

ESCAMBIA COUNTY

MUNICIPAL SERVICES BENEFITS UNITS

GUIDELINES AND PROCEDURES



Adopted by the Escambia County
Board of County Commissioners
July 28, 1998

Revised for clarity by:
Engineering Division of Public Works
and
Reviewed by Office of Management Budget
April 2014

INTRODUCTION

The Escambia County Board of County Commissioner's Municipal Services Benefit Unit (MSBU) Program is a community self-help program. It provides a process by which communities may enhance their efforts to secure quality construction of essential improvements. The success of the program is directly related to the cooperative effort of each resident, the community and the County.

The MSBU program is also utilized to fund much needed services, such as fire protection, street lighting, drainage improvements, dirt road paving, etc. that specially benefit the unincorporated areas of Escambia County.

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Municipal Services Benefits Units (MSBU)

Background Highlights

Municipal Services Benefits Units (MSBU)

Municipal Services Benefits Units (MSBU) are special assessment districts created by the Board of County Commissioners under the authority of Florida Statutes 125.01. Under this Statute the Board has the authority to create special districts to provide a variety of services including fire protection, street lighting, transportation and drainage, etc. The services or improvements within the MSBU must specially benefit the property owners to be assessed for the improvements or services. MSBU Special Assessments are collected through the "Uniform Method of Collection" as authorized in Florida Statute 197.3632 and are billed along with other Property Taxes each November.

Role of the Board of County Commissioners and Staff

The Board of County Commissioners acts as the governing body of the districts. The Board must adopt the MSBU budget, establish the level of services to be provided, and levy the special assessment to pay for the services. County staff is responsible for preparation of resolutions, ordinances, scheduling required public hearings required under the uniform method and publishing the required legal and display notices in the newspaper. County staff mails a first class notice to each property owner in the first year a special assessment is levied under the uniform method.

Role of the Property Appraiser

The Property Appraiser provides to the Board of County Commissioners information from the data base maintained by his office such as Owner's Name, Address, Value of the Property, front footage, size and type of structures, as well as section maps detailing the proposed district etc. The Property Appraiser has no further role in the levy or collection of non-ad valorem assessments.

Role of the Tax Collector

The Tax Collector's Office is responsible for the annual billing for collection of non ad valorem assessments based on the information transmitted to his office by electronic medium. The information transmitted to the Tax Collector is prepared by the County Staff. The transfer of this information to the Tax Collector must be completed no later than September 15 of each year to be included in the Uniform Tax bills mailed in November. The Board of County Commissioners is responsible for the payment of actual cost incurred by the Tax Collector in billing the Non-Ad valorem Assessments. The Tax Collector is responsible for the collection of delinquent Non-Ad valorem assessments. The Tax Collector is responsible for the sale of tax deeds on ad valorem and non ad valorem special assessments.

Role of the Santa Rosa Island Authority

The Santa Rosa Island Authority is responsible for maintenance of the Non-Ad valorem assessment data base for the Santa Rosa Island MSBU. This office has the official responsibility for public records and can make corrections to the assessment roll, update the data base for changes to the property such new structures, etc. prior to Fiscal Year 2012/13. Escambia County is now using the Uniform Method of Collection for all Santa Rosa Island properties and maintains the associated data base.

Role of the Clerk of the Circuit Court

The Clerk of the Circuit Court is responsible for recording and administering liens on unpaid assessments on Santa Rosa Island.

Policy Highlights

The funds raised are public funds and must be collected, accounted for and spent in accordance with applicable laws regarding public funds. Only public property can be maintained and improved by an MSBU; access must be open to all members of the public equally. In addition, adequate easements or property dedications must be provided if needed. Escambia County may establish MSBUs within municipalities upon approval of the respective city government in accordance with Florida Statutes 125.01(1)(p).

