**SNEADS TOWN COUNCIL**
**REGULAR MEETING**
**SEPTEMBER 10, 2024**

The Town Council of the Town of Sneads, Florida, met in a regular session at the Sneads Town Hall on Tuesday, September 10, 2024, at 6:00 p.m.

Mike Weeks called the meeting to order with the following present:

Mike Weeks, Angie Locke, Tony Money,
Kay Neel and Timmy Perry, Council Members
Daniel Cox, Attorney
Bill Rentz, Town Manager
Tyler Weeks, Police Chief
Sherri Griffin, City Clerk
Danielle Guy, Deputy Clerk

And the following were absent:

All stood for the Pledge of Allegiance.

Tony Money made a motion to approve the Consent Agenda as presented. Angie Locke seconded. All voted aye.

1. Minutes for **August** 2024
2. Financial Statements and Budget Review Summary
3. Pay Approved Bills

Agenda #4, Award Demolition Bid. Hunter Potts with Melvin Engineering presented the bid tabulations and their recommendation of award of the demolition of the 8177 Old Spanish Tr building project (M0010) to Iron Dog Inc for $19,375. Angie Locke made a motion to approve the award to Iron Dog Inc as presented, contingent of FL Commerce approval. Timmy Perry seconded. All voted aye.

Agenda #5, **Ordinance #2024-04**, entitled;

**AN ORDINANCE OF THE TOWN OF SNEADS FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SNEADS TO ESTABLISH PROCEDURES FOR THE ENFORCEMENT OF THE TOWN'S CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

was read for final reading. Angie Locke made a motion to approve Ordinance #2024-04 as presented. Tony Money seconded. All voted aye.

Agenda #6, **Ordinance #2024-05**, entitled;

> **an ordinance of the town of Sneads, Florida amending the water & sewer rate ordinance enacted by the town council, and repealing of ordinances in conflict herewith and providing an effective date.**

was presented and read pending publication. Tony Money made a motion to approve Ordinance #2024-05 as presented. Tim Perry seconded. All voted aye.

Agenda #7, **Ordinance #2024-6**, entitled;

> **AN ORDINANCE OF THE TOWN OF SNEADS, FLORIDA, MUNICIPAL CODE ENTITLED "UTILITY FEE STRUCTURE" PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

was presented and read pending publication. Tony Money made a motion to approve Ordinance #2024-06 as presented. Tim Perry seconded. All voted aye.

Agenda #8, **Ordinance #2024-07**, entitled;

> **AN ORDINANCE AMENDING THE ORDINANCE HERETOFORE ENACTED BY THE TOWN COUNCIL OF THE TOWN OF SNEADS TO CHANGE THE MONTHLY CHARGES FOR WATER & SEWER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

was presented and read pending publication. Tim Perry made a motion to approve Ordinance #2024-07 as presented. Tony Money seconded. All voted aye.

Agenda # 9, Sneads Recreation Board. Meagan McIntosh stated that soccer season was underway, and that the basketball court was soon to be recovered.

Agenda #10, Town Manager Report as follows: (See attached)
Mr. Rentz stated that he had been talking with the brokers about the T-Mobile lease and had several different options on the table. One he was considering was $500,000 paid in two yearly installments of $25,000 for 10 years. This would give us the most monetary return. All agreed for Mr Rentz to go with what he thought was best for the town.
Tony Money asked for Rentz to look more into the pros and cons of annexation of ACI.

Agenda #11, Attorney Cox- No report

Agenda #12, Police & Fire. Chief Weeks presented the department's monthly activity report. (See attached) Chief Weeks state that he had gotten a Jeep donated from the Walton County Sheriff's Department.

Agenda #13, Council Members.
Kay Neel said we need to schedule the date for the Boston butts and plate sell. All agreed on October 4th. She also asked about the ATV's, golf carts on the road and asked that the police department pay more attention to them and make sure they have their permits.
Timmy Perry said he had been asked by an employee for staff to look into direct deposit.
Angie Locke stated the First Ladies of Sneads wanting her and Kay to attend a meeting on their help in decorating the town at Christmas.
Mike Weeks said he wants Mr Rentz to look into the selling of sod off the property at Gulf Power Rd. He also wanting Mr Rentz to check with Liberty County and see how they see their fill dirt. Then we might be able to sell fill dirt from our old dump site to citizens. He asked Mr Rentz to look more into the taken over the ACI water services.

Agenda #14, Public Comments:
Jason Johnson
Joey Dodson

Tony Money made a motion to adjourn at 7:15 pm.

Respectfully Submitted,

Danielle Guy

Danielle Guy, Deputy Clerk

**APPROVED:**

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**MIKE WEEKS, COUNCIL PRESIDENT**

**Regular Meeting**
**SEPTEMBER 10, 2024**

**Budget Summary**

**GENERAL FUND**
**JULY-** Revenues are 11.20% **below** budgeted amount. Expenditures are 9.30% **above** budgeted amount.
**AUGUST –** Revenues are 12.03 **below** budgeted amount. Expenditures are 7.97 **above** budgeted amount.

