



Kevin Madok, CPA

Clerk of the Circuit Court & Comptroller – Monroe County, Florida

April 5, 2018

Department of State
Administrative Code & Register
500 S Bronough Street
Tallahassee FL 32399-0250

To Whom It May Concern,

Attached is an electronic copy of Ordinance No. 007-2018 establishing the Property Assessed Clean Energy (PACE) Program Ordinance; providing for a title; providing for authority; providing for applicability; providing for definitions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; and providing for an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a regular meeting, held in formal session, on March 21, 2018. Should you have any questions, please feel free to contact me at (305) 292-3550.

Respectfully Submitted,

Kevin Madok, CPA, Clerk of
the Circuit Court & Comptroller &
ex-officio to the Monroe County
Board of County Commissioners

by: Pamela G. Hancock, D.C.

cc: County Administrator
County Attorney
Property Appraiser
Tax Collector
BOCC
File

KEY WEST
500 Whitehead Street
Key West, Florida 33040
305-294-4641

MARATHON
3117 Overseas Highway
Marathon, Florida 33050
305-289-6027

PLANTATION KEY
88820 Overseas Highway
Plantation Key, Florida 33070
305-852-7145

PK/ROTH BUILDING
50 High Point Road
Plantation Key, Florida 33070
305-852-7145

ORDINANCE NO. 007-2018

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ESTABLISHING THE PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM ORDINANCE; PROVIDING FOR A TITLE; PROVIDING FOR AUTHORITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, Property Assessed Clean Energy (PACE) programs have been
2 established across the country to provide mechanisms for funding energy efficiency,
3 renewable energy, and other types of improvements to residential and commercial properties;
4 and

5 **WHEREAS**, PACE programs are typically established by local governments and are
6 administered by the local government or by for-profit or not-for-profit entities; and

7 **WHEREAS**, PACE financing is repaid as an assessment on the property's regular tax
8 bill; and

9 **WHEREAS**, Section 163.08, Florida Statutes, authorizes programs, typically referred
10 to as PACE programs, that levy non-ad valorem assessments allowing property owners to
11 apply to local governments for financing certain energy efficiency, renewable energy and
12 wind resistant improvements; and

13 **WHEREAS**, Section 163.08, Florida Statutes, provides that properties retrofitted
14 with energy-related qualifying improvements benefit from reduced energy consumption,
15 reduced potential for wind damage, and assist in the fulfillment of the state's energy and
16 hurricane mitigation policies; and

17 **WHEREAS**, the PACE assessment is collected pursuant to Florida's uniform
18 method for the levy, collection and enforcement of non-ad valorem assessments, Section
19 197.3632, Florida Statutes; and

20 **WHEREAS**, the Board of County Commissioners intends to establish qualifications
21 and consumer protection disclosure requirements for PACE programs that provide financing
22 for qualifying improvements in accordance with Section 163.08, Florida Statutes, and
23 provisions of this ordinance; and

1 **WHEREAS**, it is the intent of the County to enter into interlocal agreements with
2 multiple PACE agencies/authorities/districts to encourage competition and provide more
3 choices for property owners; and

4 **WHEREAS**, the Board of County Commissioners acknowledges the Florida
5 Legislature’s finding that there is a compelling state interest in enabling property owners who
6 wish to undertake such improvements and to enable property owners to voluntarily finance
7 such improvements with local government assistance and finds that creation of a PACE
8 program will serve the public health and welfare of the citizens of Monroe County; and

9 **WHEREAS**, the Board of County Commissioners has conducted a duly noticed
10 public hearing to consider this Ordinance in accordance with Section 125.66, Florida
11 Statutes; and

12 **WHEREAS**, the Board of County Commissioners of Monroe County, pursuant to its
13 authority under the Florida Constitution, Article VIII, Section 1(f) and Section 125.01,
14 Florida Statutes-hereby adopts the Monroe County Property Assessed Clean Energy (PACE)
15 Ordinance.

16 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
17 **COMMISSIONERS OF MONROE COUNTY, FLORIDA, that:**

18 **Section 1. TITLE:**

19 This Ordinance shall be titled the “Monroe County Property Assessed Clean Energy
20 (PACE) Ordinance.”

21 **Section 2. AUTHORITY:**

22 This article is adopted pursuant to the authority granted to non-charter counties under
23 Article VIII, Section 1(f) of the Florida Constitution and Chapter 125, Florida Statutes.