- A petition process is used in establishing MSBU's to ensure community awareness and involvement in the decision-making process. This also increases recognition of the public nature of the improvements and the responsibility of property owners for payment of the assessments.
 - The minimum percentage required for the petition is as follows:
 1. 66% of the property owners representing 66% of the property for a capital improvement MSBU.
 2. 55% of the property owners representing 55% of the property for a service or street lighting MSBU.
- Cost estimates are available at the time of obtaining petition signatures.
 - Appropriate preliminary engineering or surveying fees are necessary to obtain valid preliminary cost estimates for construction projects.
- Design and construction work will be completed by independent consultants and contractors – not County staff. All work shall be in accordance with County, State, and Federal guidelines, standards, and specifications.

- Separate accounts are maintained for each district.
- An additional petition and public hearing is required prior to the award of construction bids if the total project cost estimates increase 20% or more above the estimate included in the initial petition required to establish the district.
- Property owners are responsible, in advance, for all costs associated with construction plans and construction documents whether or not the improvements are constructed.
- Designation of a liaison by each district is important for maximum neighborhood input and on-going coordination between the community and the County.
 - For the same reason, a central County staff contact is designated for each project from the budget department and the associated department for the specific district type.
- The district liaison is authorized to request minor changes that may be needed over time. Minor changes, are defined as those which represent an estimated increase in total annual cost / assessments of no more than 10%.
- A financing option is provided to expedite implementation of the maintenance or construction districts.

Municipal Services Benefits Units (MSBU)

General Guidelines for Establishing New Districts

STATUTORY AUTHORITY

Chapter 125.01(q)1 of the Florida Statutes authorizes the Board of County Commissioners to provide for the establishment, merging, or abolishment of municipal services taxing (MSTUs) or benefit units (MSBUs) on any part or all of the unincorporated area of the county. It also provides for a County MSTU or MSBU to include all or part of a municipality subject to consent by ordinance of the governing body of the municipality. The law permits such districts to be created for the purpose of providing and maintaining facilities or services which specifically benefit property owners in a particular area. The facilities or services must provide a public purpose. Typical improvements include road paving and drainage, water service and street lighting.

Chapter 197.3632 of the Florida Statutes provides for the levy, collection and enforcement of non-ad valorem assessments through the uniform method. Non-ad valorem assessments are not based on millage but on the cost to provide the improvement(s) and the corresponding benefit to the assessed property. They are collected through the tax bill method and can become a lien against a homestead.

TYPES OF MSBU DISTRICTS AND SERVICES

Currently there are four (4) types of MSBU Districts in Escambia County. These are described below.

Fire Protection

Fire Protection Service is provided to the Unincorporated Area and the Town of Century through an MSBU.

Sheriff's Protection and Mosquito Control

Sheriff's Protection and Mosquito Control services are provided to the Leaseholders/Property owners on Santa Rosa Island through an MSBU.

Construction Districts

- Construction/reconstruction shall be in accordance with current County, State, and Federal standards.
- Areas to be improved shall be dedicated to the public.

- Areas to be improved that are currently private require proof of ability to transfer the area to public ownership and must be submitted as part of the application for establishment of an MSBU.

Street Lighting Districts

- Construction/reconstruction and maintenance
- Lights need to be installed and subsequently maintained.

COSTS INVOLVED IN THE MSBU PROCESS

Costs involved with **every** district:

- \$100 application fee. . The application fee will not be returned if the MSBU is not established. In order to be refunded, the cost of the application fee must be included as a part of the cost of the MSBU.
- 10% Administrative fee (may be addressed on a case-by-case basis for construction MSBU's.)
- 1/2% Tax Collector commission
- Reserves for contingencies/cash balance forward

Additional **Construction** District costs:

- Annual repayment of financing
- Cost of the preliminary engineering report and/or cost estimate
- All fees associated with engineering services
- Right-of-Way and property acquisition costs including appraisals, title search, recording fees, etc.

All construction costs
Interest on funds borrowed through the construction period.
Additional **Street Lighting** District costs:

- Installation costs and facilities costs, if necessary. These costs may be paid entirely in the first year.
- Separate accounts will be maintained for each district.

MSBU BOUNDARIES

Municipal Services Benefits Units (special assessment districts) may be created for the following types of areas in Escambia County:

- Platted and unplatted (acreage) residential areas (subdivisions, streets, etc.) where area to be improved is public.