**GAS TAX**
**JULY-** Gas Tax County is 9.50% **above** budgeted amount. Local Option Gas Tax is 6.40% **below** budgeted amount. Expenditures are 15.80% **below** budgeted amount.
**AUGUST-** Gas Tax County is 7.77% **above** budgeted amount. Local Option Gas Tax is 9.33% **below** budgeted amount. Expenditures are 16.53% **below** budgeted amount.

**SOLID WASTE**
**JULY –** Garbage revenues are 1.40% **above** budgeted amount. Expenditures are 10.90% **below** budgeted amount.
**AUGUST-** Garbage revenues are 1.57% **above** budgeted amount. Expenditures are 4.23% **below** budgeted amount.

**WATER AND SEWER**
**JULY-**ACI sewer is 3.80% **below** budgeted amount. Water sales are 3.50% **below** budgeted amount. Sewer Sales are 20.10% **below** budgeted amount. Expenditures are 4.0% **above** budgeted amount.
**AUGUST–** ACI sewer is 3.73% **below** budgeted amount. Water sales are 2.63% **below** budgeted amount. Sewer sales are 21.63% **below** budgeted amount. Expenditures 6.77% **above** budgeted amount.

**RECREATION FUND**
**JULY-** Signup Fees are **above** budgeted amount. Expenditures are **above** budgeted amount.
**AUGUST-**Will update in October. No bank statement to calculate sign up fees.

September 6th, 2024

Kristopher Dixon
Florida Department of Commerce
107 East Madison Street, MSC 160
Tallahassee, FL 32399

**RE: Town of Sneads - Recommendation of Award**
**Florida Commerce Grant No. M0010**
**Building Demolition – 8177 Old Spanish Trail**

Dear Mr. Dixon,

On August 15, 2024 the Town of Sneads issued an Invitation to Bid (ITB) to solicit sealed bids for the demolition of one building, located at 8177 Old Spanish Trail, Sneads, FL 32460, associated with the town's CDBG-DR Grant No. M0010. A total of four bids were received for this project and were opened on Thursday, September 5th, 2024. The detailed bid tabulation and cost analysis as well as additional procurement information are attached separately for your review.

The project was bid in accordance with HUD CDBG guidelines and affirmative efforts were made to solicit adequate contractor participation including solicitation of MBE firms and advertising in a regional MSA newspaper.

The lowest responsive bidder for the project was Iron Dog, Inc. based out of Clarksville, FL with a lump sum bid price of $19,375.00. This price is within the grant budget and in line with the Town's pre-bid cost estimate.

Based on the bid responses received the Town of Sneads hereby requests approval to award this project to the lowest responsive bidder i.e. Iron Dog, Inc. and to enter a contract to complete the project Scope of Work.

Sincerely,

Hunter Potts

Hunter Potts,
Project Manager

DHM
MELVIN ENGINEERING

4428 Lafayette St
Marianna
Florida 32446

2541-1 Barrington Circle
Tallahassee
Florida 32308

Phone
(850) 482-3045
Fax
(850) 482-3957

melvineng.com

**COST ANALYSIS**
**SNE22SW**
**8177 Old Spanish Trail - Building Demolition**

| | | | CSJ Construction | Great Southern Demolition | Infrastructure Inc. | Iron Dog, Inc. | Pre-Bid Cost Estimate |
|---|---|---|---|---|---|---|---|
| **ITEM NO.** | **ITEM** | **QTY** | **TOTAL COST** | **TOTAL COST** | **TOTAL COST** | **TOTAL COST** | **TOTAL COST** |
| N/A | Base Bid: 8177 OST - Complete Building Demolition | LS | $ 23,500.00 | $ 33,705.00 | $ 98,750.00 | $ 19,875.00 | $ 27,300.00 |
| N/A | Alt. Bid: 8177 OST - Complete Building Demolition (Leave Pole Barn in Place) | LS | $ 21,500.00 | $ 33,705.00 | $ 98,750.00 | $ 19,375.00 | $ 27,300.00 |
| | **Bid Winner** | | | | | **$ 19,375.00** | |

Notes
- Green Highlight represents Town's award recommendation
- Low Bid Price is within Grant Budget

**ORDINANCE NO. 2024-04___**

**AN ORDINANCE OF THE TOWN OF SNEADS FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SNEADS TO ESTABLISH PROCEDURES FOR THE ENFORCEMENT OF THE TOWN'S CODE OF ORDINANCES; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

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# CODE ENFORCEMENT[1]

## *ARTICLE I. IN GENERAL*

### Sec. 18-1. Civil infractions.

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

*Code enforcement officer* means any designated employee or agent of the Town whose duty is to enforce codes and ordinances enacted by the Town. Employees or agents who are designated as code enforcement officers include, but are not limited to, the Town Manager, code inspectors, law enforcement officers, animal control officers, or fire safety inspectors. Designation as a code enforcement officer does not provide the code enforcement officer with the power of arrest or subject the code enforcement officer to the provision of F.S. §§ 943.085 through 943.255. Nothing in this section amends, alters, or contravenes the provisions of any state-administered retirement system or any state-supported retirement system established by general law.

