will be available to each lot. All applicable state rules and regulations shall govern the installation of the system.
- (c) The developer shall pay all costs required to process the permit.

Sec. 62-595. Sanitary sewers.

- (a) Where an adequate sanitary sewer is reasonably accessible, each lot in the subdivision shall be provided with a connection to the sanitary sewer. All connections and the subdivision sewer system shall comply with all applicable state rules.
- (b) Where sewers are not accessible and where septic tanks are not permissible, the owner or developer shall install and operate a sewage collection and treatment system of a capacity sufficient to serve the entire subdivision and all contemplated additions. The system shall be constructed in accordance with the regulations and requirements of and approval of the county health officer and the state department of environmental protection.
- (c) The developer shall pay all costs required to process the permit.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council to consider Ordinance No. 2023-10, Vacating a portion of West Sixth Street ROW for the Dayspring Commons Planned Unit Development. Adoption on First Reading and Set Public Hearing & Final Reading for August 17, 2023.

BACKGROUND:

See letter dated July 11, 2023, from Courtney Gaver, with Rogers Towers, P.A. agent for owner Dayspring Commons, LLC. Due to the Dayspring Commons PUD being contingent on the vacation of ROW the applicant has asked, that both ordinances be considered on the same date. With the delay in receiving the appraisal the application fee cannot be determined until received which will be prior to the Public Hearing date of August 17, 2023.

FINANCIAL IMPACT:

The Town will be paid the application fee and all advertising fees for the vacation of ROW prior to the Public Hearing.

RECOMMENDATION:

Town Council adoption of Ordinance No. 2023-10, on First Reading and to set the Public Hearing & Final Reading for August 17, 2023.

Courtney P. Gaver

904.473.1388

CGaver@rtlaw.com

1301 Riverplace Boulevard, Suite 200
Jacksonville, Florida 32207

904.824.0879 Main

904.396.0663 Fax

www.rtlaw.com

ITEM-4

July 11, 2023

VIA E-MAIL

Town of Hilliard
Attn: Lee Anne Wollitz, Land Use Administrator
15859 County Road 108
Hilliard, Florida 32046
lwollitz@townofhilliard.com

RE: Final Application for Vacation of West Sixth Street

Dear Ms. Wollitz:

As you know, our firm represents Dayspring Health, LLC, the applicant for the proposed Dayspring Commons Planned Unit Development ("PUD"). Dayspring previously submitted a Pre-Application to Close, Abandon or Vacate Street, Alley, Easement, or Right of Way for the purpose of vacating a portion of West Sixth Street owned by the Town of Hilliard, which property shall be incorporated into the PUD.

Please find enclosed the Final Application to Close, Abandon, or Vacate Street, Alley, Easement, or Right of Way (the "Application"). Mr. Adkins recently transferred the subject property to his company Dayspring Commons, LLC ("Dayspring"), so the applicant has been updated to the current entity/owner of the property. I have asked Mr. Adkins to execute a new owner's authorization for all pending applications and will forward upon receipt. As Dayspring is the owner of property on either side of the subject roadway, so no abutting owner acknowledgements are required. Also, the appraisal is currently in process; we anticipate its completion in three weeks and will forward it to you at that time.

We would ask that the subject Application be scheduled for Town Council consideration on the same day as second reading of the PUD ordinance, if possible. If you have any questions, please do not hesitate to contact me.

Sincerely,

ROGERS TOWERS, P.A

Courtney P. Gaver

Enclosure

cc: Town Clerk Lisa Purvis (via e-mail)
Hannah Martinez (via e-mail)
Doug Adkins



Town of Hilliard

Final Application to Close, Abandon, or Vacate Street, Alley, Easement, or Right of Way

FOR OFFICE USE ONLY

File # _____

Application Fee: _____

Filing Date: _____ Acceptance Date: _____

A. PROPOSED CLOSING, ABANDONING, OR VACATON

- Street, Alley, Right of Way Name to be closed, vacated, or abandoned: Portion of W. Sixth Street
- Legal Description: See Exhibit A
- Parcel ID Number(s) and/or Adjoining Parcel ID Number(s): 08-3N-24-2380-0037-0020 & 08-3N-24-2380-0039-0031
- Acreage of closure, abandonment, or vacation: 12,522 SF or 0.29 acres

B. APPLICANT

1. Applicant's Status Owner (title holder) Agent

2. Name of Applicant(s) or Contact Person(s): Courtney Gaver Title: Attorney

Company (if applicable): Rogers Towers, P.A.

Mailing address: 1301 Riverplace Blvd., Suite 1500

City: Jacksonville State: FL ZIP: 32207

Telephone: (904) 473-1388 FAX: (904) 396-0063 e-mail: cgaver@rtlaw.com

3. If the applicant is agent for the property owner*:

Name of Owner (title holder): Dayspring Commons, LLC, a Florida limited liability company

Company (if applicable): c/o Doug D. Adkins

Mailing address: P.O. Box 1080

City: Hilliard State: FL ZIP: 32046

Telephone: (904) 845-2362 FAX: () e-mail: doug@dayspring.health

* Must provide executed Property Owner Affidavit authorizing the agent to act on behalf of the property owner.

C. ATTACHMENTS (One hard copy or one copy in PDF format)

- 1. Legal description
- 2. Location Map clearly identifying the location of the proposed closure. (nassaufpa.com)
- 3. Survey of Property to be Vacated.
- 4. Appraisal of Property to be Vacated.

E. FEES

- 1. Right of Way (streets or alley or easements) - \$200 pre application fee & final application fee TBD
- 2. The Cost of advertisement and outside consultants are in addition to the application fee.

No application shall be accepted for processing until the required application fee is paid in full by the applicant. Any fees for advertising, signs, necessary technical review or additional reviews of the application by a consultant will be billed to the applicant at the rate of the reviewing entity plus 10%. The invoice shall be paid in full prior to any action of any kind on the development application.

All attachments are required for a complete application. A completeness review of the application will be conducted within thirty (30) business days of receipt. If the application is determined to be incomplete, the application will be returned to the applicant.

The Town reserves the right to retain a utility easement where the alley or roadway is located and grant the Town all necessary rights in such utility easement as it may require.

