

RESOLUTION NO. 2014-04

**A RESOLUTION OF THE TOWN OF BELLEAIR, FLORIDA,
AUTHORIZING THE FILING OF LIENS FOR DELINQUENT
STORMWATER UTILITY SERVICE CHARGES.**

WHEREAS, the Town of Belleair is responsible for the ownership and maintenance of the municipal stormwater management system as set forth in Chapter 74, Article III, Division 5; Ordinances of the Town of Belleair; and

WHEREAS, Section 74-221, Ordinances of the Town of Belleair states, in pertinent part: A stormwater utility fee is hereby imposed against all improved property in the Town for services and facilities provided by the Town's stormwater management system. The Town Commission has approved scheduled ERU rate (Equivalent Residential Unit) which shall be charged monthly on all developed real property in the Town; and

WHEREAS, Section 74-222, Ordinances of the Town of Belleair establishes the rates for payment by customers for such stormwater management system; and

WHEREAS, Section 74-224, Ordinances of the Town of Belleair states that a consumer of potable water shall be rendered a bill for the stormwater utility fee at the same time and manner as for the potable water bill. Where a parcel is not a consumer of potable water the owner of the property shall be rendered bills or statements for the fees of the system, which bill or statements shall be payable at the same time and in the same manner and subject to the same penalties of a consumer of the other utilities of the Town and to pay the rates and charges imposed under the terms of this Article. Failure to pay a stormwater system utility fee shall be grounds for disconnection of all Town utility services to the entity who has failed to pay such fee; and

WHEREAS, Section 74-224, Ordinances of the Town of Belleair further states to the extent that is not prohibited by law, the Town shall have as security for the collection of stormwater system utility fees a lien upon the parcel to which the fees are attributable. Such liens shall become in full force and effect when the bill for the fee is past due and shall remain a lien until paid in full; and

WHEREAS, the following named individual(s) owns property within the Town of Belleair and uses the Town of Belleair stormwater management utility:

Daniel Petrucelli

WHEREAS, the above named individual(s) has been levied a stormwater utility fee which has not been paid within thirty (30) days of the date of billings.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, FLORIDA, THAT:

Section 1. The Town Manager is hereby authorized to file a claim of lien for unpaid stormwater utility fee on the following property:

<u>Name</u>	<u>Property Address</u>	<u>Amount of Lien</u>	<u>Time Period</u>
Daniel Petrucelli 77 Overbrook St. West Largo, FL 33770	1614 Indian Rocks Rd. Belleair, FL 28/29/15/06732/031/0170	\$ 47.68	10/10/2013

Section 2. In the event such lien is not satisfied within thirty (30) days after the filing of such claim of lien, the Town Attorney is authorized to foreclose such lien in the manner provided by the laws of the State of Florida for the foreclosure of mortgages on real property.

PASSED AND ADOPTED by the Town Commission of the Town of Belleair, Florida, this 7th day of **JANUARY, A.D., 2014.**

Deputy Mayor

ATTEST:

Town Clerk