



TOWN OF LAKE HAMILTON

TOWN COUNCIL SPECIAL MEETING AGENDA DECEMBER 29, 2016 4:00 P.M.

The Town Council of the Town of Lake Hamilton will hold a Regular Council Meeting on Thursday, December 29, 2016 at 4:00 PM in the Council Chambers at Town Hall, 100 Smith Avenue, Lake Hamilton, FL 33851.

CALL TO ORDER

INVOCATION –

PLEDGE OF ALLEGIANCE/ROLL CALL

IV. SPECIAL MEETING BUSINESS

- A. PUBLIC HEARINGS:
 - a. Second Reading Ordinance 2016-09 Security Alarm System Policy (1-4)
 - b. Second Reading Ordinance 2016-10 Imposing Temporary Moratorium related to Medical Marijuana (5-8)
 - c. Second Reading Ordinance 2016-11 Align Election Dates for Municipal Elections (9-18)
- B. Renew Polk County Fire Department Lease Agreement (19-21)
- C. SR 17 Sewer continued discussion (22-23)

ADJOURNMENT

IF A PERSON DESIRES TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE WHICH THE APPEALS IS TO BE BASED. (F.S. 286.26.105)

ORDINANCE NO.: 2016-11

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE LAKE HAMILTON CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, MAYOR AND TOWN COUNCIL, SECTION 2-12, ELECTED OFFICIALS, TO ALIGN THE ELECTION DATE FOR THE MAYOR WITH THE ELECTION DATES OF COUNCIL SEATS 2 AND 4; AND PROVIDING FOR AN ORDERLY TRANSITION BY EXTENDING THE CURRENT TERM OF THE MAYOR TO CORRESPOND WITH THE NEW ELECTION CYCLE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 2.02 of the Town Charter of the Town of Lake Hamilton, provides the nomination, election, and qualification for the office of the Mayor and Members of the Town Council shall be as provided by Town Ordinance; and

WHEREAS, Section 100.3605(2), Florida Statutes, provides the governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes; and

WHEREAS, the Town presently holds elections each and every year, and the accompanying costs associated with notice requirements and general election administration result in a considerable cost to the taxpayers of the Town; and

WHEREAS, the Town Council desires to streamline its election process, such that the Mayoral elections that would occur in 2018 and every three years thereafter, will be re-aligned with the election of Council seats 2 and 4, and will take place in 2019 and every three years thereafter; and

WHEREAS, in order to provide for an orderly transition of election dates, the Town Council deems it in the best interest of the Town to extend the term of the Mayor such that the next Mayoral election will take place in 2019, rather than 2018.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, as follows:

SECTION 1. Chapter 2, Administration, Article II, Mayor and Town Council, Section 2-19. Elected Officials is hereby amended and shall read as provided in Exhibit "A" attached hereto and made a part hereof (~~striketrough~~ language deleted, underline language added).

SECTION 2. It is the intent of the Town Council that the provisions of this Ordinance shall become codified and made a part of the Code of Ordinances of the Town of Lake Hamilton, Florida, and the sections of this Ordinance may be renumbered, reformatted or re-lettered to accomplish such intention.

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

SECTION 4. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any part hereof, not so declared to be invalid.

SECTION 5. This ordinance shall take effect immediately upon its adoption by the Town Council.

INTRODUCED on first reading this 6th day of December, 2016

PASSED on second reading this 29th day of December, 2016

TOWN OF LAKE HAMILTON, FLORIDA

Marlene M. Wagner, Mayor

Attest with Seal:

Sara Irvine, Town Clerk

Approved as to Form:

Heather R. Christman, Town Attorney

Ordinance No.: 2016-11
Exhibit "A"
(~~strikethrough~~ language deleted, underline language added)

Sec. 2-19. Elected officials.

- (a) The government of the town shall be vested in the following elected officers:
 - (1) The mayor, whose term of office shall be three years; and
 - (2) A town council consisting of four members, each councilmember having a term of three years. For purposes of F.S. §100.361, the mayor shall be considered to be a member of the town council.

- (b) Regular town elections shall be held on the first Tuesdays in April of any municipal election year beginning in ~~2015~~ 2017. The office of mayor shall be elected at the April ~~2015~~ 2019 election to serve for a three-year term beginning in ~~2015~~ 2019. The council seats shall be numbered one through four. Seats two and four shall be elected at the April ~~2016~~ 2019 election to serve for respective three-year terms beginning in ~~2016~~ 2019. Seats one and three shall be elected at the April 2017 election to serve for respective three-year terms beginning in 2017. The terms of all councilmembers and the mayor serving on the effective date of this ordinance are hereby extended to the dates that their successors in office are elected and seated according to the provisions of this section.