I/We certify and acknowledge that the information contained herein is true and correct to the best of my/our knowledge:

Courtney P. Gaver
 Signature of Applicant/Agent
Courtney P. Gaver
 Typed or printed name and title of applicant
7-11-2023
 Date

 Signature of Co-applicant

 Typed or printed name of co-applicant

 Date

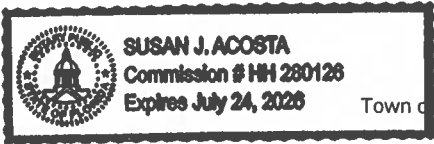
State of Florida County of Duval

The foregoing application is acknowledged before me this 11th day of July, 2023.

by Courtney P. Gaver, who is/are personally known to me, or who has/have produced _____ as identification

NOTARY SEAL

Susan J. Acosta
 Signature of Notary Public, State of Florida



Town of Hilliard ♦ 15859 West CR 108 ♦ Hilliard, FL 32046 ♦ (904) 845-3555

ATTACHMENT I
LEGAL DESCRIPTION

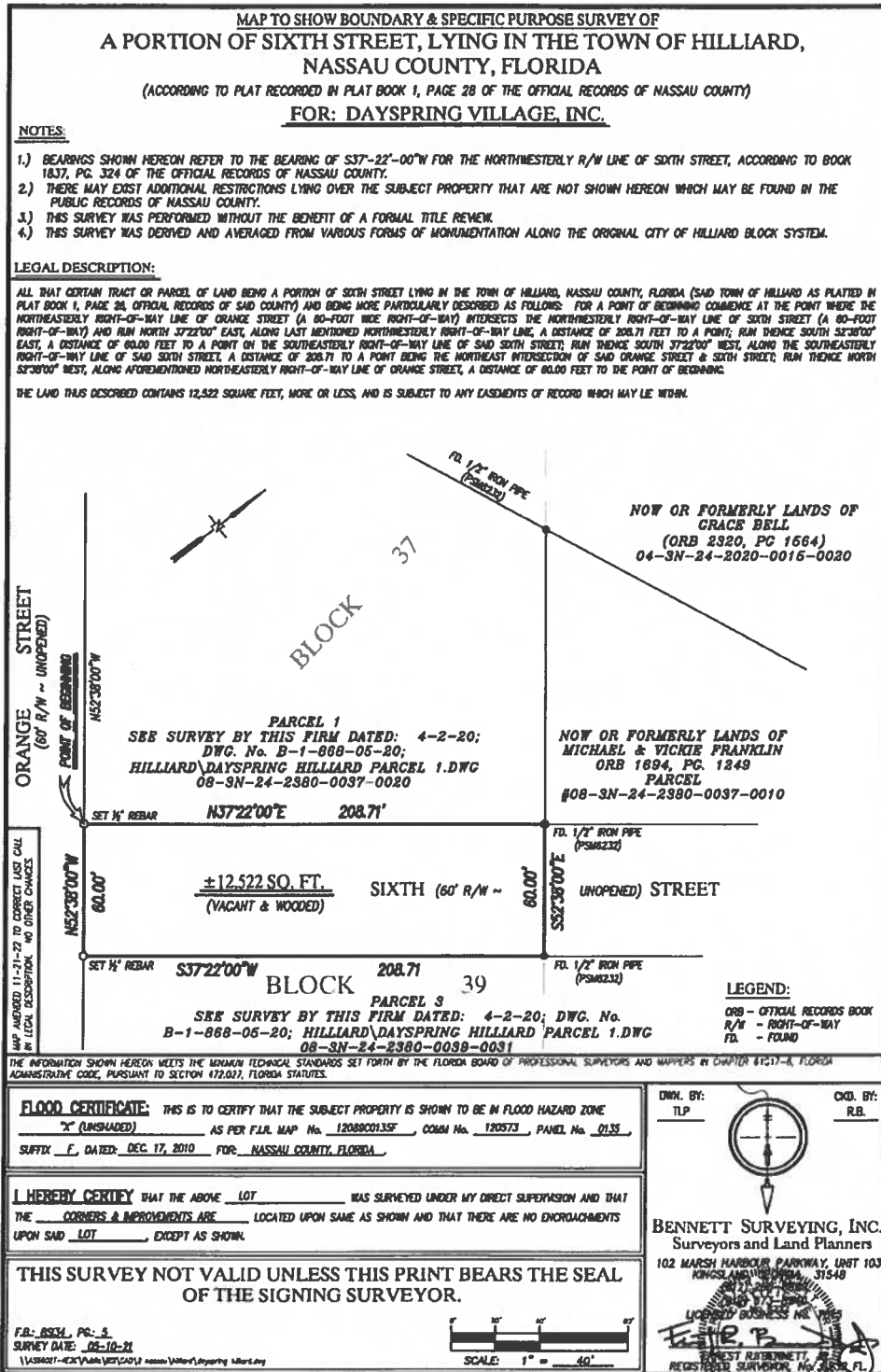
ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF SIXTH STREET LYING IN THE TOWN OF HILLIARD, NASSAU COUNTY, FLORIDA (SAID TOWN OF HILLIARD AS PLATTED IN PLAT BOOK 1, PAGE 28, OFFICIAL RECORDS OF SAID COUNTY) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE POINT WHERE THE NORTHEASTERLY RIGHT-OF-WAY LINE OF ORANGE STREET (A 60-FOOT WIDE RIGHT-OF-WAY) INTERSECTS THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SIXTH STREET (A 60-FOOT RIGHT-OF-WAY) AND RUN NORTH 37°22'00" EAST, ALONG LAST MENTIONED NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 208.71 FEET TO A POINT; RUN THENCE SOUTH 52°38'00" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID SIXTH STREET; RUN THENCE SOUTH 37°22'00" WEST, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID SIXTH STREET, A DISTANCE OF 208.71 TO A POINT BEING THE NORTHEAST INTERSECTION OF SAID ORANGE STREET & SIXTH STREET; RUN THENCE NORTH 52°38'00" WEST, ALONG AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE OF ORANGE STREET, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

THE LAND THUS DESCRIBED CONTAINS 12.522 SQUARE FEET, MORE OR LESS, AND IS SUBJECT TO ANY EASEMENTS OF RECORD WHICH MAY LIE WITHIN.

ATTACHMENT 2
LOCATION MAP



ATTACHMENT 3



ORDINANCE NO. 2023-10

AN ORDINANCE RELATING TO PUBLIC RIGHT-OF-WAY; MAKING FINDINGS; VACATING PUBLIC RIGHT-OF-WAY WITHIN PROPOSED DAYSPRING COMMONS PUD WITHIN TOWN OF HILLIARD, FLORIDA; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council passed on First Reading Ordinance No. 2023-06 for the rezoning of real property from R-2 Single-family district to PUD Planned Unit Development in order to facilitate and authorize the Dayspring Commons Planned Unit Development;

WHEREAS, in order for the Dayspring Commons Planned Unit Development to proceed, a certain portion of the platted, right-of-way known as West Sixth Street must be vacated;

WHEREAS, the Town Council has examined the factors laid out in Section 46-7(c)(1)(a) - (i) of the Town Code and has concluded that the right-of-way no longer serves the public interest, supporting the decision for its vacation; and

WHEREAS, the Town Council has further determined, in compliance with Section 46-7(c)(2) of the Town Code, that the vacation of West Sixth Street will not inhibit future pedestrian or bicycle path use, and that there is no reasonably foreseeable need for any type of transportation corridor in the area; and

WHEREAS, the Town Council finds that it will further the public health, safety, and welfare of the citizens of the Town of Hilliard for said public right-of-way to be vacated, abandoned, discontinued and closed; and

WHEREAS, the Town Council finds that the citizens of the Town of Hilliard have not used the right-of-way and currently do not use the right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA:

SECTION 1. The foregoing findings are true and correct and are hereby adopted and made a part hereof.