*Town* means the incorporated areas of the Town, or areas under the administration of the Town.

*Law enforcement officer* means any person who is elected, appointed or employed full time by any municipality or the State or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the State.

*Repeat violation* means a violation of a provision of a code or ordinance by a person previously found to have violated the same provision within five years prior to the current violation by the Town's Code Enforcement Board or the Town Court.

(b) *Authority to issue citations.* Any law enforcement officer and/or code enforcement officer is hereby empowered to issue citations to any person when, based upon personal investigation, the Officer has reasonable cause to believe that the person has committed a violation of a duly enacted Town Code or ordinance.

(c) *Ordinances enforced and penalties assessed.* All Town Codes and/or ordinances are enforced by this section by citation to the appropriate Town Court of the Town, except when prohibited by law or statute. Violations of codes and ordinances shall carry a fine as provided from time to time by resolution of the Board.

(d) *Issuance of a citation.*

(1) A code enforcement officer or law enforcement officer is authorized to issue a citation to a person when, based upon personal investigation, the Officer has reasonable cause to believe that the person

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[1]State law reference(s)—Code enforcement, F.S. Ch. 162.

has committed a civil infraction in violation of a duly enacted the Town Code or ordinance and that the County Court will hear the charge.

(2) Prior to issuing a citation, a code enforcement officer or law enforcement officer shall provide notice to the person that the person has committed a violation of a code or ordinance and shall establish a reasonable time period within which the person must correct the violation. Such time period shall be no more than 30 days. If, upon personal investigation, a code enforcement officer or law enforcement officer finds that the person has not corrected the violation within the time period, a code enforcement officer may issue a citation to the person who has committed the violation. A code enforcement officer or law enforcement officer does not have to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue a citation if the code enforcement officer or law enforcement officer has reason to believe that the violation presents a serious threat to the public health, safety or welfare, or if the violation is irreparable or irreversible.

(3) A code enforcement officer or law enforcement officer shall issue a citation in a form prescribed by the Town, and it shall contain:

a. The date and time of issuance.

b. The name and address of the person to whom the citation is issued.

c. The date and time the civil infraction was committed.

d. The facts constituting reasonable cause.

e. The number or section of the code or ordinance violated.

f. The name and authority of the code enforcement officer or law enforcement officer.

g. The procedure for the person to follow in order to pay the civil penalty or to contest the citation.

h. The applicable civil penalty if the person elects to contest the citation.

i. The applicable civil penalty if the person elects not to contest the citation.

j. A conspicuous statement that if the person fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, the person shall be deemed to have waived the right to contest the citation and that, in such case, judgment may be entered against the person for an amount up to the maximum civil penalty.

(4) After issuing a citation to an alleged violator, a code enforcement officer shall deposit the original citation and one copy of the citation with the Town Clerk.

(5) The Town may enforce codes or ordinances under the provisions of this section and shall provide:

a. That a violation of a code or ordinance is a civil infraction.

b. A maximum civil penalty not to exceed $500.00.

c. A civil penalty of less than the maximum civil penalty may be imposed if the person who has committed the civil infraction does not contest the citation.

d. For the issuance of a citation by a code enforcement officer who has reasonable cause to believe that a person has committed an act in violation of a code or an ordinance.

e. For the contesting of a citation in Town Court.

f. Such procedures and provisions are necessary to provide for the enforcement of codes and ordinances.

(6) Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or 775.083.

(7) The provisions of this section shall not apply to the enforcement pursuant to Sections 553.79 and 553.80 of the State Building Code adopted pursuant to Section 553.73 of the Building Code as applied to construction, provided that a building permit is either not required or has been issued by the Town.

(8) The provisions of this section are additional and supplemental means of enforcing all Town codes or ordinances, including, but not limited to, violations, Health and Sanitation, and may be used for the enforcement of any code or ordinance, or for the enforcement of all codes and ordinances by any other means, notwithstanding the existence of specific enforcement or penalty provisions found elsewhere in the Code or ordinance. Where the code enforcement officer or law enforcement officer determines to utilize the provisions of this chapter for the enforcement of any Town code or ordinance, the provisions of this section, including procedure and applicable penalties, shall apply.

State law reference(s)—Authority for above section, F.S. § 162.21.

### Secs. 18-2—18-20. Reserved.

## *ARTICLE II. CODES ENFORCEMENT JURISDICTION*

### Sec. 18-21. Definitions.

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

*Code enforcement officer* means authorized agents or employees of the Town whose duty is to enforce and assure compliance with the codes and ordinances of the Town.

(Code 1996, § 29-2; Ord. No. 2019-09, § 3, 11-12-2019)

### Sec. 18-22. Territory.

Incorporated territory within the legal boundaries of the Town shall be embraced by the provisions of this article, unless otherwise specified herein.