24 **Section 3. APPLICABILITY:**

25 This Ordinance shall be applicable within the unincorporated areas of Monroe County,
26 and in all municipalities that have not adopted an ordinance governing any or all of the subject
27 matter of this Ordinance, regardless of the time of passage of the municipal ordinance.

28 **Section 4. DEFINITIONS:**

29 For purposes of this Ordinance, the following words and phrases shall have the
30 following meanings:

- 31 (1) *Board or County* is the Monroe County Board of County Commissioners.
32 (2) *Financing Agreement* shall mean the financing agreement or the summary memorandum

1 of such agreement the property owner signs establishing terms and conditions for the
2 financing of qualified improvements which is required to be recorded in the public
3 records pursuant to the PACE Statute.

4 (3) *Qualifying Improvements* includes energy conservation and efficiency, renewable
5 energy, and wind resistance improvements as defined by Section 163.08, Florida
6 Statutes, as may be amended by law.

7 (4) *PACE assessment* shall mean the non-ad valorem assessment placed on a property
8 owner's tax bill as a result of financing obtained pursuant to this Ordinance.

9 (5) *PACE agencies/authorities/districts* shall mean one or more local governments defined
10 in Section 163.08(2)(a), Florida Statutes, authorized by Monroe County to offer PACE
11 financing for qualifying improvements.

12 (6) *PACE Program* shall mean the County's provision through interlocal agreements with
13 PACE agencies/authorities/districts offering financing for qualifying improvements as
14 approved by the State of Florida pursuant to Section 163.08, Florida Statutes, further
15 refined in this ordinance, as may be amended by law.

16 (7) *PACE Statute* shall mean Section 163.08, Florida Statutes and all future amendments
17 thereto.

18 (8) *Residential Property* shall mean a residential property consisting of four (4) or less
19 residential units.

20 (9) *Non-Residential Property* shall mean commercial, industrial, agricultural and residential
21 properties consisting of five (5) or more residential dwelling units.

22 **Section 5. PACE PROGRAM AUTHORIZATION:**

23 (1) PACE agencies/authorities/districts offering financing for Qualifying Improvements
24 pursuant to this ordinance shall be approved by the County and authorized through
25 interlocal agreements to provide financing subject to the requirements of this ordinance
26 and the PACE Statute. The interlocal agreements shall include specific terms and
27 conditions for PACE agencies/authorities/districts to operate within Monroe County.

28 (2) PACE agencies/authorities/districts desiring to provide financing pursuant to this
29 ordinance shall provide sufficient documentation as requested by the County to provide
30 reasonable assurance that the requirements of this ordinance and the PACE Statute can be
31 met by the PACE agency/authority/district.

1 (3) All PACE programs shall be administered and operated in compliance with applicable
2 Federal, State and local law.

3 **Section 6. DISCLOSURE REQUIREMENTS:**

4 (1) In addition to any disclosure requirements in the PACE Statute, PACE
5 agencies/authorities/districts that extend financing pursuant to the PACE Statute and levy
6 non-ad valorem assessments to fund the qualifying improvements shall present to the
7 property owner a separate, written notice disclosing the following ("Notice"):

8 (a) The estimated total amount of the debt, including amount financed, fees, fixed
9 interest rate, capitalized interest and the effective rate of the interest charged
10 ("Annual Percentage Rate" or "APR");

11 (b) That PACE agencies/authorities/districts may only offer fixed simple interest rates
12 and payments that fully amortize the obligation. Variable or negative amortization
13 financing terms are not permitted. Capitalized interest included in the original balance
14 of a PACE financing does not constitute negative amortization.