SECTION 2. The Town Council hereby discontinues, abandons, closes, vacates, and cancels that certain existing public right-of-way as more specifically and graphically described in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The Town Clerk is authorized and directed to forward a certified copy of this Ordinance to the Clerk of the Court for recordation.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such portion shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. This ordinance shall become effective upon its passage.

ADOPTED this _____ day of _____, 2023, by the Hilliard Town Council.

Kenneth A. Sims
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

Town Council First Reading: July 20, 2023
Town Council Publication: August 9, 2023
Town Council Public Hearing: August 17, 2023
Town Council Final Reading: August 17, 2023



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council to consider Ordinance No. 2023-09, Amending the Town’s Business Tax Rate Schedule in accordance with FS 205.0535(4), by increasing the rate of each classification by no greater than five percent. Adopting on First Reading and Set Public Hearing & Final Reading for August 17, 2023.

BACKGROUND:

The Town last amended fees charged for the Town’s Business Tax Receipts in 2018 and the State allows by Statue that they be raised every two years by no greater than five percent. The Town currently collects approximately \$30,000 per year in revenue from the sale of Business Tax Receipts which allows businesses to operate within the Town of Hilliard.

FINANCIAL IMPACT:

Business Tax Receipt revenue will increase by 5%.

RECOMMENDATION:

Town Council adoption of Ordinance No. 2023-09, on First Reading and Set Public Hearing & Final Reading for August 17, 2023.

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, AMENDING THE TOWN’S BUSINESS TAX RATE SCHEDULE IN ACCORDANCE WITH SECTION 205.0535(4) OF THE FLORIDA STATUTES BY INCREASING THE RATE OF EACH CLASSIFICATION BY NO GREATER THAT FIVE PERCENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statues Chapter 205.0535, the Town of Hilliard’s Occupational License Equity Study Commission reviewed the Town’s occupational license rate schedule and made recommendations concerning the rate schedule and the rate schedule was amended.

WHEREAS, Florida Statutes Chapter 205.0535(4) provides that, under these circumstances, Municipalities “may, every other year thereafter, increase or decrease by ordinance the rates of Business taxes by up to 5 percent”; and

WHEREAS, the Town Council wishes to amend its business tax rate schedule pursuant to Florida Statutes.

NOW, THEREFORE, THE TOWN OF HILLIARD HEREBY ORDAINS;

Section 1.

Sec. 50-90. Taxes required for conducting or managing business, occupation, etc. is hereby amended to read as follows:

Every business, occupation, profession, or exhibition, substantial, fixed or temporary, engaged in by any person, whether in a building, tent, or upon the street, vacant lot or anywhere in the open air within the city not specifically designated in this section shall pay a local business tax of ~~\$55.00~~ \$57.75

No person shall engage in or manage any of the following businesses, professions, or occupations without first obtaining a local business tax and paying an annual fee, which shall be assessed and fixed as follows:

Business or Occupation	Fee
------------------------	-----

Apartments (see rooming house in subsection © of this section)

Barbershop, hairdressing business:

One to two chairs.... ~~\$27.50~~ \$28.85

Each additional chair.... ~~\$13.75~~ \$14.40

Bowling alleys:

Up to eight alleys.... ~~\$55.00~~ \$57.75

Each additional alley.... ~~\$41.00~~ \$11.55

Coin-operated machines. Every person or company operating amusement, pinball, pool table, or other such machines, games of chance or skill, or other amusement devices operated by the insertion of a slug or coin shall pay a local business tax of ~~\$16.50~~ \$17.35 for each machine in addition to any other fee required by this article.

Contractors. Every person engaged in the business of contracting shall pay a local business tax as enumerated below.

General contractor.... ~~\$82.50~~ \$86.60

Builder, commercial.... ~~\$82.50~~ \$86.60

Builder, residential.... ~~\$82.50~~ \$86.60

Electrical.... ~~\$55.00~~ \$57.75

Plumbing.... ~~\$55.00~~ \$57.75

Mechanical, air conditioning.... ~~\$55.00~~ \$57.75

All other.... ~~\$44.00~~ \$46.20

Hotels (see rooming house in subsection © in this section).

Manufacturing:

One to 15 employees.... ~~\$49.50~~ \$51.95

16 to 75 employees.... ~~\$103.50~~ \$108.65

Over 75 employees.... ~~\$207.25~~ \$217.60

Motels (see rooming house in subsection © of this section).

Pawnshop.... ~~\$140.25~~ \$115.75

Pool rooms:

One to two tables.... \$55.00	<u>\$57.75</u>
Each additional table.... \$16.50	<u>\$17.30</u>
Professional services.... \$110.25	<u>\$115.75</u>

- (c) Every person who is engaged in the practice of a profession, service, or occupation that is structured on a fee, a schedule of payment, percentage or gratuity for services rendered shall pay a local business tax. Any profession regulated by the state must show evidence of a certificate or license. This section shall include professional corporations which are organized for the sole and specific purpose of rendering professional service and which have as shareholders only individuals who themselves are duly licensed or otherwise legally authorized to render the same professional service as the corporation. This local business tax does not apply to any individual who is employed under salary to provide a service to a company, corporation, or institution, other than a professional corporation. this classification of local business tax shall consist of, but not limited to, the following types of occupation:

Accountant or auditor

Architect

Auctioneer

Chiropractor

Dentist

Engineer

Mechanical

Electrical

Mining

Sanitary

Civil and the like

Funeral Director or Embalmer

Insurance Agent or Collector

Oculist

Osteopath

Photographer

Podiatrist

Physiotherapist

Physicians and Surgeons

Psychiatrist

Real Estate Broker or salesperson

Stenographer (public)

Surveyor

Teacher (outside school system)

Veterinary

Other

Rooming House, Hotel, Motel, or Apartment House

One to two units.... \$55.00	<u>\$57.75</u>
---	----------------

Each additional unit.... \$16.50	<u>\$17.30</u>
---	----------------

Sale or servicing of tangible personal property.... \$55.00	<u>\$57.75</u>
--	----------------

