

Use of “On Duty” Village Police Officers in Devonwood

Option 1: Transfer of Devonwood’s Taxing District (the “District”)

1. Devonwood’s property owners association (the “Association”) would need to request the County to amend the District’s Ordinance to permit “on duty” Village police officers to provide the service. The Ordinance may also need to be amended to address the appropriate hours the Association would like the service to occur.
2. The Association will need to send a letter to the Village requesting the transfer of jurisdiction of the District from the County to the Village.
3. The Village Council will need to pass a Resolution accepting the transfer of jurisdiction.
4. The County will need to pass a Resolution authorizing the transfer of jurisdiction.
5. The Devonwood property owners will need to have an election approving the transfer of the District to the Village. This election will occur by mail in ballot.
6. Once approved, the Village will need to place the assessment on the tax roll and start providing the service.

Option 2: Establish a Devonwood Special Neighborhood Improvement District

Generally

- The Village must adopt a planning ordinance, authorizing such districts.
- A referendum must be held to establish each district.¹
- Request county approval prior to the referendum.

Referendum

- The Village Clerk must certify the petition and compile the list of registered voters within the proposed district.
- The Village Clerk must provide notification (mail and newspaper) to electors of the referendum.
- The Village Clerk must mail a ballot to each elector presenting the referendum question.
- The referendum by mail in ballot must be held within 120 days of the petition’s submission.

Assuming a Successful Referendum

- (Optional) Request a grant from the Safe Neighborhoods Program, to prepare a safe neighborhood improvement plan for the district.

¹ There are two ways to trigger a referendum: 1) the Village may enact a separate ordinance declaring need or 2) property owners within the proposed district submit a petition to the Village Clerk. Fla. Stat. §163.511(1)(b). This document assumes the property owners within the proposed district will petition for the district referendum.

- The district must notify the Department of Legal Affairs and the Department of Economic Opportunity of its establishment within 30 days of its creation.
- Within 30 days of the district's approval, the Village must appoint three directors, who are residents of the district, to form the district board for staggered terms of three years. The Village will make future board appointments in like manner.
- (Optional) The district may employ a manager.
- Create a safe neighborhood improvement plan. The Village or the district, subject to the village's final approval, may prepare the plan.
- The district will have the authority to contract with county or Village government for increased levels of law enforcement protection and security.
- The district may levy an ad valorem tax on real property and personal property up to 2 mills annually.
- The district may, subject to referendum approval, make and collect special assessments to pay for improvements to the district.
- District funds will be held in a separate Village account, to be disbursed by direction of the district.
- A referendum must occur at least once every ten years in order for the district to remain in existence.