

ORDINANCE NUMBER 2017-07

AN ORDINANCE OF THE CITY COUNCIL OF MIDWAY, FLORIDA; DISSOLVING THE CITY OF MIDWAY COMMUNITY REDEVELOPMENT AGENCY (CRA); PURSUANT TO SECTION 189.071 FLORIDA STATUTES; AND REPEALING ALL RESOLUTIONS AND ORDINANCES INCONSISTENT THEREWITH, SPECIFICALLY ORDINANCE NOS. 09-08 AND 09-09 DIRECTING THE CLERK TO FORWARD A COPY OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution adopted by the City Council of the City of Midway, Florida on the 1st day of July, 2010, it was determined that blighted areas exist within the City of Midway, Florida, and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City of Midway; and

WHEREAS, on July 1, 2010 the City Council adopted Resolution No. 2009-9 declaring the City Council as the City of Midway CRA to carry out redevelopment of the area located within the City as found and declared in Resolution No. 2009-09 ; and

WHEREAS, on September 2, 2010 the City Council adopted Ordinance No. 2009-9 with the intention of adopting a community redevelopment plan for the community redevelopment area; and

WHEREAS, on September 2, 2010 the City Council adopted Ordinance No. 2009-9 with the intention of creating a Community Redevelopment Trust Fund (the "Fund") for the community redevelopment area; and

WHEREAS, the City Council has determined that the entire city should not be a single CRA Special District; therefore it is in the best interest of the residents of Midway to dissolve the current CRA and develop single special districts in the future; and

WHEREAS, in order to dissolve the City of Midway CRA the City Council has determined that it is necessary to repeal and rescind all ordinances and resolutions that are inconsistent therewith; and

WHEREAS, the City of Midway meets the criteria for dependent special district as defined in Subsection 189.012 (2), Florida Statutes; and

WHEREAS, Subsection 189.071 (1) Florida Statutes, provides that the dissolution of a dependent special district may be effectuated by an ordinance of the local general-purpose governmental entity wherein the geographical area of the district or districts is located; and

WHEREAS, the City Council desires to dissolve the City of Midway CRA as a dependent special district in accordance with Section 189.071, Florida Statutes.

NOW, THEREFORE BE IT ORDAINED BY THE MIDWAY CITY COUNCIL,
GADSDEN COUNTY, FLORIDA, THAT:

SECTION 1. REPEAL OF RESOLUTIONS FINDING BLIGHT, ESTABLISHMENT OF THE REDEVELOPMENT AREA, AND ALL FINDINGS RELATIVE THERETO

Resolution No. 2009-9 which declared the existence of blight in the Redevelopment Area designated the Redevelopment Area as appropriate for redevelopment, and found that rehabilitation, conservation and redevelopment of the Redevelopment Area was in the interest of the public health, safety, morals and welfare of the citizens of Midway.

SECTION 2. DISSOLUTION OF THE CITY OF MIDWAY CRA

Ordinance No. 2009.8 which declared the City of Midway CRA for the Redevelopment Area is repealed.

SECTION 3. TERMINATION OF THE CRA PLAN

Ordinance No. 2009-9 which was created with the intention of creating a community redevelopment plan for the community redevelopment area, is repealed.

SECTION 4. TERMINATION OF THE TRUST FUND

Ordinance No. 2009-9 which was created with the intention of creating a Redevelopment Trust Fund (the "Fund") for the Redevelopment Area, is hereby repealed and the Fund is hereby terminated.

SECTION 5. DISSOLUTION OF THE SPECIAL DISTRICT; THE CLERK TO FORWARD A COPY TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY

- A. The City of Midway CRA is hereby dissolved as dependent special district pursuant to Section 189.071, Florida Statutes.
- B. The Clerk is hereby directed to forward a copy of this ordinance to the Special District Accountability Program in the State of Florida Department of Economic Opportunity within thirty (30) days after the effective date.