- (d) Every person engaged in the business of trading, buying, bartering, servicing, or selling tangible personal property as owner, manager, agent, broker or otherwise shall pay a local Business tax for each place or location of business maintained and operated. This classification of local business tax shall consist of, but not limited to, the following types of business:

Abstract company.... \$55.00	<u>\$57.75</u>
---	----------------

Accident claims or Adjustment Company.... \$55.00	<u>\$57.75</u>
Advertising agency.... \$55.00	<u>\$57.75</u>
Appliance sales or rental.... \$55.00	<u>\$57.75</u>
Automobile sales, new or used.... \$140.25	<u>\$115.75</u>
Automotive parts, repair, painting and the like.... \$140.25	<u>\$115.75</u>
Bakery.... \$55.00	<u>\$57.75</u>
Bank or savings and loan.... \$140.25	<u>\$115.75</u>
Broadcast Station.... \$55.00	<u>\$57.75</u>
Brokerage Firm.... \$140.25	<u>\$115.75</u>
Business School.... \$55.00	<u>\$57.75</u>
Butcher Shop or Grocery (privately owned) \$55.00	<u>\$57.75</u>
Card or novelty shop.... \$44.00	<u>\$46.20</u>
Convenience Store.... \$551.25	<u>\$578.80</u>
Clothing Store.... \$55.00 —	<u>\$57.75</u>
Consignment shop.... \$55.00	<u>\$57.75</u>
Dance School.... \$55.00	<u>\$57.75</u>
Day Care (up to five children) \$55.00	<u>\$57.75</u>
Over five children, per child.... \$5.50	<u>\$5.75</u>
Department Store.... \$140.25	<u>\$115.75</u>
Drugstore or Pharmacy.... \$140.25	<u>\$115.75</u>
Drugstore, department store combined.... \$275.50	<u>\$289.25</u>
Employment agency.... \$140.25	<u>\$115.75</u>

Florist.... \$55.00	<u>\$57.75</u>
Food Vendor.... \$27.50	<u>\$28.85</u>
General Store.... \$55.00	<u>\$57.75</u>
Grocery Store (chain).... \$551.25	<u>\$578.80</u>
Hardware.... \$140.25	<u>\$115.75</u>
Jewelry Shop.... \$275.50	<u>\$289.25</u>
Laundry or dry cleaner (up to four machines) \$55.00	<u>\$57.75</u>
Each additional machine.... \$11.00	<u>\$11.55</u>
Loan and Finance Company.... \$140.25	<u>\$115.75</u>
Lumber Company.... \$140.25	<u>\$115.75</u>
Nursery/horticulture.... \$55.00	<u>\$57.75</u>
Newspaper.... \$140.25	<u>\$115.75</u>
Printing Company.... \$55.00	<u>\$57.75</u>
Repair Shop.... \$55.00	<u>\$57.75</u>
Restaurant or Café, seating:	
One-49.... \$27.50	<u>\$28.85</u>
50-99.... \$55.00	<u>\$57.75</u>
100 and up.... \$82.50	<u>\$86.60</u>
Service station.... \$55.00	<u>\$57.75</u>
Supply store.... \$55.00	<u>\$57.75</u>
Upholstery Shop.... \$55.00	<u>\$57.75</u>
Wholesaler.... \$55.00	<u>\$57.75</u>

- (e) Taxicabs and vehicles for hire. Every person or company engaged in the business of operating a taxicab or the leasing of vehicles shall pay a local business tax.

Per vehicle.... ~~\$13.75~~ \$14.40

- (f) Traveling circus, carnival, or other types of traveling entertainment or amusement.

Not to exceed a stay of one week.... ~~\$137.75~~ \$144.60

Section 2.

This ordinance shall take effect immediately upon its final adoption.

Adopted this ____ day of _____, _____ by the Hilliard Town Council, Hilliard, Florida

Kenneth A. Sims
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

First Reading: July 20, 2023
 Publication: August 9, 2023
 Public Hearing: August 17, 2023
 Second/Final Reading: August 17, 2023

2022 Florida Statutes

[< Back to Statute Search](#)

Title XIV TAXATION AND FINANCE

Chapter 205 LOCAL BUSINESS TAXES

SECTION 0535 Reclassification and rate structure revisions.

205.0535 Reclassification and rate structure revisions.—

(1) By October 1, 2008, any municipality that has adopted by ordinance a local business tax after October 1, 1995, may by ordinance reclassify businesses, professions, and occupations and may establish new rate structures, if the conditions specified in subsections (2) and (3) are met. A person who is engaged in the business of providing local exchange telephone service or a pay telephone service in a municipality or in the unincorporated area of a county and who pays the business tax under the category designated for telephone companies or a pay telephone service provider certified pursuant to s. [364.3375](#) is deemed to have but one place of business or business location in each municipality or unincorporated area of a county. Pay telephone service providers may not be assessed a business tax on a per-instrument basis.

(2) Before adopting a reclassification and revision ordinance, the municipality or county must establish an equity study commission and appoint its members. Each member of the study commission must be a representative of the business community within the local government's jurisdiction. Each equity study commission shall recommend to the appropriate local government a classification system and rate structure for business taxes.

(3)(a) After the reclassification and rate structure revisions have been transmitted to and considered by the appropriate local governing body, it may adopt by majority vote a new business tax ordinance. Except that a minimum tax of up to \$25 is permitted, the reclassification may not increase the tax by more than the following: for receipts costing \$150 or less, 200 percent; for receipts costing more than \$150 but not more than \$500, 100 percent; for receipts costing more than \$500 but not more than \$2,500, 75 percent; for receipts costing more than \$2,500 but not more than \$10,000, 50 percent; and for receipts costing more than \$10,000, 10 percent; however, in no case may the tax on any receipt be increased more than \$5,000.

(b) The total annual revenue generated by the new rate structure for the fiscal year following the fiscal year during which the rate structure is adopted may not exceed:

1. For municipalities, the sum of the revenue base and 10 percent of that revenue base. The revenue base is the sum of the business tax revenue generated by receipts issued for the most recently completed local fiscal year or the amount of revenue that would have been generated from the authorized increases under s. [205.043\(1\)\(b\)](#), whichever is greater, plus any revenue received from the county under s. [205.033\(4\)](#).
2. For counties, the sum of the revenue base, 10 percent of that revenue base, and the amount of revenue distributed by the county to the municipalities under s. [205.033\(4\)](#) during the most recently completed local fiscal year. The revenue base is the business tax revenue generated by receipts issued for the most recently completed local fiscal year or the amount of revenue that would have been generated from the authorized increases under s. [205.033\(1\)\(b\)](#), whichever is greater, but may not include any revenues distributed to municipalities under s. [205.033\(4\)](#).