15 (c) The repayment process and terms, amounts and a schedule that fully amortizes the
16 amount financed including the estimated annual PACE assessment;

17 (d) That the PACE assessment will appear on the property owner's tax bill;

18 (e) That there is no discount for paying the PACE assessment early;

19 (f) The nature of the lien recorded and that the PACE assessment will be collected in the
20 same manner as real estate taxes. That failure to pay the PACE assessment may cause
21 a tax certificate to be issued against the property, and that failure of payment thereof
22 may result in the loss of property subject to the PACE assessment, including
23 homestead property, in the same manner as failure to pay property taxes;

24 (g) The specific improvements to be financed and installed and that such improvements
25 and PACE assessment may or may not affect the overall value of the property;

26 (h) A PACE assessment payment term that does not exceed the useful life of the
27 improvements;

28 (i) Prepayment;

29 i. The PACE agencies/authorities/districts shall provide to the Eligible Participant
30 information as to any accrued interest that may be due upon early payment

31 ii. No prepayment fees may be charged or allowed on residential projects or on non-
32 residential projects where the total PACE funding does not exceed \$75,000.00. The

1 PACE agencies/authorities/districts shall provide a mechanism for re-amortization of
2 PACE assessments to account for partial pre-payment, particularly for application of
3 tax credits, rebates, or other incentives.

4 iii. For non-residential property where total PACE funding exceeds \$75,000,
5 prepayment fees may be charged or imposed to the extent permitted by applicable
6 law, as negotiated with the property owner, and providing such prepayment fees, any
7 accrued interest and any other costs related to the prepayment are clearly disclosed
8 and agreed to by the property owner in writing.

9 (j) Notice that the property owner may be required to pay any PACE assessment in full
10 at the time of refinance or sale of the property; and

11 (k) The 3-day right to cancel the financing.

12 (2) The Notice must be delivered to the property owner by the PACE
13 agency/authority/district and must be signed and dated by the property owner prior to or
14 contemporaneously with the property owner's signing of any legally enforceable
15 documents under the PACE program. The property owner and the PACE
16 agency/authority/district must keep the signed Notice with the property owner's executed
17 financing agreement.

18 (3) The PACE agency/authority/district shall record, or cause to be recorded, the financing
19 agreement or a summary memorandum of the financing agreement, in accordance with
20 Section 163.08(8), Florida Statutes.

21 **Section 7. ELIGIBLE PROPERTIES/PROGRAM REQUIREMENTS:**

22 (1) As defined in the PACE Statute, PACE agencies/authorities/districts that extend
23 financing pursuant to the PACE Statute and levy non-ad valorem assessments to fund the
24 qualifying improvements shall comply with the following:

25 (2) Residential Property. PACE agencies/authorities/districts may finance qualifying
26 improvements on Residential Properties provided they comply with the following criteria
27 inclusive of all eligibility criteria listed in the PACE Statute and all future amendments
28 thereto, along with additional consumer protections.

29 (a) Without the consent of the holders or loan servicers of any mortgage encumbering or
30 otherwise secured by the property, the total amount of any non-ad valorem
31 assessment for a property under the PACE Statute may not exceed twenty percent

1 (20%) of the just value of the property as determined by the county property
2 appraiser, excepted as otherwise provided by statute; and

3 (b) All property taxes and other assessments levied on the property tax bill have been
4 paid and have not been delinquent for the preceding three years, or the property
5 owner's period of ownership, whichever is less; and

6 (c) There are no involuntary liens, including but not limited to construction liens on the
7 property; and

8 (d) No notices of default or other evidence of property-based debt delinquency have been
9 recorded during the preceding three years, or the property owner's period of
10 ownership, whichever is less; and, additionally

11 (e) All mortgage debt on the property is current and not delinquent; and

12 (f) All mortgage-related debt on the underlying property may not exceed 90% of the
13 property's fair market value ("FMV"); and

14 (g) The total mortgage-related debt on the underlying property plus the PACE program
15 financing may not exceed the FMV of the property.

16 (3) Non-Residential Properties. PACE agencies/authorities/districts may finance Qualifying
17 Improvements on Non-Residential Properties provided they comply with the
18 requirements set forth in the PACE Statute and all future amendments thereto and
19 inclusive of those listed under Section 7(2)(a-d) of this Ordinance.

20 (4) Qualifying Improvements. The PACE agency/authority/district will finance energy
21 efficiency, renewable energy and wind resistant improvements that are permanently
22 affixed to the property as more specifically described in the PACE Statute. All
23 improvements and products should identify efficiency standards established by the U.S.
24 Department of Energy, the U.S. Environmental Protection Agency, or Florida state
25 agencies as applicable. All qualifying improvements must comply with the PACE
26 Statute for energy efficiency, renewable energy and wind resistance or other
27 improvements as permissible by law. PACE agencies/authorities/districts shall establish
28 procedures confirming that the property owner applying for financing through the PACE
29 agency/authority/district intends to install eligible products, and that at the time of
30 funding such improvements have been installed.