Areas not included:

- Any and all privately owned property without a County easement or right-of-way.

ESTABLISHMENT PROCEDURES FOR MSBUs

Steps

Responsibility

- | | |
|--|-------------------------------|
| 1. Initial request for procedures | Property Owners |
| 2. Application and fee submission | Property Owners |
| 3. Application review/ Scope of Work*/Preliminary engineering*/ lighting report | Budget/Engineering/Consultant |
| 4. Petition preparation | Budget |
| 5. Petition submission | Property Owners |
| 6. Petition acceptance and Public Hearing scheduling | BCC/Budget |
| 7. First Public Hearing | BCC/Budget |
| 8. Implementation:
Obtain final engineering plans* | Engineering/Consultant |
| Bid the construction* | Purchasing/Engineering |
| Coordinate/Construct the improvements* | Engineering/Contractor |
| 9. Final Public Hearing to establish final assessments adoption of final tax roll at the First Public Hearing to adopt the Annual County Budget) | BCC/Budget |

*The Public Works Department **Engineering Division** shall be involved in all Construction District steps.

Each of these steps is further explained below.

1. Initial Request for MSBU Procedures

Interested homeowners should call, or send a letter or email requesting Guidelines and Procedures for the establishment of a special assessment district to:

**Office of Management and Budget
Escambia County Courthouse
221 Palafox Place, Suite 440
P. O. Box 1591
Pensacola, FL 32597-1591
(850) 595-4960
e-mail: budget@myescambia.com**

The request must identify:

- the area affected (e.g., community, subdivision or street)
- the type of improvement involved (e.g., paving and drainage or street lighting)
- the type of district requested (i.e., construction or street lighting)

2. Application and Fee Submission

The Office of Management and Budget will provide the “Guidelines and Procedures” booklet to use in requesting establishment of a district. The necessary information and completed forms are returned to the Office of Management and Budget as the formal application for a district, along with a \$100.00 application fee.

An informative letter may be mailed to all of the property owners in the proposed area to be improved or a meeting may be scheduled to advise the property owners of the submitted application for an MSBU.

For Construction Districts, the application and fee submission may be submitted after the preliminary engineering report is completed.

3. Application Review/Scope of Work /Preliminary Engineering /Lighting Report

The formal application is reviewed by Budget Staff to confirm that the information is sufficient.

For Construction Districts:

A Preliminary Engineering Report is required. The property owners must pay for the cost of this report. The property owners must coordinate the Scope of Work with the Engineering Division, prior to the owners contracting with a firm from the approved list of qualified engineers. Budget shall provide the approved list. Non-qualified engineering firms must be pre-approved through the Purchasing Division.

The Preliminary Engineering Report shall include, but not be limited to, engineering design services, geotechnical services, environmental services, other professional services as necessary, permit fees, estimated construction cost, conceptual plans, etc. A 10% contingency fee shall be applied to the construction estimate and a 10% reserve fee shall be applied to all other MSBU costs. For other districts including Fire Protection, Sheriff Protection and Mosquito Control and Street Lighting a preliminary Engineering Report is typically not necessary.

A 10% contingency fee shall be applied to any construction estimate and a 10% reserve fee shall be applied to all other MSBU costs.

4. Petition Preparation

The Board of County Commissioners has determined that a petition may serve as an indicator of the amount of community interest for a proposed project.

For Construction Districts: the petition, prepared by Budget Staff, will reflect the total costs estimated in the preliminary engineering report... The petition will also reflect the appropriate reserves, contingencies, administrative fees and interest expense during the construction period. County Engineering Staff will review and approve the consultant's submittals and cost estimates prior to submission to Budget Staff and the BOCC.

For other districts: The petition, prepared by Budget Staff, will reflect all estimated costs including the appropriate reserves, contingencies, administrative fees.

The petition will be provided to the District Liaison.

5. Petition Submission

The District Liaison will obtain the required property owner signatures on the petition and return it to Budget Staff for review and acceptance.