SECTION 6. SEVERABILITY

The provisions of this Ordinance are severable; and if any section, subsection, sentence, clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance shall not be affected thereby.

SECTION 7 EFFECTIVE DATE

A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the City Council and the Ordinance shall take effect as provided by law.

PASSED AND DULY ADOPTED this _____ day of November, 2017.

CITY COUNCIL OF THE CITY OF
MIDWAY, FLORIDA

By: _____
City of Midway Mayor Wanda Range

ATTEST:

Midway City Clerk, Frances Harrell

ORDINANCE NO. 2009-8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDWAY, FLORIDA, CREATING A COMMUNITY REDEVELOPMENT AGENCY (CRA); PROVIDING FOR MEMBERSHIP AND CONFERRING THE POWERS OF THE CRA UPON THE CITY COUNCIL; PROVIDING FOR CRA DUTIES; PROVIDING FOR LIMITATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIDWAY, FLORIDA, THAT:

PART ONE. Based upon the findings and declarations of Resolution No. 2009-09, duly adopted by the City COUNCIL on July 1, 2010, a CRA of the City of Midway, Florida, is hereby created and established with responsibility and duty to carry out redevelopment of the area located within the City as found and declared in Resolution No. 2009-09.

PART TWO. Pursuant to the authority in Section 163.357, Florida Statutes, the City COUNCIL is hereby declared as the CRA established in Part One hereof, and all of the rights, powers, privileges, duties and immunities of a CRA vested in such an agency by Part III, Chapter 163, Florida Statutes are hereby vested in the City COUNCIL.

PART THREE. The CRA shall exercise its powers and perform its duties in accordance with the provisions of Part III, Chapter 163, Florida Statutes.

PART FOUR. Article III of Chapter 2 entitled "Boards, Committees, COUNCILS" of the City Code of Ordinances is hereby amended to add a new Division 3, entitled Community Redevelopment Agency, as follows:

ARTICLE XI. BOARDS, COMMITTEES, COUNCILS

SECTION 11.2 COMMUNITY REDEVELOPMENT AGENCY

Creation.

The Community Redevelopment Agency (CRA) is hereby created and established and shall be known as the City of MIDWAY CRA, the purpose of which shall be to function in the area, as more fully delineated in Appendix "A", attached and made a part hereof, and to provide for the redevelopment, conservation, rehabilitation or combination thereof of such areas in the City of MIDWAY.

Membership.

The MIDWAY CRA for the area within its jurisdiction, as said area may be amended from time to time, shall have a board of COUNCILers, which shall consist of the seven members of the city COUNCIL. All of the rights, powers, privileges, duties and immunities of a CRA vested in such an agency by Part III, Chapter 163, Florida Statutes are hereby vested in the City COUNCIL.

CRA Duties:

- (a) The CRA shall develop a community redevelopment plan as per F.S. §163.360.
- (b) The CRA shall create and administer a Trust Fund in accordance with F.S. §163.387.

(1) The moneys to be allocated to and deposited into the fund shall be used to finance redevelopment within the community redevelopment area, and shall be appropriated by the redevelopment agency. The redevelopment agency shall utilize the funds and revenues paid into and earned by the fund for community redevelopment purposes as permitted by law.

(2) The fund shall exist for the duration of the community redevelopment undertaken by the redevelopment agency pursuant its community redevelopment plan, as approved by the city COUNCIL, and to the extent permitted by F.S. § 163.387. Moneys shall be held in the fund for the city and on behalf of the redevelopment agency, and disbursed from the funds as provided by F.S. § 163.387, this article, or the redevelopment agency.

Limitations

The MIDWAY CRA shall be the sole Community Redevelopment Agency authorized to operate within the redevelopment area (Appendix "A"). The area of operation, jurisdiction and undertakings of the Agency shall not conflict with those of any other community redevelopment agencies, presently existing, or which may be established except as described above.

PART FIVE : SEVERABILITY. If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of these regulations.

PART SIX : EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

INTRODUCED AND READ by title only, the 5th day of August 2010.