ORDINANCE 2016 - 10

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, IMPOSING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF A PHYSICAL PLANT, OPERATION OR BOTH SAID CONSTRUCTION AND OPERATION OF MEDICAL MARIJUANA TREATMENT CENTERS AND LICENSED DISPENSING ORGANIZATIONS WITHIN THE TOWN OF LAKE HAMILTON, FLORIDA FOR A PERIOD OF ONE (1) YEAR; PROVIDING FOR THE RESCISSION OR EXTENSION OF SAID MORATORIUM BY THE ADOPTION OF A SUBSEQUENT ORDINANCE, BY AN AMENDMENT TO THE TOWN'S LAND DEVELOPMENT REGULATIONS OR AS OTHERWISE MANDATED BY OPERATION OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, On November 8, 2016, Florida voters passed an amendment to the Florida Constitution, titled "Use of Marijuana for Debilitating Medical Conditions" ("Amendment 2); and

Whereas, Amendment 2 legalized the medical use of marijuana and/of cannabis ("marijuana") throughout the State of Florida for individuals with debilitating medical conditions as determined by a licensed Florida physician and authorize the registration and regulation of centers that acquire, produce and distribute marijuana for medical purposes; and

Whereas, Section 381.986, Florida Statutes, "Compassionate use of local THC and medical cannabis", authorizes qualified physicians to order low-THC cannabis or medical cannabis for qualified patients diagnosed with certain medical conditions; and

Whereas, the Florida Department of Health's Office of Compassionate Use has recently been established and charged with overseeing the regulatory infrastructure for medical cannabis in the state; and

Whereas, due to historic and longstanding legal prohibition of marijuana prior to the enactment of section 381.986, Florida Statutes the land development regulations of the Town of Lake Hamilton (hereinafter referred to as the "Town") do not address the use of real property for the purpose of cultivating, processing, distributing or selling medical marijuana, low-THC cannabis or related activities, and such use of real property have historically not existed within the Town; and

Whereas, in order to promote effective and responsible land use planning within the Town since Amendment 2 was approved by Florida voters, or if a Licensed Dispensing Organization should seek to operate within the Town, the Town Council wishes to allow for sufficient time to research, study and analyze the potential impact of Medical Marijuana Treatment Centers or approved Dispensing Organizations upon adjacent uses and the surrounding areas, traffic, congestion, surrounding property values, demand for Town services and other aspects of the public safety and welfare; and

Whereas, The Town Council finds that a temporary moratorium on the operation of Medical Treatment Centers and approved Dispensing Organizations will allow the Town a sufficient period of time to determine what uses are best suited to particular zoning categories and how best to formulate land development regulations that appropriately govern the use of real property for the purposes of cultivation, processing, distributing and/or selling marijuana or related activities.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lake Hamilton, Florida, that:

SECTION 1. Recitals Incorporated.

The above recitals are true and correct and incorporated herein.

SECTION 2. Definitions.

For the purpose of this Ordinance, the definitions set forth below shall have the following meaning.

A. Medical Marijuana Treatment Center - means an entity that acquires, cultivates, possesses (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers and is registered by the Florida Department of Health.

B. Licensed Dispensing Organizations - means an organization approved by the Florida Department of Health's Office of Compassionate Use to cultivate, process and dispense low-THC cannabis and medical cannabis from a licensed dispensing organization.

C. Qualified Patient - means a resident of the State who has been added to the Compassionate Use Registry by a physician licensed under Chapter 458 or Chapter 459, Florida Statutes to receive low-THC cannabis or medical cannabis from a licensed dispensing organization.

SECTION 3. Moratorium Imposed.

A temporary moratorium is hereby imposed on the operation of Medical Marijuana Treatment Centers and Licensed Dispensing Organizations within the Town of Lake Hamilton. While the temporary moratorium is in effect, the Town shall not accept, process or approve any application or permit relating to the operation or construction of a Medical Marijuana Treatment Center or Licensed Dispensing Organization. Nothing in this temporary moratorium shall be construed to prohibit the medical use of marijuana or low THC-cannabis by a qualifying patient, as determined by a licensed Florida physician, pursuant to Amendment 2, which was approved by Florida voters, Section 381.986, Florida Statutes or other Florida law.