(c) In addition to the revenue increases authorized by paragraph (b), revenue increases attributed to the increases in the number of receipts issued are authorized.

(4) After the conditions specified in subsections (2) and (3) are met, municipalities and counties may, every other year thereafter, increase or decrease by ordinance the rates of business taxes by up to 5 percent. However, an increase must be enacted by at least a majority plus one vote of the governing

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taxes and do not result in an increase in local business taxes for a taxpayer. Such ordinances are not subject to subsections (2) and (3).

ITEM-5

(6) A receipt may not be issued unless the federal employer identification number or social security number is obtained from the person to be taxed.

History.—s. 8, ch. 93-180; s. 60, ch. 98-419; s. 12, ch. 2006-152; s. 2, ch. 2007-97; s. 7, ch. 2014-38.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council consideration to adopt Resolution No. 2023-14, amending Water & Sewer Charges & Fees by adding a deposits fee for subdivisions & landlords and addition subdivisions water tap-in fees.

BACKGROUND:

Fees charged by the Town are to be adopted by resolution and with the new subdivision Whisper Ridge we have found that we need to add a fee for deposits and water tap-in.

We currently have been charging landlords with multiple rentals a commercial deposit fee verses residential but would like to have that included in the Water & Sewer Charges & Fees Resolution that is adopted by the Town Council.

FINANCIAL IMPACT:

To be determined.

RECOMMENDATION:

Town Council to adopt Resolution No. 2023-14, amending Water & Sewer Charges & Fees by adding a deposits fee for subdivisions & landlords and addition subdivisions water tap-in fees.

RESOLUTION NO. 2023-14

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, A MUNICIPAL CORPORATION AMENDING RESOLUTION NO. 2023-05, ADDING A FEE FOR DEPOSITS FOR SUBDIVISIONS & LANDLORDS; ADDING A FEE FOR SUBDIVISION WATER TAP-IN FEES; FOR THE TOWN OF HILLIARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Hilliard in providing services has found it necessary to establish a separate fee for deposits for subdivisions & landlords; and

WHEREAS, the Town of Hilliard in providing the services has found it necessary to establish a separate fee for subdivision water tap-in fees; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hilliard, has established that the following shall apply as the water and sewer fees schedule under Chapter 58 of the Hilliard Utilities Code as an attachment to this Resolution.

THIS RESOLUTION adopted this _____ day of _____, _____, by the Town Council of the Town of Hilliard, Florida, and shall become effective this date.

Kenneth A. Sims
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

John P. Beasley
Mayor

**ATTACHMENT
TOWN OF HILLIARD
RESOLUTION NO. 2023-14
WATER & SEWER CHARGES AND FEES**

SECTION 1. DEPOSITS

A new user shall provide a deposit to guarantee payment of delinquent bills, according to the following schedule:

\$70.00		Residential Water
\$80.00		Residential Sewer
Under 10,000	Over 10,000	Gallons
\$100.00	\$150.00	Commercial Water
\$150.00	\$200.00	Commercial Sewer
<u>\$100.00</u>		<u>Landlord Water</u>
<u>\$150.00</u>		<u>Landlord Sewer</u>
<u>\$3,000.00</u>		<u>Subdivision Development Water & Sewer</u>

SECTION 2. TAP-IN, TURN-ON/OFF AND TRANSFER FEES

WATER TAP-IN FEES

\$1,700.00 **Single Short (existing water main on same side of the road)** - Tap-in fee includes the following: locating and excavating existing water main to be tapped; furnishing and installing tapping saddle, corporation stop, 1' poly service tubing, angle yoke valve, meter yoke, radio read water meter, gate valve, and meter box; and associated restoration.

\$2,500.00 **Single Long (existing water main on opposite side of the road)** - Tap-in fee includes the following: locating and excavating existing water main to be tapped; furnishing and installing tapping saddle, corporation stop, punching or directional drilling 1' poly service tubing under existing roadway, angle yoke valve, meter yoke, radio read water meter, gate valve, and meter box; and associated restoration.

METER & MTU COST PLUS \$275.00 FOR INSTALLATION **Subdivision Water Tap-ins** - Tap-in fee includes the following: Installation of radio read water meter in developer installed approved infrastructure.

SEWER TAP-IN FEES

- \$3,500.00 **Single Service** - Tap-in fee includes the following: locating and excavating existing sewer main to be tapped; tapping existing sewer main; installing 6" PVC service pipe and fittings; installing cleanout; and associated restoration (including asphalt pavement patch).
- \$3,800.00 **Double Service** - Tap-in fee includes the following: locating and excavating existing sewer main to be tapped; tapping existing sewer main; installing 6" PVC service pipe and fittings; installing cleanout; and associated restoration (including asphalt pavement patch).

Additional charges shall apply for any items not included in a standard water and/or sewer tap-in fees listed above.

TURN-ON/OFF FEES

- \$45.00 Turn-on/off fee for all new water and/or sewer service, in addition to the deposits.
- \$25.00 Turn-on/off fee for emergency maintenance and repairs.
- \$45.00 Turn-on/off fee for emergency maintenance and repairs required outside of normal working hours.

TRANSFER FEES

- \$30.00 Turn-on/off fee for all new water and/or sewer service, in addition to the deposits.

SECTION 3. PENALTIES

Penalties shall be added to the amount of the bill if not paid by 5 pm on the 15th day of the month following the reading date, if the bill remains unpaid at 5 pm on the 25th day of the month a second penalty shall be added, which shall be payable as if a part of the amount originally billed. If the 15th or 25th day of the month falls on a weekend or a holiday, penalties shall be assessed on the next working day at 5 pm. Hilliard Town Code Chapter 58, Section 58-85(e).

- \$15.00 A penalty shall be added to monthly bill if not paid by 5 pm on the 15th day of the month following the reading date.
- \$25.00 An additional penalty shall be added to monthly bill if not paid by 5 pm on the 25th day of the month following the reading date.
- 3% Contracts entered into with large and/or out of town commercial and/or residential users of water and/or sewer service shall be assessed percentage penalties based on the unpaid bill amount.

SECTION 4. RESTORATION CHARGES

Charges for restoration of services shall be collected as follows:

- \$50.00 Restoration after termination for non-payment (meter still in place) requested outside of normal working hours.
- \$50.00-\$500.00 Restoration fee as a result of meter tampering and based upon any damages to meter tap including installation of removed meter.

SECTION 5. TERMINATION OF SERVICE

Termination of services due to non payment.