(Code 1996, § 29-3; Ord. No. 2019-09, § 4, 11-12-2019)

### Sec. 18-23. Jurisdiction.

(a) The terms and provisions of this section shall apply to all real property lying within the incorporated areas of the Town. Civil infractions of applicable codes and/or ordinances as determined by the Town Council, may be enforced by citation to the appropriate Town Court of the Town, except where prohibited by law or statute. The code enforcement officer shall have jurisdiction to enforce violations of codes and ordinances in the Town, including, but not limited to:

(1) Parking, Ord. No. _____.

(2) Litter, Ord. No. _____.

(3) Junkyards, Ord. No. _____.

(4) House numbering, Ord. No. _____

(5) Right-of-way control, Ord. No. _____.

(6) Alcoholic beverage license, Ord. No. _____.

(7) Off-premises signs Ord. No. _____.

(8) Hazardous waste, _____.

(9) Subdivisions, Ord. No. _____.

(10) Illustrative enumeration, Ord. No._____.

(11) Duty of maintenance of responsible party, Ord. No. _____.

(12) Exterior storage of non-operating vehicles Ord. No. _____.

(13) Nuisances, Ord. No. _____.

(14) Development plan submission requirements, Ord. No. _____.

(15) Residential land development regulations, Ord. No. _____.

(16) Required permits, Ord. No._____.

(b) Duly enacted codes and ordinances of the Town may be pursued by citation or appropriate remedy in County Court.

## Sec. 18-24. Enforcement procedure.

(a) It shall be the duty of the code enforcement officer to issue citations and initiate enforcement proceedings of the various codes and ordinances.

(b) Except as provided in Subsections (c) and (d) of this section, if a violation of the codes or ordinances is found, the code enforcement officer shall first notify the violator and give such person a reasonable time not to exceed 30 days to correct the violation. Should the violation continue beyond the time specified for correction, the code enforcement officer may issue a citation.

(c) If the code enforcement officer has reason to believe a violation presents a serious threat to the public health, safety or welfare or if a repeat violation has occurred, the code enforcement officer may issue a citation immediately without first notifying the violator and giving such person time to correct the violation.

(d) In addition to the enforcement procedures set forth herein, the "supplemental Town or municipal code or ordinance enforcement procedures" set forth in F.S. Ch. 162, Pt. II

(e) A citation shall be filed with the Clerk of Court within 72 hours of issuance, excluding Saturdays, Sundays and legal holidays. A citation not filed within the time limits prescribed in this section may be dismissed without prejudice.

(f) A person who receives a citation is required to identify themself to the enforcement officer by giving the person's true name, address, and date of birth. Upon request of the enforcement officer, the person shall produce reasonable identification, including a driver's license or identification card.

## Sec. 18-25. Response to citation.

A defendant who receives a citation shall respond to such notice within 15 days of the date of the citation if it is personally served or, if the citation is served by mail, within ten days of the date the notice was mailed. If the response is mailed, it must be postmarked no later than midnight of the day the response is due.

## Sec. 18-26. Penalties.

(a) Unless otherwise specified within, violations of any duly enacted code or ordinance of the Town, the Town Council hereby establishes the following civil penalty citation schedules which will apply if the person cited elects not to contest a citation and the civil penalties which will apply if such person elects to contest a citation.

(1) For those persons not contesting a citation:

a. First citation: $50.00.

b. Second citation: $75.00.

c. Third citation: $100.00.

d. Fourth and all additional citations: $300.00.

e. Serious or irreversible threat citation: $500.00.

(2) For those persons contesting a citation and found in violation:

a. First citation: $100.00.

b. Second citation: $150.00.

c. Third citation: $200.00.

d. Fourth and all additional citations: $500.00.

e. Serious or irreversible threat citation: $500.00.

(b) Violations that are irreparable, irreversible or transient will be cited on the first violation and will be without notice.

(c) After issuing a citation to an alleged violator, a code enforcement officer shall deposit the original citation and one copy of the citation with the Town Court within five business days.

(d) Once a code enforcement officer issues a citation, no code enforcement officer shall have the authority to void a citation but must deposit the citation with the County Court as provided in this section.

(e) In addition to the imposition of a civil penalty, a court may order a person found to have committed a civil infraction to make restitution, including any costs or expenses incurred by the Town in abating or eliminating a public nuisance.

(f) Whenever a monetary penalty is imposed by the Court, it is immediately due and payable. If the person is unable to pay at that time, the Court may grant an extension of the period in which the penalty may be paid. If the penalty is not paid on or before the time established for payment, the Town may proceed to collect the penalty in the same manner as other civil judgments and may notify the Town Attorney of the failure to pay.

(g) The Court may impose a modification of penalty including community service if an order of court entered after receipt of a response which does not contest the determination, or after it has been established at a hearing that the civil infraction was committed, or after a hearing for the purpose of explaining mitigating circumstances is civil in nature.