31 (5) Inquiries and Complaints.

32 (a) The PACE agency/authority/district shall be required to receive, manage, track,

1 timely resolve and report on complaints from property owners regarding the funded
2 work performed by the contractors. The PACE agency/authority/district shall
3 investigate and mediate disputes between property owners and contractors in a timely
4 manner.

5 (b) Payment inquiries. The PACE agency/authority/district shall be required to respond
6 to inquiries and resolve any issues in a timely manner, related to payments, including
7 but not limited to prepayments and payment reconciliation.

8 (c) Review. In the event that ten percent or more of a PACE
9 agency's/authority's/district's projects result in complaints or disputes, or such
10 complaints or disputes remain unresolved six months after completion of a project,
11 the County may review the PACE agency's/authority's/district's handling of
12 complaints and may request corrective actions or initiate suspension proceedings
13 pursuant to Section 7(13).

14 (6) Data Security. The PACE agency/authority/district is responsible for taking security
15 measures that protect the security and confidentiality of consumer records and
16 information in proportion to the sensitivity of the information, and as required by state
17 and federal law.

18 (7) Consumer Privacy. The PACE agency/authority/district must develop and maintain a
19 privacy policy that complies with state and federal law and, in particular, shall provide a
20 property owner the ability to opt-out of having the property owner's information shared
21 with third parties, except where expressly permitted by state and federal law.

22 (8) Marketing and Communications. Marketing practices for a PACE
23 agency/authority/district that are or could appear to be unfair, deceptive, abusive, or
24 misleading, or that violate applicable laws or regulations, that are inappropriate,
25 incomplete or are inconsistent with the PACE agency's/authority's/district's purpose are
26 prohibited. Neither the PACE agency/authority/district nor their contractors shall use
27 facsimiles of the County, any municipality, Property Appraiser, or Tax Collector logos in
28 their marketing materials. Marketing materials shall not state that PACE: (i) is a free
29 program; (ii) is administered by the County or a municipality; (iii) does not involve a
30 financial obligation by the property owner; (iv) receives any type of tax treatment unless
31 consistent with the Internal Revenue Code or any tax agency opinion; or (v) is a form of
32 public assistance.

1 (9) Protected Classes. The PACE agency/authority/district shall not discriminate against
2 individuals on the basis of race, color, ancestry, disability, national origin, religion, age,
3 familial status, marital status, sex, gender, sexual orientation, gender identity and
4 expression, or genetic information.

5 (10) Contractor Management.

6 (a) Any work under a PACE agency/authority/district requiring a license under any
7 applicable law to make a qualifying improvement shall be performed by a contractor
8 properly licensed, certified or registered pursuant to state law.

9 (b) Contractors performing work under a PACE agency/authority/district shall comply
10 with each of the following conditions: (i) Be licensed and insured pursuant to the
11 applicable statutory requirements; (ii) Agree to comply with all program requirements
12 and marketing guidelines; (iii) Act in good faith to timely resolve property owner
13 complaints.

14 (c) PACE programs shall have and shall strictly enforce anti-kickback policies and
15 procedures that prohibit direct financial or other monetary incentives to contractors in
16 exchange for or related to such contractor being awarded work under a PACE
17 program, excepting payment for the contractor's installation of eligible improvements.

18 (d) The PACE agency/authority/district shall adhere to, or require contractor's
19 compliance with, the following standards:

20 (i) Training on PACE Program requirements;

21 (ii) Evaluation of background or time in business;

22 (iii) All PACE program rules or criteria and applicable law including local
23 regulations;

24 (iv) Installation of only approved or eligible products;

25 (v) Contractor cooperation in dispute resolution with property owners; and,

26 (vi) Contractor monitoring for performance and termination for non-compliance.

27 (11) Financing. The PACE agency/authority/district will establish pricing rules and
28 enforcement mechanisms to ensure property owners are protected from excessive or
29 unjustified prices and charges. In addition, the PACE agency/authority/district shall
30 require compliance with each of the following conditions prior to the issuance of any
31 funding to the contractor:

32 (a) Contractors have certified that any necessary permits have been obtained;

- 1 (b) Verification that the qualifying improvements have been installed;
- 2 (c) The property owner and the contractor have signed a final inspection and/or
- 3 certificate of completion that all improvements have been installed to the property
- 4 owner's satisfaction.