If services are terminated, the user shall have two business days prior to the end of the month in which services were terminated to have services restored. If services are not paid the deposit on the account shall be applied toward payment of the delinquent amount, including late penalties. A new deposit will have to be paid to restore services and reopen the account. Hilliard Town Code Chapter 58, Section 58-7(a).

Any customer whose water and/or sewer service is terminated a second time due to non payment or a returned check or draft shall have his water and/or sewer deposit increased to the current deposit fee plus an additional 50 percent, prior to the water and/or sewer service being restored. Hilliard Town Code Chapter 58, Section 58-84.

SECTION 6. RETURN CHECK OR DRAFT SERVICE CHARGE

- \$25.00 If face value of check is \$0.01 to \$50.00.
- \$30.00 If face value of check is \$50.01 to \$300.00.
- \$40.00 If face value of check is over \$300.00.

Upon receipt of two return checks or drafts within a period of one year, the customer shall be required to pay by certified funds (cash or money order) for a period of three years from the date of the redemption of the second returned check or draft.

SECTION 7. APPLICATION FEES

\$250.00	Septic Tank Exception Application Fee - Request for information and recommendation to Town Council.
\$2,000.00	Right-of-Way Permit Application Fee - Request for Town Engineer to prepare necessary documents and obtain Nassau County Right-of-Way Permit for Town Utilities to cross Nassau County Roads.
\$100.00	Plus \$20 per acre <u>Development Investigation Application Fee</u> - For Public Works to determine if adequate infrastrucute is in place for the proposed development.
\$1,000.00	Deposit & Consultant Cost plus 10% <u>Development Investigation Application (Consultant Needed)</u> - In addition to Development Investigation Application Fee, if a consutant is needed to determine what may be necessary to service the proposed develoment.

Town of Hilliard FL
 15859 W. CR 108
 Hilliard, FL 32046



Whisper Ridge Subdivision

Town of Hilliard FL

RE: 2023 Replacement Meter Pricing Sheet

Veolia is pleased to provide the following price list for meters and MTU associated with your AMI system. Below is a summary of the estimated costs in the year 2023.

NEPTUNE METERS

Qty	Price Per Meter**	Installation Cost Per Meter*	Description
		\$275.00	5/8" x 3/4" Neptune Trident 10 Water Meter with E-Coder Gallons register Nicor Connector
		\$275.00	1" Neptune Trident 10 Water Meter with E-Coder in Gallons register Nicor Connector
		\$275.00	1.5" Neptune Trident 10 Water Meter with E-Coder in Gallons register Nicor Connector
		\$275.00	2" Neptune Trident 10 Water Meter with E-Coder in Gallons register Nicor Connector

BADGER METERS

Qty	Price Per Meter**	Installation Cost Per Meter*	Description
75	\$117	\$275.00	DS - Rcdl Disc Lead-Free Brz Alloy (NSF-61-372), BAB - MODEL 25- 5/8"x 3/4"
	\$233	\$275.00	DS - Rcdl Disc Lead-Free Brz Alloy (NSF-61-372), KCC - MODEL 70- 1"
	\$503	\$275.00	DS - Rcdl Disc Lead-Free Brz Alloy (NSF-61-372), M120- 1-1/2"
	\$700	\$275.00	DS - Rcdl Disc Lead-Free Brz Alloy (NSF-61-372), M170- 2"

ACLARA MTU

Qty	Accessory Price**	Installation Cost*	Description
75	\$149.00	Included with installation cost of meter	Aclara Single Port MTU
	\$226.00	Included with installation cost of meter	Aclara Dual Port MTU
	\$226.00	Included with installation cost of meter	Aclara Remote Disconnect Device MTU

[Signature]
 Signature

3/1/23

$\$275$
 $\underline{149}$
 $\$424.00$ per house / point
 $+ 30\%$ Pw fee $(127.20) = 551.20$ per house



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council to accept the Town Clerk’s recommendation that Administrative Assistant Hannah Martinez’s successful completion of her 90 Day Action Plan that began on April 12, 2023, because of Town Council action taken at the April 6, 2023, meeting.

BACKGROUND:

Hannah Martinez was placed on a 90 Day Action Plan following the April 6, 2023, meeting due to false allocations that she had presented to the Town Council in a letter dated February 24, 2023, regarding her boss the Town Clerk.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Town Council to accept the Town Clerk’s recommendation that Administrative Assistant Hannah Martinez’s successful completion of her 90 Day Action Plan.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council to accept the resignation of Tiffany Bowden from the position of Deputy Town Clerk, effective July 11, 2023.

BACKGROUND:

Tiffany Bowden provided her office key and walked out the door on July 11, 2023. No written letter of resignation was given.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Town Council to accept that resignation of Tiffany Bowden, effective July 11, 2023.



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: August 3, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council to set a Workshop for Thursday, August 3, 2023, at 6:00 p.m. to discuss the Proposed Millage Rate, Rolled-Back Rate, and date, time and meeting place of the Tentative Budget Hearing for the 2023-2024, fiscal year.

BACKGROUND:

See attached information.

The Town has 35 days from July 1, 2023, to provide the date, time and meeting place of the Town of Hilliard’s Tentative Millage Rate for the Town of Hilliard to the Property Appraiser’s Office.

FINANCIAL IMPACT:

To be determined.

RECOMMENDATION:

Town Council to set a Workshop for Thursday, August 3, 2023, at 6:00 p.m. to discuss the Proposed Millage Rate, Rolled-Back Rate, and date, time and meeting place of the Tentative Budget Hearing for the 2023-2024, fiscal year.



OFFICE OF THE
NASSAU COUNTY PROPERTY APPRAISER



Honorable A. Michael Hickox

96135 Nassau Place, Suite 4, Yulee, FL 32097

Phone: 904-491-7300 Fax: 904-491-3629

www.nassaufpa.com

June 29, 2023

Town of Hilliard
Town Council
Attn: Lisa Purvis
P.O. Box 249
Hilliard, FL 32046-0249

RE: 2023 Preliminary Tax Roll

Dear Board Members:

Enclosed is the Certification of Taxable Value (DR-420) for the year 2023 for Nassau County. The Proposed Tax Notices will be mailed on August 17, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Michael Hickox".