SECTION 4. Rescission or Extension of Moratorium.

The Town Council of the Town of Lake Hamilton is authorized to consider and to rescind or extend the moratorium by subsequent ordinance or by an amendment to the Town's Land Development Regulations to address the use of real property for the purpose of cultivating, processing, distributing or selling medical marijuana, low-THC cannabis or related activities, unless otherwise prohibited by statute, regulation or legislative mandates.

SECTION 5. Conflicts.

In the event that the provisions of this Ordinance are in conflict with any other ordinance, then the provisions of this Ordinance shall prevail.

SECTION 6. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining sections of this Ordinance.

SECTION 7. Effective Date.

This ordinance shall become effective immediately upon adoption. The temporary moratorium enacted by this Ordinance shall terminate one (1) year from the effective date of this Ordinance unless otherwise rescinded, extended or nullified as stated in Section 4, Rescission or Extension of Moratorium.

INTRODUCED AND PASSED on first reading at Regular meeting of the Town Council on the 6th day of December, 2016.

PASSED AND ADOPTED on second and final reading at Special meeting of the Town Council of Lake Hamilton, Florida, held this 29th Day of December, 2016.

TOWN OF LAKE HAMILTON, FLORIDA

Marlene M Wagner, Mayor

Attest with Seal:

Sara Irvine, Town Administrator/Clerk

Approved as to Form:

Heather R. Christman, Town Attorney

ORDINANCE No: 2016-09

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, ESTABLISHING A POLICY FOR THE REGULATION, REGISTRATION AND USE OF SECURITY ALARM SYSTEMS WITHIN THE MUNICIPAL LIMITS; PROVIDING FOR DUTIES OF ALARM USERS AND COMPANIES; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR AN ALARM PERMIT FEE; PROVIDING FOR GOVERNMENT IMMUNITY; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Whereas, the Town of Lake Hamilton is an unincorporated municipality of the State of Florida charged with providing police public safety and emergency response service; and

Whereas, the Town Council of the Town of Lake Hamilton has determined it is in the best interest of the citizens of the Town of Lake Hamilton to implement charges for security alarm registration and permitting, excessive number of false alarms within a 365 day period, and penalties for violations of prohibited acts; and

Whereas, the registration prior to activation of new and existing alarms will enhance response time within our Police service areas; and

Whereas, excessive security system false alarm responses unduly burden and restrict law enforcement resources; and

Whereas, the regulation of alarm systems will hold the user and alarm companies monetarily accountable for prohibited acts and significantly reduce the false alarms.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lake Hamilton, Florida, that:

SECTION 1. The Town of Lake Hamilton hereby establishes a policy for the regulation, registration and use of security alarm systems within the Town limits of Lake Hamilton, as outlined in Exhibit "A" included with this ordinance.

SECTION 2. Codification: The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances. The Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 3. Severability: If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4. Conflicts: All ordinances in conflict herewith are repealed.

SECTION 5. Effective Date: The provisions of this Ordinance shall take effect immediately upon passage after second reading. One hundred twenty (120) days after enactment, the terms and conditions of this ordinance will apply to currently non-conforming alarm users. Within one hundred twenty (120) days after passage, all current alarm systems and their respective alarm users must obtain an alarm permit from the Town of Lake Hamilton; fully comply with the provisions of this Ordinance or be subject to the penalties provided herein.

INTRODUCED AND PASSED on first reading at a special meeting of the Town Council on the 6th Day of December, 2016.

ADOPTED on second and final reading at the Regular meeting of the Town Council of Lake Hamilton, Florida, held this 29th Day of December, 2016.

TOWN OF LAKE HAMILTON, FLORIDA

Marlene M Wagner, Mayor



Attest with Seal:

Sara Irvine, Town Administrator/Clerk

Approved as to Form:

Heather R. Christman, Town Attorney

I. **DEFINITIONS**

Except where the content clearly indicates a different meaning, the following words, terms and phrases shall have the meanings ascribed to them for the purpose of interpretation and administering of this ordinance:

Alarm Company - person or company that engages in selling, leasing, installing, servicing or monitoring security alarm systems and is subject to state county or municipal licensing.

Alarm Permit - a written document issued by the Town of Lake Hamilton to administer the provisions of this ordinance.