## Sec. 18-27. Legal counsel.

If necessary, the Town shall provide legal counsel to represent the code enforcement officer in County Court.

## Sec. 18-28. Notice to appear/magistrate.

(a) *Establishment and purpose.* It is the intent of this section to establish a special magistrate with the authority to impose administrative fines and other noncriminal penalties to promote, protect, and improve the health, safety, morals, and welfare of the Town and to provide an equitable, expeditious, effective and an inexpensive method of enforcing the Town codes and ordinances where a pending, or repeated violation exists or continues to exist. This part of this chapter has been enacted pursuant to the authority of F.S. Ch. 162, and other applicable law.

(b) *Jurisdiction.* The Town special magistrates shall have jurisdiction to hear and decide cases in which violations are alleged of any provisions of the Town codes and ordinances except as specifically excluded herein. The jurisdiction of the special magistrates shall not be exclusive. Any alleged violation of the Town codes and ordinances may be pursued by any appropriate remedy in a court of competent jurisdiction at the option of the Town Council or administrative official whose responsibility it is to enforce the Town codes and ordinances.

(c) *Qualifications.* Special magistrates shall be appointed by the Town Council and shall be an attorney duly licensed to practice law in the State of Florida. The Town may utilize the services of one or more special magistrates to conduct hearings concerning the Town codes and ordinances.

(d) *Power and authority.* Special magistrates shall have the power to:

(1) Adopt rules for the conduct of hearings, subject to final approval of the board of Town commission;

(2) Subpoena (via service by the Jackson County Sheriff or other lawful process server) alleged violators and witnesses to its hearings;

(3) Subpoena (via service by the Jackson County Sheriff's Department or other lawful process server) evidence to its hearings;

(4) Administer oaths and take testimony under oath;

(5) Issue orders having the force of law finding a violation of the Town codes and ordinances and commanding whatever steps are necessary to bring the violation into compliance; and

(6) Enter orders finding compliance or noncompliance.

(e) *Terms of appointment.* Special magistrates shall serve for terms established by the Town Council. Special magistrates shall be subject to removal, with or without cause, from their positions at any time during their term, by the Town Council. Special magistrates shall not be considered as Town employees, although they may receive compensation for their services and may be reimbursed for such travel, mileage and per diem expenses as may be authorized.

(f) *Legal representation.* The Town attorney shall act as legal counsel to the code enforcement officer as he or she presents cases to the special magistrate or shall present the case for the code enforcement officer.

(g) *Duties of code enforcement officer.* It shall be the duty of the code enforcement officer to initiate enforcement proceedings of the Town codes and ordinances through the special magistrate process. The special magistrate shall not have the power to initiate such enforcement proceedings. Any violations presented to the special magistrate shall be administered by the code enforcement officer.

(1) In the case of a first-time violation of the Town code or a Town ordinance, the code enforcement officer shall notify the violator and give him or her a reasonable time to correct the violation. For the purposes of this section, a reasonable time should be no less than 30 days unless emergency circumstances warrant a shorter timeframe. Should the violation continue beyond the time specified for correction, the code enforcement officer shall request a hearing before the special magistrate and

provide notice to the alleged violator. All notices required by this section shall be provided to the alleged violator in accordance with the provisions of F.S. § 162.12.

(2) If a repeat violation is found, the code enforcement officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. The code enforcement officer, upon notifying the violator of a repeat violation, shall request a hearing. The code enforcement officer shall schedule a hearing before the special magistrate and shall provide notice to the violator. The case may be presented to the special magistrate even if the repeat violation has been corrected prior to the special magistrate hearing and the notice shall so state.

(3) If a code enforcement officer has reason to believe a violation presents a serious threat to the public health, safety, morals, or welfare, or if the violation is irreparable or irreversible in nature, the code enforcement officer shall make a reasonable effort to notify the violator and may immediately request a hearing thereon.

(4) The code enforcement officer shall coordinate the calling of hearings by the special magistrate. The Town shall provide a hearing room and clerical staff as may be reasonably required by the special magistrate to conduct hearings and perform his or her duties. All hearings by the special magistrate shall be open to the public and minutes shall be kept of all hearings.

(h) *Rules of procedure.* Rules of procedure for hearings:

(1) All relevant evidence shall be admitted. The special magistrate may exclude irrelevant or unduly repetitious evidence.

(2) Each party to the hearing shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses, impeach witnesses and rebut evidence.

(3) The general public shall not be entitled to present evidence although members of the general public who have relevant evidence to offer may be called as witnesses by either party.

(4) The alleged violator has the right, at his or her own expense, to be represented by an attorney at any hearing.

(5) All testimony before the special magistrate shall be under oath and shall be recorded.

(6) The alleged violator or the Town may cause a verbatim record of the proceedings to be made.

(7) The burden of proof shall be with the code enforcement officer and/or Town attorney to show by the greater weight of evidence that a code violation exists and that the alleged violator committed, allowed, or was responsible for maintaining the violation.