6. Petition Acceptance and Public Hearing Scheduling

The Board of County Commissioners may consider petitions signed by at least 66% (55% for Street Lighting Districts) of the current property owners (number of owners) representing at least 66% (55% for Street Lighting Districts) of the property (number of lots or number of front feet, measured consistent with the method of assessment) within the district boundaries.

If the petition meets the above requirements and is accepted by the Board of County Commissioners, a public hearing shall be authorized for the consideration of an ordinance to establish the district.

Please note that once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the Board of County Commissioners to proceed with the project. The final determination of the scope and feasibility of a project will be determined by Escambia County.

If final plans have not been completed after petition acceptance the homeowners will be notified that an additional petition and BOCC shall be required.

7. First Public Hearing

When the proposed ordinance and all documents are in order and a public hearing date is scheduled, legal notices will be published in the newspaper. In addition, notification will be mailed to all property owners listed on the tax roll within the proposed district. At the public hearing, the Board of County Commissioners may consider comments, objections, and information relevant to the creation of the district. The County Commissioners may enact or deny the ordinance. If the ordinance is enacted, it will be recorded in the Recording Department, Escambia County Clerk's Office, reflecting the preliminary assessment amount for each property.

8. Implementation

For Construction Districts:

The engineering plans are prepared by the engineering consultant and reviewed by the County Engineering Division of Public Works, utility providers, state/federal regulatory agencies, etc, as necessary to obtain approval/permits.

Upon approval of the plans, the appropriate process will begin to award a construction contract.

For All Districts:

Upon review of the final engineering plans or receipt of the construction bids, if the total project cost is 20% or more over the preliminary cost estimates, an additional petition process will be conducted and an additional public hearing will be held by the Board of County Commissioners to determine if the project should continue prior to the bid process or bid award. Notices for this public meeting will be published in the newspaper and notification will also be mailed to all property owners listed on the tax roll within the proposed district.

Coordinate/construct improvements as appropriate. Construction improvements shall be completed in accordance with approved construction documents.

Property owners are responsible for the full cost of all engineering services and will be charged for the cost of the plans whether or not the improvements are constructed.

9. Final Public Hearing

After construction is complete, all costs relating to the project are compiled by OMB. The Board of County Commissioners is requested to authorize a Final Public Hearing to adopt the Final Assessment Resolution or enact an Amended Ordinance. All property owners listed on the roll within the district will be notified of the Public Hearing and the results. The final adjusted assessments will be recorded in the Recording Department, Escambia County Clerk's Office. Property owners may prepay their assessments or choose to have them collected through the Tax Collector on their tax bills.

Notification and action concerning subsequent annual increases or decreases in the yearly assessments will be governed by:

- requirements of Florida Statutes;
- County policy; and
- on-going coordination mechanisms between the District and County identified in the Detailed Procedures.

DISSOLUTION PROCEDURES FOR MSBUs

Upon written request, the County will provide guidelines for dissolving a district. The district can only be dissolved after having first been created by ordinance at a public hearing. The steps to take in requesting dissolution of a district are:

Submission of an application to dissolve the district and \$100 application fee.

- Submission of a petition including the outstanding financial obligations and credits of the district.
- The petition, to be considered, must be signed by at least 66% (55% for Street Lighting Districts) of the current property owners (number of owners) representing at least 66% (55% for Street Lighting Districts) of the property (measured consistent with the method of assessment) within the district boundaries.
- Public Hearing by the Board of County Commissioners to establish final assessments

EXCEPTIONS TO THE GUIDELINES

The Board of County Commissioners may address exceptions to any of the guidelines on a case-by-case basis.

QUESTIONS?

Contact the Office of Management and Budget, (850) 595-4960.

NOTE: Detailed Procedures for each type of District should be consulted for more specific information concerning requirements and procedures.