Alarm Signal - detectable audible or visual signal generated by a security alarm system.

Alarm System - device or equipment designed to signal the occurrence of fire or an illegal or unauthorized entry into a building, real property, or other activity that requires emergency personnel. Motor vehicle or boat alarms; domestic violence alarms; 911 or E911 emergency phone calls or alarms designated to elicit a medical response are excluded from this ordinance.

Alarm User - means any person; corporation; partnership; proprietorship; governmental; educational; or any other entity that owns, leases, or operates of the device protecting the property or the property upon which a security alarm is maintained and used for the protection of the premises.

Alarm User Awareness Class - means a class conducted for the purpose of educating alarm users about the responsible use, operation and maintenance of alarm systems and the problems created by false alarms.

Automatic Dial Protection Device - means an automatic telephone dialing alarm system, or any such similar system, which when activated automatically sends a recorded message or code signal to the **Lake Hamilton Police Department** to indicate law enforcement or fire personnel is needed.

Cancellation - means the post dispatch request to terminate an emergency response to a signaled alarm. Cancellation occurs when an alarm company or alarm user notifies the Town of Lake Hamilton that there is not an existing situation requiring police/fire response at the signaled alarm site.

False Alarm - means a mechanical or electronic failure, malfunction, improper installation, or user negligence causing a signal to dispatch law enforcement when no emergency situation exists. The determination will be considered false upon response with no evidence discovered to indicate an unauthorized entry, robbery or other crime.

Exclusions are inclement weather disruptions, alarm testing procedures with prior authorization, and other extra ordinary circumstances beyond control of the user.

Local Alarm - an alarm company or user installed alarm that emits an exterior on-site audible or visual signal and is NOT monitored by a remote alarm monitoring facility.

365 Day Period- means any consecutive 365 day period.

Runaway Alarm - means an alarm system that produces repeated alarm signals for no determined cause or action by a human.

SIA Control Panel Standard CP-01 - means the current and from time updated American National Standard Institute (ANSI) standard for security alarm system control panel design and related features, inclusive of arming and disarming devices to reduce false alarms. Security alarm system control panels built to this standard and tested by a nationally recognized testing organization are marked: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction.

Town - _means the Town of Lake Hamilton or its designated agent.

Verification - the attempt made by the alarm monitoring company or its representatives to contact the alarm site or user by telephone or other electronic means, but not necessarily in person. to confirm the validity of the alarm prior to dispatch. For the purpose of verification by telephone, if a first attempt at reaching the alarm user fails, the making of a second call to a different telephone number for the alarm user is minimally expected to properly authenticate the alarm signal before law enforcement dispatch is requested unnecessarily.

II. SECURITY ALARM SYSTEM REGISTRATION WITH FEE IMPOSED

(a) *Alarm Permit Required.* Prior to installation, activation, or operation of a security alarm within the city limits, any intended alarm user must first register the alarm system with the Town of Lake Hamilton by obtaining a non-transferable Alarm Permit. Each alarm system, unit or structure requires a separate permit at a fee of \$25.00 each collected at the time the application is filed. Before activating or monitoring an installed alarm, the alarm company is required to ensure an approved alarm permit has been obtained from the Town of Lake Hamilton.

(b) *Alarm Permit Term of Effectiveness.* An authorized permit shall remain in effect for until the system is no longer functioning, a change in residence occurs by the alarm user, or a change of ownership or possession of the property transpires.

(c) *Change of Address, Ownership of Possession.* In the event of a change of address, ownership or possession of the premises where an already registered and permitted alarm system is maintained, the person or entity retaining or acquiring possession and ownership of the premises shall, within thirty (30) days of said transaction occurring, file a new Alarm Permit application and pay the required registration fee to the Town of Lake Hamilton.

III. REVIEW OF FEES AND MONETARY PENALTIES

On October 1st of each year after this ordinance is initially adopted, all fees and monetary penalties imposed herein shall automatically be "indexed" to inflation by applying to each established fee and monetary penalty an incremental percentage increase in the amount equivalent to the Consumer Price Index (CPI-U) percentage increase promulgated for that year, but in any event shall not be less than the equivalent of a 2.5% annual adjustment. At no time, shall any of the fees be adjusted downward. A schedule of the Security Alarm System Control Ordinance fees and monetary penalties shall be published and maintained on file in the Town Clerk's Office.