A. Michael Hickox, CFA
Nassau County Property Appraiser

AMH/dbc
Encl:



CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year : 2023	County : NASSAU
Principal Authority : TOWN OF HILLIARD	Taxing Authority : TOWN OF HILLIARD
SECTION I : COMPLETED BY PROPERTY APPRAISER	
1. Current year taxable value of real property for operating purposes	\$ 144,330,567 (1)
2. Current year taxable value of personal property for operating purposes	\$ 11,068,313 (2)
3. Current year taxable value of centrally assessed property for operating purposes	\$ 1,918,238 (3)
4. Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$ 157,317,118 (4)
5. Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$ 4,965,718 (5)
6. Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$ 152,351,400 (6)
7. Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$ 130,990,332 (7)
8. Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Number 0 (8)
9. Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Number 0 (9)
Property Appraiser Certification I certify the taxable values above are correct to the best of my knowledge.	
SIGN HERE	Signature of Property Appraiser: _____ Date : _____
	Electronically Certified by Property Appraiser _____ 6/29/2023 3:55 PM
SECTION II : COMPLETED BY TAXING AUTHORITY	
If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.	
10. Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>	0.0000 per \$1,000 (10)
11. Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$ 0 (11)
12. Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$ 0 (12)
13. Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$ 0 (13)
14. Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$ 0 (14)
15. Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$ 152,351,400 (15)
16. Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>	0.0000 per \$1000 (16)
17. Current year proposed operating millage rate	0.0000 per \$1000 (17)
18. Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$ 0 (18)

Continued on page 2



AGENDA ITEM REPORT

TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: **John P. Beasley – Mayor**

SUBJECT: Town Council to discuss video recording of Workshops.

BACKGROUND:

This was added by emergency to the July 6, 2023, agenda and during discussion this item was to be added to the next agenda to set a workshop to discuss if the Town Council wishes to video record all workshops verses just the ones that have members on TEAMS.

FINANCIAL IMPACT:

The cost to have IT present to do the video recording and to run live on You Tube.

RECOMMENDATION:

Town Council to discuss video recording of Workshops.



AGENDA ITEM REPORT TOWN OF HILLIARD, FLORIDA

TO: Town Council Regular Meeting Meeting Date: July 20, 2023

FROM: ***Richie Rowe – Public Works Director***

SUBJECT: Town Council to set a Workshop to discuss the Wastewater and Drinking Water Asset Management Plans

BACKGROUND:

See attached.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

Town Council to set a Workshop to discuss the above-mentioned information.

Hannah Martinez

From: Richie Rowe
Sent: Monday, July 17, 2023 11:26 AM
To: Hannah Martinez
Subject: FW: Town of Hilliard Wastewater and Drinking Water Asset Management Plans
Attachments: Town of Hilliard Drinking Water AMP Final.pdf; Town of Hilliard Wastewater AMP Final.pdf

Hanna,

I have received the water and wastewater asset management plans from FRWA. We need to put on the agenda to plan a workshop day for presentation.

From: Patrick Dangelo <Patrick.Dangelo@frwa.net>
Sent: Monday, July 17, 2023 11:09 AM
To: Richie Rowe <rrowe@townofhilliard.com>
Subject: Town of Hilliard Wastewater and Drinking Water Asset Management Plans

Richie, please find attached the final versions of the wastewater and drinking water asset management plans. Please advise of date and time of workshop to review with the Council. I thank you for all your help and input.

Thank you,

Patrick Dangelo
 Florida Rural Water Association
 Utility Asset Management Team
 2970 Wellington Circle
 Tallahassee, FL 32309
 (386-916-1232) cell
Patrick.Dangelo@frwa.net



"Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing." This email and any files transmitted with it may contain privileged or confidential information and may be read or used only by the intended recipient. If you are not the intended recipient of the email or any of its attachments, please be advised that you have received this email in error and that any use, dissemination, distribution, forwarding, printing or copying of this email or any attached files is strictly prohibited. If you have received this email in error, please immediately purge it and all attachments and notify the sender by reply mail. "This institution is an equal opportunity provider and employer" If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program

Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any U.S. Department of Agriculture office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.”

HILLIARD TOWN COUNCIL MEETING

Hilliard Town Hall / Council Chambers
15859 West County Road 108
Post Office Box 249
Hilliard, FL 32046

TOWN COUNCIL MEMBERS

John P. Beasley, Mayor
Kenny Sims, Council President
Lee Pickett, Council Pro Tem
Joe Michaels, Councilman
Jared Wollitz, Councilman
Dallis Hunter, Councilman

ADMINISTRATIVE STAFF

Lisa Purvis, Town Clerk
Richie Rowe, Public Works Director
Gabe Whittenburg, Parks & Rec Director

TOWN ATTORNEY

Christian Waugh

MINUTES

THURSDAY, JULY 06, 2023, 7:00 PM

NOTICE TO PUBLIC

Anyone wishing to address the Town Council regarding any item on this agenda is requested to complete an agenda item sheet in advance and give it to the Town Clerk. The sheets are located next to the printed agendas in the back of the Council Chambers. Speakers are respectfully requested to limit their comments to three (3) minutes. A speaker's time may not be allocated to others.

PLEDGE OF CIVILITY

WE WILL BE RESPECTFUL OF ONE ANOTHER
EVEN WHEN WE DISAGREE.
WE WILL DIRECT ALL COMMENTS TO THE ISSUES.
WE WILL AVOID PERSONAL ATTACKS.
"Politeness costs so little." – ABRAHAM LINCOLN

CALL TO ORDER

PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor John Beasley
Council President Kenny Sims
Council Pro Tem Lee Pickett
Councilman Jared Wollitz
Councilman Dallis Hunter
Councilman Joe Michaels

MAYOR

To call on members of the audience wishing to address the Council on matters not on the Agenda.

David Dottry, Consultant with the Hilliard Federal Aviation Administration Center expresses concerns over water pressure at the FAA Center. Mr. Dottry further states that four to five times last week the center had to switch over to the emergency back up water supply and they are concerned about future Whisper Ridge water issues and the affects they may have on the FAA Center.

REGULAR MEETING

ITEM-1 Additions/Deletions to Agenda

ITEM-17 Add setting a workshop to discuss the Community Center/Hurricane Shelter with Parks & Recreation Director Gabe Whittenburg present.
John P. Beasley - Mayor

Motion made by Councilman Wollitz, Seconded by Council Pro Tem Pickett.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

ITEM-18 Add discussion regarding videoing Workshops
John P. Beasley - Mayor

Motion made by Council President Sims, Seconded by Council Pro Tem Pickett.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

ITEM-19 Add discussion regarding police presences at meetings
John P. Beasley - Mayor

Motion made by Councilman Michaels, Seconded by Councilman Hunter.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

ITEM-2 Town Council adoption of Resolution No. 2023-11, Endorsing the 2023-2027 Nassau County Comprehensive Emergency Management Plan.
Martha Oberdorfer, MPH, CPH, FPEM – Deputy Director, EOC

Motion made by Councilman Wollitz, Seconded by Council Pro Tem Pickett.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

ITEM-3 Town Council adoption of Resolution No. 2023-12, Amending the Public Records Request Policy and Procedures providing guidance in complying with the efficient and effective management of Public Records Requests.
Christian Waugh – Town Attorney

Motion made by Council President Sims, Seconded by Councilman Hunter.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