**DETAILED PROCEDURES
CONSTRUCTION DISTRICTS**

CONSTRUCTION DISTRICTS DETAILED PROCEDURES

Initial Request for MSBU Procedures

Upon request of the procedures to establish an MSBU, the Office of Management and Budget will forward a copy of the "Guidelines and Procedures" booklet to the requestor. The request should be made to:

Office of Management and Budget

Escambia County, Florida
221 Palafox Place, Suite 440
P. O. Box 1591
Pensacola, FL 32597-1591
(850) 595-4960

The request must identify:

- the area affected (e.g., community, subdivision or street)
- the type of improvement involved (e.g., paving, drainage, water service, etc)

Application for Construction District

In order to proceed with establishing a district, interested homeowners must submit the following as the official request for consideration:

- Scope of Services for the proposed improvement.
- The County encourages community participation in the development of the scope of services.
- Thoroughness in describing the desired scope of services is important as it is the key to the development of sound preliminary cost estimates.
- Boundaries must be continuous and not split parcels or lots. Enclaves are not allowed if the reason is to remove a lot or lots because the property owner is not in favor of the establishment of the district.
- The district to be assessed does not necessarily include an entire subdivision if the entire subdivision does not materially benefit from the proposed action.
- Districts may be established in unplatted residential areas where the proposed

action benefits property owners in a definable geographic area.

- Districts must contain a minimum of two distinct taxable (or platted) pieces of property.

Copies of section maps may be obtained from the Office of the Property Appraiser, 221 Palafox Place, (850) 434-2735.

- Contact individual and proposed liaison names, addresses and phone numbers.
- \$100.00 application fee made payable to the Board of County Commissioners, Escambia County.

Application Review/Preliminary Engineering Report

Upon receipt of the application for an MSBU, a letter may be mailed to each property owner advising of the application submittal and the imminent petition process. The District Commissioner might request an informative meeting with the property owners to discuss the MSBU process. Upon request by the district Liaison and with sufficient notice, OMB is available to attend any community meetings concerning the establishment of the district. Notification to property owners of any County-sponsored meeting will be coordinated through OMB. OMB would appreciate the opportunity to review any correspondence relating to the establishment of the district prior to circulation.

OMB will review the items submitted as part of the application to confirm that the information is complete. The application will then be copied to appropriate departments for review of the scope of work and plat information. The Office of the County Engineer will confirm the adequacy of the scope of work description.

Preliminary Engineering is required for all construction district improvements.

- The property owners must provide for the cost of the preliminary engineering report as well as contract with the engineering firm from the OMB provided list for this work.
- If the improvements are not constructed, contributions toward the cost of preliminary engineering will not be refunded.

OMB staff will present any requests for County participation in construction projects to the Board of County Commissioners for consideration.

Petition Submission

The Board of County Commissioners has determined that a petition may serve as an indicator of the amount of community interest for a proposed project.

The petition will reflect the total cost for engineering services and construction, as provided by the preliminary engineering report. The petition will also reflect the appropriate reserves, contingencies, administrative fees and interest expense during the construction period. The petition will be provided to the District Liaison.

OMB staff will identify a date for petition return of 30-60 calendar days, based upon target time frame, for public hearing and upon length of time cost estimates will be valid. All cost estimates more than 12 months old will require updating.

Petition Acceptance.

The petition, to be considered, must be signed by at least 66% of the current property owners (number of owners) that represent at least 66% of the property (number of lots or front footage, measured consistent with the method of assessment) within the district boundaries.

- A property owner is the individual or group of individuals that own a parcel of land.
- In determining eligible signatures of owners, all of the non-related current owners of a parcel or the designated trustee must sign the petition for the ownership and parcel to count towards the 66% requirements.
- Once submitted, names may not be withdrawn from the petition.

Upon return, County staff will review the petition for acceptability, consulting other departments as appropriate.

A petition will not be accepted without the signatures of all property owners who would be required to dedicate right-of-ways or easements to the County.

If the petition is accepted, OMB will request the Board of County Commissioners authorize a public hearing for consideration of the ordinance to establish the district. Please note that once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the Board of County Commissioners to proceed (or not) with the project. The final determination of the scope and feasibility of a project will be determined by Escambia County.

Public Hearing

When the proposed ordinance and all documents are in order and a public hearing date is scheduled, legal notices will be published. In addition, notification will be mailed to all property owners listed on the tax roll within the proposed district.