IV. DUTIES OF THE ALARM USER

At all times, a person or entity maintaining and using an alarm system within the limits of the Town of Lake Hamilton shall:

- (a) Maintain the premises and alarm system in a manner that will reduce or eliminate false alarms;
- (b) Provide the alarm company with the permit number issued by the Town, as this will ensure proper dispatching of law enforcement or fire personnel in the event of an emergency;
- (c) Make a solemn endeavor to respond to the alarm location within thirty (30) minutes of being notified that deactivation of an alarm system, right of entry to the premises or alternative security of the premises is necessary
- (d) Only manually activate an alarm for its intended reason, to signal an event warranting law enforcement response, or to perform prior announced and approved routine maintenance as prescribed by the alarm company or system provider;
- (e) Update any existing alarm permit information when a change occurs.

V. DUTIES OF THE ALARM COMPANY

At all times, an alarm company monitoring any alarm system located within the Town limits of the Town of Lake of Hamilton shall:

- (a) Be licensed under and in compliance with the authority of Chapter 489 of the Florida Statutes;
- (b) Obtain and maintain any required state, county or city license and business tax receipts;
- (c) Provide the name, address and telephone number of the alarm company license holder or designee who can be called in an emergency at any time, 24-hours a day, and will respond to alarm call within two (2) hours of being notified of the need to do so;
- (d) Provide written notification to alarm users referencing the provisions of this Ordinance;
- (e) Provide the Town of Lake Hamilton with the most current contact information of any alarm user subscribing to the alarm company's services;
- (f) Ninety (90) days after this ordinance is enacted, only install, re-install and use alarm control panels that meet SIA Control Panel Standard CP-01;
- (g) (Prior to activating any alarm system, provide the alarm user with system use instructions and explain in detail how the system is to be safely and properly operated;
- (h) Give the alarm user written materials outlining how alarm system service is to be obtained from the alarm company;
- (i) With the exception of a video or audio recorded crime in progress, a panic alarm signal or a robbery-in-progress alarm signal, verify an alarm signal before contacting law enforcement and requesting dispatch;
- (j) Upon request, provide law enforcement with Alarm Permit numbers and available alarm signal location information; and

- (k) As soon as possible, contact the Town of Lake Hamilton to cancel law enforcement when it is determined that response to an alarm is unnecessary.

VI. PROHIBITED ACTS

It shall be unlawful for any person or company within the limits of the Town of Lake Hamilton to:

- (a) Activate an alarm system for testing, repair or maintenance that has not been announced and approved in advance;
- (b) Activate an alarm intentionally when there is not a burglary, robbery, fire, or life endangering situation occurring on the premises or to cause a false alarm as otherwise defined herein;
- (c) Install, maintain, or use an alarm system that creates an audible signal for more than ten consecutive minutes
- (d) Install, maintain or use an automatic dial protection device that reports or causes to be reported, any recorded message to the Town of Lake Hamilton Police Department
- (e) Fail to pay an assessed permit fee or monetary penalty pursuant to this ordinance.
- (f) Violate any of the provisions of this ordinance.

VII. ENFORCEMENT AND PENALTIES

- (a) Enforcement Notwithstanding anything herein to the contrary, violations of any provisions of this ordinance shall be subjected to enforcement action by the Town of Lake Hamilton as provided for by general law, and may include a code violation citation provided for by Chapter 162, Florida Statutes, or prosecution pursuant to the Town’s Code of Ordinances. Each act shall constitute a punishable violation and penalty announced here within.
- (b) Monetary and Administrative Penalties Imposed Failure to obtain a required permit, excessive number of false alarms within a 365 day period, four or more, and runaway alarms that constrict law enforcement resources, constitute a public nuisance will be considered unlawful and are subjected to the fines and penalties as follows:

Failure to Register-Obtain Alarm Permit	\$100.00 each occurrence
Excessive False Alarms	
Fourth and Fifth	\$50.00 each occurrence
Sixth and Seventh	\$100.00 each occurrence
Eight and Ninth	\$250.00 each occurrence
Tenth and beyond	\$500.00 each occurrence
Runaway Alarms	Discontinuance of law enforcement response at Town Administrator’s discretion.