(8) If notice has been provided to the violator of the public hearing pursuant to this section (which shall be as required by F.S. Ch. 162), the hearing may be conducted, and an order rendered in the absence of the alleged violator.

(9) At the conclusion of the hearing, the special magistrate shall issue an order setting forth findings of fact, based on evidence of record, and issue conclusions of law, and shall render relief in the order affording the proper relief consistent with powers granted in this section. A written order shall be issued within a reasonable period of time subsequent to the hearing. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed if the order is not complied with by that date.

(i) *Appeals.* An aggrieved party, including the Town, may appeal a final administrative order of the special magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the special magistrate. An appeal shall be filed within 30 days of the execution of the order to be appealed.

(j) *Recording of order.*

(1) A certified copy of an order imposing the fine provided for herein may be recorded in the public records of Jackson Town or any other Town, and thereafter such order shall constitute a lien against the property on which the violation exists or, if the violator does not own the land involved in the violation, upon any other real or personal property owned by the violator and may be enforced in the same manner as a court judgment by the sheriffs of this state including levy against personal property, bu.t shall not be deemed otherwise to be a judgment of a court except for enforcement purposes.

(2) Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by the sheriffs of the state, including levy against the personal property, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever occurs first. After three months from the filing of any such lien which remains unpaid, the Town Council may authorize the Town attorney to foreclose on the lien.

(3) When an order is recorded in the public records pursuant to this section and the order is complied with by the dates specified in the order, the special magistrate shall issue an order acknowledging compliance that shall be recorded in the public records.

(k) *Fines and penalties.*

(1) A fine imposed pursuant to this section shall not exceed $250.00 per day per violation for a first violation and shall not exceed $500.00 per day per violation for a repeat violation. In formulating the provisions of the order, the special magistrate should be consistent in the imposition of fines, paying special attention to the gravity of the violation, any actions and the timeliness of actions taken by a violator to correct the violation and any previous violations committed by the violator. The special magistrate shall include in the order establishing a fine that the violator shall pay all costs of the proceedings incurred by the Town.

(2) The fine imposed pursuant to this section by the special magistrate shall be final and may be appealed only to the circuit court in accordance with the controlling provisions of law.

(3) The special magistrate may reconsider a case and may reduce the amount of a fine imposed pursuant to this section.

(4) A certified copy of an order imposing a fine, and any costs, may be recorded in the public records of Jackson Town. An order so recorded shall constitute a lien against the land on which the violation occurred and upon any other real or personal property owned by the violator in the Town.

(5) Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but such order shall not be deemed to be a court judgment except for enforcement purposes.

(6) A fine imposed pursuant to this part shall continue to accrue until the violator comes into compliance, or until judgment is rendered in a suit to foreclose a lien filed pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this section runs in favor of the Town. After three months from the filing of any such lien which remains unpaid, the Town attorney may bring an action to foreclose the lien. No lien created pursuant to the provisions of this section may be foreclosed on real property which is a homestead under Fla. Const. art. X, § 4.

(l) *Assessment for lot maintenance and clean-up.*

(1) *Establishment of special assessment district.* Jackson Town in its entirety, as its Town boundaries exist on the date of enactment of this article and as they may be expanded or contracted from time to time, is hereby declared a special-assessment district for the purposes of abating and remedying violations of this section. Individual properties within the Town's boundaries, as they may exist from time to time, may be assessed for the costs incurred by the Town in abating and remedying violations of this section.

(2) *Levy of non-ad valorem assessments.* There is hereby levied, and the Town commissioners are authorized to levy from time to time, a non-ad valorem assessment against each and every property in the Town (i) on which there occurs or has occurred a violation of this article, (ii) where the Town undertakes or has undertaken action pursuant to this section to abate and/or remedy the violation and, thereby, incurs or has incurred costs, and (iii) where the property owner of the property fails or refuses or has failed or refused, for whatever reason, to pay timely the amount owed to the Town under this ordinance for the costs incurred by the Town in carrying out such abatement and remedy.

(3) *Collection of non-ad valorem assessments.* The Town commissioners elects to use the uniform method to impose and collect non-ad valorem assessments against properties on which violations of this article occur or have occurred. The non-ad valorem assessments collected pursuant to this section will be included in the combined notice for ad-valorem taxes and non-ad valorem assessments as provided in F.S. § 197.3635. Non-ad valorem assessments collected pursuant to this section are subject to all collection provisions in F.S. § 197.3632, including provisions relating to discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

(4) *Annual non-ad valorem assessment roll.* Each year, the Town commissioners will approve a non-ad valorem assessment roll at a public hearing between January 1 and September 25. The non-ad valorem assessment roll will be comprised of properties that have had levies against them for non-ad valorem assessments under this section and such assessments that have not otherwise been paid in full prior to approval of the roll.

(5) The Town clerk is authorized and directed each year (i) to prepare the notice that must be provided as required by F.S. § 197.3632(4)(b), and (ii) to prepare and publish the newspaper notice required by F.S. § 197.3632(4)(b).