This public hearing will not be scheduled unless all affected property owners have agreed to dedicate the necessary right-of-way to the County.

At the public hearing, the Board of County Commissioners may consider comments, objections, and information relevant to the creation of the district. The County Commissioners may enact or deny the ordinance. If the ordinance is enacted, Board authorization will be requested to obtain final engineering and construction bids, and to record the Ordinance and Preliminary Assessment Liens.

Implementation

Engineering plans are required for all construction district improvements. The engineering plans are prepared by the engineering consultant and reviewed by the County Engineering Division of Public Works. Property owners are responsible for the cost of engineering services and will be charged for the cost of the plans whether or not the improvements are constructed.

Construction estimates equal to or less than \$350,000 may be constructed utilizing the current General Paving and Drainage Pricing Agreement Contract.

Construction estimates greater than \$350,000 will be solicited by the Office of Purchasing.

- District Liaison will be provided a qualified contractor list
- District Liaison will be provided a copy of the bid tabulation
- If the lowest responsive bid amount represents an increase of 20% or more than the preliminary estimate, an additional petition process will be conducted and an additional public hearing will be held. Notice of this public hearing will be published and notification will be mailed to all property owners.
In subsequent years, increases may apply due to economic conditions (i.e. interest rate changes associated with commercial financing, asphalt escalation, etc).
- District Liaison is notified of award recommendation
 - Award must be in conformance with the Escambia County Code.

Bid is awarded by the Board of County Commissioners.

- District Liaison is notified by County Staff.

After awarding the bid, a work order and/or Notice to Proceed will be issued to the contractor and construction will begin.

Be advised that outside financing may be required in order to implement the engineering and construction of the improvements. The interest rate shall be quoted by the commercial source(s). Interest expense on funds borrowed during the engineering and construction of the project will be included in the assessments.

All engineering and construction shall proceed in accordance with the Policies and Procedures of the Engineering Division of Public Works.

Final Public Hearing

After construction is complete, all costs (including change orders) relating to the project will be complied by OMB. The Board will be requested to schedule a Final Public Hearing to adopt the final assessment through a resolution or amending ordinance. The Public Hearing will be advertised and notification mailed to all property owners listed on the tax roll within the district.

If adopted, the Resolution or Amending Ordinance, including Final Assessment Liens, will be recorded in the Escambia County public records.

Final Assessments may be prepaid at no additional charge for long-term interest within thirty (30) days of the Final Public Hearing to establish final assessments. Repayment after that date will be calculated to include payment and accrued interest.

Term of the loans may be determined as follows:

<u>Assessment</u>	<u>Term</u>
\$3,000 and up	10 years
\$2,500 to \$2,999	8 years
\$2,000 to \$2,499	6 years
\$1,500 to \$1,999	4 years
\$1,000 to \$1,499	3 years
\$ 500 to \$ 999	2 years
\$ -0- to \$ 499	1 year

Final determination as to the terms of repayment will be made by the Board of County Commissioners in conjunction with the District Liaison.

Annual Assessments are collected through the Tax Collector of Escambia County, in the same manner as all other County taxes are collected.

Municipal Services Benefits Units (MSBU)

Street Lighting Districts

STREET LIGHTING DISTRICTS DETAILED PROCEDURES

Initial Request for MSBU Procedures

Upon request of the procedures to establish an MSBU, the Office of Management and Budget will forward a copy of the “Guidelines and Procedures” booklet to the requestor. The request should be made to:

Office of Management and Budget
Escambia County, Florida
221 Palafox Place, Suite 440
P. O. Box 1591
Pensacola, FL 32597-1591
(850) 595-4960

The request must identify:

- the area affected (e.g., community, subdivision or street)
- the type of improvement involved (i.e., street lighting)
- the type of district contemplated (i.e., street lighting)

Application for District

Application can be made by interested homeowners or developers for establishment of a new street lighting district or changes or additions to an existing one. See last page of these guidelines for application form.