ITEM-4 Town Council adoption of Resolution No. 2023-13, Completion Bond, Maintenance Bond, Bond Release Templates and Process, along with documentation requirements.
Lee Anne Wollitz- Land Use Administrator

Motion made by Councilman Hunter, Seconded by Council Pro Tem Pickett.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-5 Town Council sets a workshop for Monday, July 24, 2023, from 6:00 p.m. to 8:00 p.m. with the Town's Engineer to discuss the Town's Infrastructure Needs and Resources and to Possibly Fund the Cost.
Lee Anne Wollitz – Land Use Administrator

Motion made by Councilman Hunter, Seconded by Councilman Wollitz.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-6 Town Council sets a joint workshop with the Planning & Zoning Board for Tuesday, July 11, 2023, at 6:00 p.m. to discuss two items: Process for vacating right of ways within the Town and adding manufactured homes as a permissible use in the R-3, Multi-Family District.
Lee Anne Wollitz - Land Use Administrator

Motion made by Council President Sims, Seconded by Council Pro Tem Pickett.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-7 Town Council approval for the Minor Subdivision Application No. 05022023. Property Owner - Wayne and Lauri Higginbotham, Pneuman Homes. Parcel ID No. 08-3N-24-2380-0075-0020, with the three conditions approved by the Planning & Zoning Board plus the milling of the ROW from the edge of the pavement to the second lots driveway.
Lee Anne Wollitz - Land Use Administrator

Motion made by Councilman Hunter, Seconded by Council President Sims.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-8 Town Council to review and accept the Land Use Administrators Quarterly Report for April 1, 2023, through June 30, 2023.
Lee Anne Wollitz – Land Use Administrator

Motion made by Council Pro Tem Pickett, Seconded by Councilman Hunter.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-9 Town Council to review and accept the Building Officials Quarterly Report for April 1, 2023, through June 30, 2023.
Bryan Higginbotham – Building Official

Motion made by Council Pro Tem Pickett, Seconded by Councilman Michaels.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-10 Town Council to review and accept the Code Enforcement Officers Quarterly Report for April 1, 2023, through June 30, 2023.
Del Miley – Code Enforcement Officer

Motion made by Council President Sims, Seconded by Councilman Hunter.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-11 Town Council approval to hire Gerald Bandy as a Facility Maintenance Assistant at \$15.00 per hour as a Non-Exempt, Introductory or Probationary Part-time Employee in the Parks & Recreation Department.
Gabe Whittenburg – Parks & Recreation Director

Motion made by Council Pro Tem Pickett, Seconded by Councilman Michaels.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-12 Town Council approval of the Minutes from the June 12, 2023, Workshop and the June 15, 2023, Regular Meeting, Workshop, and Special Meeting.
Lisa Purvis, MMC - Town Clerk

Motion made by Councilman Wollitz, Seconded by Council Pro Tem Pickett.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-13 Town Council approval of KYNEX, Inc. Payable Final through July 22, 2023, Project Name: 2023 Fireworks Display in the amount of \$7,150.00.
SPECIAL EVENTS PROJECT HILLIARD'S HALF LUMP SUM CONTRACT \$14,650.00

Motion made by Council President Sims, Seconded by Councilman Hunter.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-14 Town Council approval of Mittauer & Associates Inc., Payable through May 26, 2023, Project Name: Walker Street Drainage and Paving in the amount of \$236.00.
CAPITAL FUNDED PROJECT LUMP SUM CONTRACT \$45,000.00

Motion made by Council President Sims, Seconded by Councilman Hunter.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman

Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-15 Mayor and Town Council to sign letters to Governor DeSantis, Representative Black, and Senator Yarborough, thanking them for the Nassau County Legislative Appropriation Funds that the Town of Hilliard was awarded in the 2024 State of Florida Budget.

John P. Beasley – Mayor

Motion made by Councilman Wollitz, Seconded by Councilman Michaels.
Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

- ITEM-16 Mayor Beasley to announce that the next Hilliard Action Committee Meeting will be held on Monday, July 10, 2023.

John P. Beasley – Mayor

ADDED ITEMS

- ITEM-17 Town Council discuss placing on the next agenda to set a workshop regarding the Community Center/Hurricane Shelter with Parks & Recreation Director Gabe Whittenburg present.

John P. Beasley - Mayor

- ITEM-18 Town Council discuss placing on the next agenda to set a workshop regarding the videoing of Workshops.

John P. Beasley - Mayor

- ITEM-19 Town Council discuss whether to have police presences at meetings and several Councilmembers state that they do not see a need to add this item to the next agenda.

John P. Beasley - Mayor

ADDITIONAL COMMENTS

PUBLIC

Alzada Harrell, 371064 Oxford Street, Hilliard: Thanks, the Town for her Get Well card, the new sign at the North Oxford Ball Park, and for fixing the Oxford & West Sixth Street pot hole.

MAYOR & TOWN COUNCIL

Council Pro Tem Pickett: CR 108 paving is putting a lot more traffic on the Town roads and people are using the shoulders of the roads.

Councilman Michaels: Gabe Whittenburg is doing a great job.

Councilman Wollitz: The Walker Street paving project is one month out.

Mayor Beasley: Addresses Alzada Harrell regarding the pothole and the sign. Reads welcome letter for the Nassau County Chamber of Commerce. Fireworks were good this year. July 4th has been booked for next year. Will need funds from the Town of Hilliard, Town of Callahan and Nassau County.

ADMINISTRATIVE STAFF**PRESENT**

Public Works Director, Richie Rowe

Assistant Public Works Director, Cory Hobbs

Parks & Recreation Director, Gabe Whittenburg – (Came in late from Flag Football game)

ABSENT

Town Clerk, Lisa Purvis – (Land Use Administrator, Lee Anne Wollitz fills in at meeting)

Parks & Recreation Director, Gabe Whittenburg: Youth Flag Football has started. Daniel Thomas and Chase Yake encouraged mentorship of players. The pool had weather issues the first week but is doing well now. Plans to add school contracts for the pool use to the next meeting. 105 in Youth Flag Football and 40 kids in the Summer Camp Program.

Land Use Administrator, Lee Anne Wollitz: The Land Development Regulations (LDR's) are moving forward.

TOWN ATTORNEY

No comment.

ADJOURNMENT

Motion made to adjourn at 8:13 p.m.

Motion made by Councilman Wollitz, Seconded by Councilman Hunter.

Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

Approved this _____ day of _____, _____ by the Hilliard Town Council, Hilliard, Florida.

 Kenneth A. Sims, Sr.
 Council President

ATTEST:

 Lisa Purvis
 Town Clerk

APPROVED:

John P. Beasley
Mayor