(6) The notice to be sent by first-class mail will be sent to each person owning property that will be on the non-ad valorem assessment roll and will include the following:

a. The purpose of the assessment;

b. The total amount to be levied against the parcel, which includes the actual cost incurred by the Town;

c. A statement that failure to pay the assessment will cause a tax certificate to be issued against the property, which may result in a loss of title;

d. A statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and

e. The date, time, and place of the hearing.

(7) Upon its approval by Town commissioners, the non-ad valorem assessment roll will be certified to the tax collector as required by law.

# ORDINANCE # 2024-05

**AN ORDINANCEOF THE TOWN OF SNEADS, FLORIDA AMENDING THE WATER & SEWER RATE ORDINANCE ENACTED BY THE TOWN COUNCIL, AND REPEALING OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council has found and determined that it is necessary and desirable to forthwith modify the Town's existing ordinance relating to water and sewer rates,

**NOW, THEREFORE**, THE TOWN COUNCIL.OF THE TOWN OF SNEADS, FLORIDA, THAT:
Section 1. Section 13 of the water and sewer rate ordinance heretofore enacted by the Town Council of the ·Town of Sneads on February 3, 1975, and December 19, 1983, is hereby amended to read as follows:

**PAYMENT OF FEES AND BILLS REQUIRED.**
Bills for the monthly charges and fees hereinbefore mentioned shall be submitted and shall be payable on the 15th day of each month and if such monthly bill shall be and remain unpaid on or after the 15th day of such month for such service, a **$10** penalty shall be imposed and be added to said bill, and if such monthly bill shall be and remain unpaid on or after the 20th day of such month for such services, a penalty fee of **$25** shall be imposed and be added to said bill, and, the water service
to the consumer shall be subject to disconnect. If services are discontinued a reconnect fee of **$20** shall be imposed and services shall not be reconnected after discontinuance until all past due bills are fully paid, together with said $10 penalty, $25 penalty fee, and $20 reconnect fee.

**PRESENTED, Read, and Tabled** pending publication on __ day of _____, 2024.

**Passed, Approved and Adopted** this ___ day of_____, 2024, at a regular meeting of the Town of Sneads, Town Council.

_____

Mike Weeks, Council President

_____

Attest: Sherri B Griffin, Town Clerk

**ORDINANCE NO. 2024-06**

**AN ORDINANCE OF THE TOWN OF SNEADS, FLORIDA, MUNICIPAL CODE ENTITLED "UTILITY FEE STRUCTURE" PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Sneads, Florida, is concerned with the orderly development of utilities within the Town of Sneads, Florida.

**NOW THEREFORE**, be it enacted by the Town of Sneads, Florida:

**SECTION 1.** The attached "utility fee structure" shall constitute the Town Utility Ordinance.

**SECTION 2.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall become effective upon its adoption.

**PRESENTED, read, and tabled** pending publication on this _____ day of _____, 2024.

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the Town Council of the Town of Sneads, Florida, this _____ day of _____, 2024.

_____
Mike Weeks, Council President

ATTEST:

_____
Sherri Griffin, Town Clerk

## SECTION 1. UTILITY FEE STRUCTURE

(a) **WATER TAP FEES**, all new residential dwellings connecting to the Town water system shall pay a water tap fee of $500. All commercial or industrial business shall pay a water tap fee of $600. These are for 5/8 meters, larger taps will be at the above prices, plus cost, plus 15%.

(b) **SEWER TAP FEES,** all new residential dwellings connecting to the Town wastewater system shall pay a sewer tap fee of $1000. All commercial or industrial business shall pay a sewer tap fee of $1100. These are for 5/8 meters, larger taps will be at the above prices, plus cost, plus 15%.

(c) **METER INSTALLATION**, all new connections shall pay a meter installation fee in addition to the above tap fees, and any dwelling needing to have a meter installed shall pay a meter installation fee of $250.

(d) **SEWER LOCATE,** any customer needing the Towns help in locating their sewer tap, shall pay a sewer locate fee of $250.

(e) **RESIDENTIAL, COMMMERCIAL AND INDUSTRIAL DEPOSITS,** all residential customers shall pay a meter deposit of $300. All commercial and industrial customers shall pay a meter deposit of $400.

(f) **RECONNECTING FEE,** any customer who has services disconnected for failure of payment shall pay a reconnection fee of $20. After hours, for emergencies only, and at the discretion of the Town Manager or Town Clerk reconnecting fee is $50. All fees must be paid in full, before reconnecting.

(g) **ACCOUNT TRANSFER**, any customer who requests transfer of an account shall pay $50.

(h) **RETURNED CHECK/ CREDIT CARD/ ACH CHARGE**. Any customer who has a check returned, credit card or ACH return for any reason shall pay a fee of $35.

(i) **ANNUAL INSPECTION,** each commercial customer shall pay an Annual Inspection fee of $75. If device needs to be repaired, customer will be charged cost, plus 15%.