- (c) False alarm determinations for the 365-day period will be analyzed by the review of records proceeding the 364 days of the most recent false alarm. Furthermore, if a response is cancelled prior to the arrival of law enforcement it shall not constitute or count as a false alarm.
- (d) **Penalty Assessment** - All monetary and administrative penalties shall be assessed by administrative Final Order of the Alarm Coordinator. Final Orders shall be mailed by United States Mail, certified return receipt requested, to the alarm user of record. In the event there is no alarm user contact information on file, the Final Order shall be mailed by United States Mail, certified return receipt, to the address where the false alarm occurred. Should any Final Order be returned and marked as undeliverable, a copy of the Final Order shall be posted at the false alarm or runaway alarm event site and City Hall, with the posting date serving as the receipt date for appellate period calculation purposes.
- (e) All monetary penalty Final Orders shall be due payable to the Town of Lake Hamilton within thirty (30) days of receipt. After the due date expires and to the extent provided by law, any non-paid monetary penalty shall operate as a lien and privilege on the false alarm subject property; shall be superior in right and dignity to all other liens or privileges, including mortgages equal to the lien of taxes until paid, and shall accrue interest at the judgment rate in effect at the time of issuance.

IV. ALARM USER AWARENESS CLASS

The Town of Lake Hamilton will develop and may periodically offer an Alarm User Awareness Class to promote the understanding of security alarm systems operations, the problems created by false alarms and runaway alarms and to provide alarm user instruction on how to reduce false alarms. Area alarm companies may be invited to assist with class development and implementation. The one time option of an alarm user attending this class in lieu of paying a single assessed monetary penalty may be granted by the Alarm Coordinator, subject to the approval of the Town of Lake Hamilton.

V. APPEAL

An alarm user may file a written notice of appeal to the Town of Lake Hamilton contesting the penalty assessment within ten (10) days of receipt of Final Order. The alarm user's written appeal must clearly state the basis of an appeal and contain all other relevant information. Failure to submit a timely notice of appeal shall constitute a waiver of rights to contest the penalty assessment. The Town of Lake Hamilton will establish the administrative appeal process and holds the decision-making authority. The Town of Lake Hamilton may enforce, modify, or void the penalty assessment Final Order based on the investigation of the appeal.

Upon receipt of a properly filed written notice of appeal, the Town of Lake Hamilton shall review the penalty assessment in its entirety to determine if it should be sustained or amended. Written notice of the appeal determination shall be issued to the appellant within thirty (30) days of the notice of appeal being received by the Town of Lake Hamilton.

Any decision by the Town of Lake Hamilton may only be further appealed by the alarm user filing a petition for writ of certiorari to the Tenth Judicial Circuit of Florida in accordance with the applicable rules of appellate procedure.

VI. GOVERNMENT IMMUNITY

Alarm registration is not intended to nor will it create a contract, duty or obligation, either expressed or implied, for response by the Town of Lake Hamilton. The alarm user, at the time of registration, acknowledges law enforcement and fire response may be influenced by factors such as personnel availability, call priority, weather conditions, traffic conditions, emergency conditions, and history of prior response to alarm user property. Any and all liability or consequential damage resulting from an inability to respond to a security alarm notice is hereby disclaimed and governmental immunity as provided by law is retained.

TOWN OF LAKE HAMILTON ALARM PERMIT
APPLICATION
NOTICE OF INSTALLATION AND REGISTRATION

Permit Number: _____ Date: _____

Any person, company, or entity that owns, leases, possesses or operates any alarm system within the limits of the Town of Lake Hamilton shall notify the Town of Lake Hamilton of the existence of the alarm system prior to placing said system in service.

ALARM OWNER INFORMATION

The name, address, business and home telephone number of the owner, lessee, operator, manager or person in possession of the premises wherein the alarm system is installed:

Business or Resident Name _____

Address: _____

Business/Home Telephone: _____ Work Telephone: _____

Email: _____

Type of Alarm Installed: Audible Burglary Robbery Panic Fire
Smoke Medical Water Flow Other: _____

ALARM MONITORING COMPANY INFORMATION

Name of Alarm/Installation Company: _____

Alarm Company Address: _____

Alarm Company Telephone: _____

Date of Installation: _____

EMERGENCY REPRESENTATIVE - CONTACT INFORMATION

Name: _____ Telephone: _____

Address: _____

Name: _____ Telephone: _____

Address: _____

Remit form to the address below with the \$25 Alarm Permit Fee. Checks are made payable to the Town of Lake Hamilton.