Contact OMB when requesting changes or additions to an existing street lighting district for determination of justification of the request. If the request is relatively minor and the cost impact minimal, an application fee and petition may not be necessary. Requests for more extensive changes must follow the same requirements as new districts.

In order to proceed with establishing a new district or changing the lighting equipment in an existing district, interested homeowners or developers must submit the following as the official request for consideration:

- \$100.00 application fee (per street lighting district) made payable to the Board of County Commissioners, Escambia County.

- Contact individual (or developer) and proposed liaison names, addresses and phone numbers. (Form is on last page of guidelines)
- Copy of the Property Appraiser's section map with:
 - Proposed boundaries for the district outlined.
 - Boundaries must be continuous and not split parcels or lots. Enclaves are not allowed if the reason is to remove a lot or lots because the property owner is not in favor of establishment of the district.
 - Tracts for drainage, buffer zones, etc. are usually included in the district but not assessed for street lighting.
 - The district to be assessed does not necessarily include an entire subdivision if the entire subdivision does not materially benefit from the proposed action.
 - Districts must contain a minimum of two distinct taxable (or platted) pieces of property.
 - Copies of section maps may be obtained from the Office of the Property Appraiser, 221 Palafox Place, (850) 434-2735.

Petition Submission

The Board of County Commissioners has determined that a petition may serve as an indicator of the amount of community interest for a proposed project.

OMB will prepare a petition for distribution by the District Liaison or Developer. Only petitions prepared by OMB will be accepted.

The petition will reflect the various charges included in calculating the assessments. The street lighting assessment will include: utility costs, rental or purchase of lights and poles, 1/2% Tax Collector commission, 10% administrative fees and a 10% reserve (for the first year of assessment)

Note: If a developer owns 100% of the property to be included in a street lighting district, the petition process is not necessary. Request for establishment of the street lighting district can be in the form of a letter.

Submission of complete developer requests and homeowner petitions including requests for changes, additions or deletions and petitions for new districts are accepted through June 1 to be effective after October 1 of the following fiscal year. Extensions may be granted through July 31 on a case by case basis.

Petition Acceptance

The petition, to be accepted, must be signed by at least 55% of the current property owners (number of owners) representing at least 55% of property (number of lots or number of front feet, measured consistent with the method of assessment) within the district boundaries.

- A property owner is the individual or group of individuals that own a parcel of land.
- In determining eligible signatures of owners, all of the non-related current owners of a parcel or the designated trustee must sign the petition for the ownership and parcel to count towards the 55% requirements.
- Once submitted, names may not be withdrawn from the petition.

Upon return, OMB will review the petition for acceptability, consulting other departments as appropriate.

If the petition is acceptable, OMB will request that the Board of County Commissioners schedule a public hearing for consideration of the ordinance to establish the district or revisions to the ordinance for the existing district to incorporate the changes. Please note that once the petition is accepted and a public hearing is authorized, the petition is no longer relevant to the final determination by the Board of County Commissioners to proceed (or not) with the project. The final determination of the scope and feasibility of a project will be determined by Escambia County.

Public Hearing

When the proposed ordinance and all documents are in order and a public hearing date is scheduled, legal notices will be published. In addition, notification will be mailed to all property owners listed on the tax roll within the proposed district.

At the public hearing, the Board of County Commissioners may consider comments, objections, and information relevant to the creation of the district. The County Commissioners will enact or deny the ordinance. If the ordinance is enacted, appropriate Board authorization to record the Ordinance in the Recording Department, Escambia County Clerk's Office, will be requested.

Implementation

Upon execution of the Ordinance by the Board, the power company can begin installation of the lights and poles to be put in service October 1st of the following year or as soon thereafter as possible.

APPLICATION FOR SPECIAL DISTRICT CREATION

Primary Liaison for project implementation:

Name _____

Street Address _____

City/Zip Code _____

Email Address: _____

Phone Numbers – Day _____

After Hours _____

Back-up Liaison:

Name _____

Street Address _____

City/Zip Code _____

Email Address: _____

Phone Numbers – Day _____

After Hours _____

Community/Subdivision/Street Name of Project:

Type of Improvement (streetlighting, road paving, etc.):