(j) **BULK WATER SALES,** any customer needing bulk water shall pay a base rate of $35, plus $3.50 per 1,000 gallons

# ORDINANCE NO. 2024-07

## AN ORDINANCE AMENDING THE ORDINANCE HERETOFORE ENACTED BY THE TOWN COUNCIL OF THE TOWN OF SNEADS TO CHANGE THE MONTHLY CHARGES FOR WATER AND SEWER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town of Sneads provides water and sewer services to citizens of and businesses located within the town limits, and to certain customers outside the town limits, and

**WHEREAS**, those receiving these water and sewer services are obligated to pay for the same, so that such services are self-sufficient and self-supporting, and

**WHEREAS**, the Town Council finds that the current rates it charges for these water and sewer services are insufficient, and desires to revise the same.

**NOW THEREFORE,** BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SNEADS, AS FOLLOWS:

**SECTION 1.** Section 5. RATES shall be amended as follows:

(A) A rate schedule shall be adopted by the Town Council providing for the following residential and commercial user rates. Until modified by subsequent Ordinance duly adopted, the following rate schedule shall be effective beginning November 1, 2024:

Residential Users: Water base rate $16 and $2.80 per 1,000. Sewer base rate $30 and $3 per 1,000.

Commercial Users: Water base rate $19 and $3 per 1,000. Sewer base rate $35 and $ 4 per 1,000.

**If not metered, both residential and commercial customers sewer usage will be based on gallons of water used.**

(B) The Town reserves the right to increase the monthly service charge and volume charge as provided above on October 1st of each year.

(C) The Town reserves the right to enter into contracts with large users of water and/or sewer services for the purpose of setting and determining a monthly charge or rate for the use of such services, which monthly rate or charge may be computed upon a different basis than set forth in the paragraph(s) immediately preceding. Such contracts shall be entered into by means of a resolution duly adopted by the Town Council.

**SECTION 2**. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 3**. This Ordinance hereby repeals all Ordinances or parts of Ordinances in conflict herewith.

**SECTION 4.** The effective date of this Ordinance shall be immediately upon its passage by the Town Council on second reading.

**PRESENTED, read, and tabled** pending publication on this _____ day of _____, 2024.

**PASSED, APPROVED AND ADOPTED** this _____ day of _____, 2024, by the Town Council of the Town of Sneads, Florida at a regular meeting.

_____

Mike Weeks, Council President

ATTEST:

_____

Sherri Griffin, City Clerk

**Town of Sneads**
**PO Drawer 159**
**Sneads, Florida 32460**
**PH (850) 593-6636 Fax (850)593-5079**
**Email: Sneadsmgr@sneadsfl.com**

September 2024 Managers Notes

1. Lift station # 4 easement (our last hurdle to begin construction) is completed/recorded. Waiting for equipment which has been ordered to begin work. Should be soon.
2. Received call from Tallahassee on 9/6. The deed for the park is done and is being sent by FedEx to the town to get recorded. It is now officially the towns, and we can apply for grants for park improvements.
3. Made decision on T-Mobile Lease. $500,000 paid in two yearly installments of $25,000 each for 10 years. This gave us the most monetary return. Will begin process this week.
4. Bid opening on 9/5/24, for demolition of property on Old Spanish Trail.
5. Bid notice out for Gloster and Dodson Park. Bid opening on October 10.
6. Applied for secondary grant (in addition to the beautification grant) with Apalachee Regional Planning Council in Tallahassee for equipment (tractor, lawn mowers, weed eaters, edgers and blowers). Also, have grant pending for water well head and electrical panel. Should know results soon.
7. Dept. of Agriculture grant to light one ball field is back on thanks to Andrew Kalel's political contacts and Hunter is working with companies to get this started ASAP.
8. Getting close to road paving projects to begin. Contract awarded and pre-construction meeting set for September 18.
9. The boat race was a success. Not as big as previous years due to rescheduling due to weather and being close to school starting. Met with race leaders and we are going to move it next year to June to avoid hurricane season and it should not be quite as hot. They felt it was better and participation would be greater.
10. Working with Hunter Potts on a new FRDAP grant to hopefully fix several of the issues at the ballpark that have been unresolved since the hurricane.
11. Hunter Potts and I applied earlier this month for a RIF-rural infrastructure fund grant for over 1.2 million for improvements to the park at Lake Seminole.
12. Sent out several nuisance ordinance letters. Getting positive response from some---more action needed on others.
13. Checked with the State of Florida to see if the addition of ACI inmate population, if annexed, would increase our state revenues such as gas tax, revenue sharing. They indicated state inmates were subtracted from the local population and do not figure into revenues local municipalities receive from the state.

**8/13 – 9/10/ 2024**

**Arrests – 5**

**Traffic stops – 78**

**Suspicious Persons / incidents – 6**

**Animal complaints – 8**

**Traffic Crash – 4**

**Juvenile – 0**

**Baker Act – 1**

**Assist other Agency – 10**

**Trespass issued - 1**