Town of Lake Hamilton
P.O. Box 126
Lake Hamilton, FL 33851
Email: Brittney@townoflakehamilton.com

SECOND AMENDMENT TO LEASE NO. 266
EXTENSION AGREEMENT

THIS AMENDMENT (the "Amendment") is made and entered into effective as of the Effective Date as defined in Section 5 below, by and between Polk County (the "County"), a political subdivision of the State of Florida, and the Town of Lake Hamilton (the "Town"), a Florida municipal corporation.

RECITALS

WHEREAS, on December 20, 2006, the County and Town entered into that certain Lease Agreement (the "Agreement"), commencing on January 1, 2007 with an expiration date of December 31, 2011, whereby the County, as Lessee, leased that certain land and building located at 75 Broadway Street, Lake Hamilton, Polk County, Florida, as further set forth and described in the Agreement, from the Town, as Lessor; and

WHEREAS, Section 1 of the Agreement provided for one (1) five year renewal option; and

WHEREAS, on December 20, 2011, the County and the Town amended the Agreement to extend the term of the Lease for five (5) years commencing on January 1, 2012 with an expiration date of December 31, 2016; and

WHEREAS, the County and Town have mutually agreed to further extend the Agreement term for five (5) years commencing on January 1, 2017 and having an expiration date of December 31, 2021.

NOW THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree, as follows:

1. The Recitals set forth above are true, correct and incorporated herein by this reference.
2. Section 1 of the Agreement is hereby amended to allow for unlimited five-year renewal options, upon the mutual consent of the parties, in the form of a duly executed amendment to the Agreement.
3. The County and the Town hereby extend the Agreement term for five (5) years commencing on January 1, 2017 and having an expiration date of December 31, 2021.
4. Section 9 of the Agreement is hereby amended to modify the County's (LESSEE'S) address for notices as follows: Polk County, Right-of-Way and Real Estate Manager, P.O. Box 9005, Drawer RE-01, Bartow, Florida 33831.

5. The Effective Date of this Amendment shall be the date the later party signs the Amendment. The later party to execute this Amendment shall provide the other party a fully executed copy or counterpart, as applicable, of this Amendment.

6. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

7. The Agreement, as amended by this Second Amendment, remains in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized representatives as of the Amendment effective date.

ATTEST:

TOWN OF LAKE HAMILTON
a Florida municipal corporation

By: _____

By: _____

Print Name Title

Print Name Title

Reviewed as to Form and Legal Sufficiency:

Date: _____

By: _____

ATTEST:

STACY M. BUTTERFIELD, CLERK

POLK COUNTY, FLORIDA
a political subdivision of the State of Florida

By: _____

By: _____

Deputy Clerk

Jim Freeman, County Manager

Reviewed as to Form and Legal Sufficiency:

Date: _____

By: _____

Polk County Attorney's Office

Lake Hamilton Fire Station

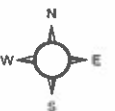


0 45 90 180 Feet

All maps are worksheets used for illustrative purposes only. they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".



Marsha M. Faux, CFA, ASA
Property Appraiser
Polk County, Florida



May 19, 2016

RESOLUTION 2017-01

A RESOLUTION OF TOWN OF LAKE HAMILTON, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of wastewater treatment facilities; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. 53162 as eligible for available funding; and

WHEREAS; the Town of Lake Hamilton, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lake Hamilton, Florida as follows:

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The Town of Lake Hamilton, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are Lake Hamilton Restricted Reserve funds in the amount of \$95,836 and Dundee Sewer Fund Reserve funds in the amount of \$120,000.

SECTION IV. The Town Administrator/Clerk is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION V. The Mayor is hereby designated as the authorized representative to execute the loan agreement, which will become a binding obligation in accordance with its terms when signed by both parties. The Mayor is authorized to represent the Town in carrying out the Town's responsibilities under the loan agreement. The Mayor is authorized to delegate

responsibility to appropriate Town staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION VI. The legal authority for borrowing moneys to construct this Project is 166.111, Florida Statutes.

SECTION VII. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION VIII. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION IX. This Resolution shall become effective immediately upon its passage and adoption.

PASSED and ADOPTED this 3rd day of January 2017.

TOWN OF LAKE HAMILTON, FLORIDA

Marlene M. Wagner, Mayor

Attest with Seal:

Sara Irvine, Town Clerk

Approved as to Form and Legality:

Heather R. Christman, Town Attorney