5 (12) Reporting. Each PACE agency/authority/district shall provide a report to the County
6 on a quarterly calendar basis, which shall include, at a minimum, the following
7 information:

- 8 (a) Dates of the reporting period;
- 9 (b) List of PACE projects (including addresses including municipal jurisdiction, financed
10 amount, interest rate, assessment duration, and project description) started during the
11 reporting period, separated by building type (e.g., single family, multifamily, retail,
12 office, industrial, etc.);
- 13 (c) List of PACE projects (including addresses including municipal jurisdiction)
14 completed during the reporting period, separated by building type project (e.g., single
15 family, multifamily, retail, office, industrial, etc.), specify; (1) the qualifying
16 improvements made; (2) project start date and completion date; (3) the projected
17 energy savings and/or amount of potential renewable energy to be generated; (4)
18 financial information such as cost per kilowatt hour saved/generated; (5) other
19 resource savings if data is available; and (6) audits performed detailing the audit
20 results, if applicable to the project;
- 21 (d) Number of actual or estimated jobs created during the reporting period, including
22 local versus non-local jobs and permanent versus temporary jobs;
- 23 (e) Number of applications declined during the reporting period;
- 24 (f) Unresolved complaints and/or contractor issues and status; and
- 25 (g) Description of the standardized third-party methodologies and supporting
26 assumptions used to verify data, and any changes in the methodologies and
27 assumptions from the previous reporting period.

28 (13) Suspension or Termination of PACE agency/authority/district. In the event any PACE
29 agency/authority/district fails to incorporate and continually provide for all of the
30 foregoing service components or to otherwise abide by the provisions of this Ordinance,
31 and applicable Federal, state or local law, and/or the interlocal agreement, the County, in
32 its sole discretion, may suspend or terminate the interlocal agreement and support of the

1 County at any time upon written notice to that PACE agency/authority/district. Any
2 project that has been initiated as of the time of suspension or termination shall be
3 permitted to be completed.

4 **Section 8. REPEAL OF LAWS IN CONFLICT:**

5 All local laws and ordinances in conflict with any provisions of this Ordinance are
6 hereby repealed to the extent of such conflict.

7 **Section 9. SEVERABILITY:**

8 If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for
9 any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative, or
10 void, such holding shall not affect the remainder of this Ordinance.

11 **Section 10. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:**

12 The provisions of this Ordinance shall become and be made a part of the Monroe
13 County Code. The sections of this Ordinance may be renumbered or relettered to accomplish
14 such, and the word Ordinance may be changed to section, article, or other appropriate word.

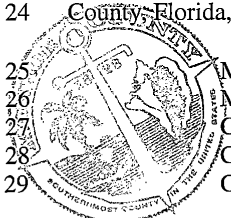
15 **Section 11. CAPTIONS:**

16 The captions, section headings and section designations used in this Ordinance are for
17 convenience only and shall have no effect on the interpretation of the provisions of this
18 Ordinance.

19 **Section 12. TRANSMITTAL AND EFFECTIVE DATE:**

20 This Ordinance shall be filed with the Department of State and shall be effective as
21 provided in section 125.66(2), Florida Statutes.

22
23 **APPROVED and ADOPTED** by the Board of County Commissioners of Monroe
24 County, Florida, on this the 21st day of March, 2018.



25 Mayor David Rice Yes
26 Mayor Pro Tem Sylvia Murphy Yes
27 Commissioner Danny Kolhage No
28 Commissioner George Neugent Yes
29 Commissioner Heather Carruthers Yes

FILED FOR RECORD
2018 APR - 5 AM 11: 57
CLERK CIR. CT.
MONROE COUNTY, FL

30 **KEVIN MADOK, CLERK**

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

31
32
33 By: *Kevin Madok*
34 **Deputy Clerk**

By: *David Rice*
David Rice, Mayor

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM
Cynthia L. Hall
CYNTHIA L. HALL
ASSISTANT COUNTY ATTORNEY
Date 4-3-2018

THE REPORTER

Published Weekly
Tavernier, Monroe County, Florida


PROOF OF PUBLICATION

STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared RICHARD TAMBORRINO who on oath, says that he is PUBLISHER of THE REPORTER, a weekly newspaper published in Tavernier, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

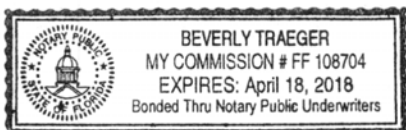
March 9, 2018.

Affiant further says that the said THE REPORTER is a newspaper published at Tavernier, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, each week (on Friday) and has been entered as a second class mail matter at the post office in Tavernier, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The THE REPORTER is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.


Richard Tamborrino, Publisher

Sworn to and subscribed before me this
9 Day of March, 2018


Notary
(SEAL)



Ad# 0003554469

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, March 21, 2018, at 3:00 P.M., or as soon thereafter as may be heard, in the Murray E. Nelson Government Center, 102050 Overseas Highway, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ESTABLISHING THE PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM ORDINANCE; PROVIDING FOR A TITLE; PROVIDING FOR AUTHORITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

Dated at Key West, Florida, this 2nd day of March, 2018.

KEVIN MADOK, Clerk of the Circuit Court (SEAL) and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

Published March 9, 2018
The Reporter

NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **Wednesday, March 21, 2018, at 3:00 P.M.**, or as soon thereafter as may be heard, in the **Murray E. Nelson Government Center, 102050 Overseas Highway, Key Largo, Monroe County, Florida**, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ESTABLISHING THE PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM ORDINANCE; PROVIDING FOR A TITLE; PROVIDING FOR AUTHORITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

Dated at Key West, Florida, this 2nd day of March, 2018.

KEVIN MADOK, Clerk of the Circuit Court (SEAL) and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

Published March 7, 2018
Florida Keys Keynoter

FLORIDA KEYS
KEYNOTER

Published Twice Weekly
Marathon, Monroe County, Florida

PROOF OF PUBLICATION

**STATE OF FLORIDA
COUNTY OF MONROE**

Before the undersigned authority personally appeared **RICHARD TAMBORRINO** who on oath, says that he is **PUBLISHER** of the **FLORIDA KEYS KEYNOTER**, a twice weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

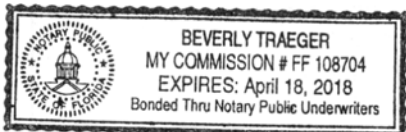
March 7, 2018

Affiant further says that the said FLORIDA KEYS KEYNOTER is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, twice each week (on Wednesday and Saturday) and has been entered as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Florida Keys Keynoter is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

[Signature]
Richard Tamborrino, Publisher

Sworn to and subscribed before me this 9 Day of March, 2018

[Signature]
Notary (SEAL)



NOTICE OF INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on Wednesday, March 21, 2018, at 3:00 P.M., or as soon thereafter as may be heard, in the Murray E. Nelson Government Center, 102050 Overseas Highway, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ESTABLISHING THE PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM ORDINANCE; PROVIDING FOR A TITLE; PROVIDING FOR AUTHORITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decides to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

Dated at Key West, Florida, this 2nd day of March, 2018.

KEVIN MADOK, Clerk of the Circuit Court and ex officio Clerk of the Board of County Commissioners of Monroe County, Florida

March 7, 2018
Key West Citizen

KEY WEST
CITIZEN
Newspaper, Est. 1876
Media Group, LLC

STATE OF FLORIDA
COUNTY OF MONROE

Before the undersigned authority personally appeared Paul Clarin, who on oath says that he is Publisher of the Key West Citizen, a daily newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of

Notice of Intent to Adopt
Ordinance - PACE Program

was published in said newspaper in the issue(s) of

March 7, 2018

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida every day, and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

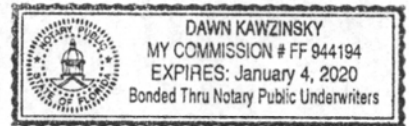
[Signature]
Signature of Affiant

Sworn and subscribed before me this 7 day of March, 2018

Notary Public:

[Signature]

Dawn Kawzinsky
Expires: 1/4/2020



Notary Seal

Personally Known x Produced Identification _____
Type of Identification Produced _____