WHEREAS, notice of the City Council's intention to create a redevelopment trust fund has been published in a local newspaper of general circulation and mailed to all "taxing authorities" (as hereinafter defined) in accordance with Section 163.346, Florida Statutes (2005);

NOW THEREFORE, be it enacted by the City Council of the City of Midway, Florida as follows:

SECTION 1. The City Council of the City of Midway has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes,

SECTION 2. There is hereby established and created, in accordance with the provisions of the Act, a Community Redevelopment Trust Fund (the "Fund") for the Community Redevelopment Area, which fund shall be utilized and expended for the purposes of and in accordance with the Community Redevelopment Plan, including any amendments or modifications thereto, including any "community redevelopment," as that term is defined in Section 163.340(9), Florida Statutes (2005), under the Plan.

SECTION 3. The monies to be allocated to and deposited into the Fund shall be used to finance "community redevelopment" within the Community Redevelopment Area according to tax increment revenues attributed to the Community Redevelopment Area, which shall be appropriated by the Community Redevelopment Agency. The Community Redevelopment Agency shall utilize the funds and revenues paid into and earned by the Fund for community redevelopment purposes as provided in the Community Redevelopment Plan and as permitted by law. The Fund shall exist for the duration of the "community redevelopment" undertaken by the Community Redevelopment Agency pursuant to the Community Redevelopment Plan to the extent permitted by the Act as stated in the Plan. Monies shall be held in the Fund by the City, for and on behalf of the Agency, and disbursed from the Fund as provided by the Agency.

SECTION 4. There shall be paid into the Fund each year by each of the "taxing authorities," as that term is defined in Section 163.340(2), Florida Statutes (2005) except for those special districts exempted from such requirement, levying ad valorem taxes within the Community Redevelopment Area, a sum equal to ninety-five percent (95%) of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with Section 6 of this Ordinance and the Act, based on the base tax year established in Section 5 of this Ordinance (such annual sum being hereinafter referred to as the "tax increment").

ORDINANCE NO. 2009-9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIDWAY, FLORIDA, ESTABLISHING A REDEVELOPMENT TRUST FUND; PROVIDING FOR THE FUNDING OF A REDEVELOPMENT TRUST FUND FOR COMMUNITY REDEVELOPMENT WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR ADMINISTRATION OF THE REDEVELOPMENT TRUST FUND; DETERMINING THE TAX INCREMENT TO BE DEPOSITED IN THE REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR THE ANNUAL APPROPRIATION OF THE TAX INCREMENT BY TAXING AUTHORITIES IN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING THE GOVERNING BODY OF THE COMMUNITY REDEVELOPMENT AGENCY AS THE TRUSTEES OF THE REDEVELOPMENT TRUST FUND; EXEMPTING CERTAIN SPECIAL DISTRICTS FROM THE ANNUAL REQUIREMENT TO APPROPRIATE INCREMENT REVENUES TO THE REDEVELOPMENT TRUST FUND AND AUTHORIZING AND DIRECTING THE PREPARATION OF AN INTERLOCAL AGREEMENT IMPLEMENTING EACH SUCH EXEMPTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution adopted by the City Council of the City of Midway, Florida on the 1st day of July, 2010, it was determined that blighted areas exist within the City of Midway, Florida, and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals or welfare of the residents of the City of Midway; and

WHEREAS, by Ordinance No. 2009-8 enacted by the City Council on the 2nd day of September, 2010, the City Council created the Community Redevelopment Agency of the City of Midway (the "CRA"); and

WHEREAS, the City Council shall adopt a community redevelopment plan for the community redevelopment area; and

WHEREAS, in order to plan and implement community redevelopment within the Community Redevelopment Area it is necessary that a redevelopment trust fund be established and created for said area as provided in Section 163.387, Florida Statutes (2005) (the "Act"); and

WHEREAS, it is appropriate and reasonable for certain special taxing districts to be exempted from the requirement to make an annual appropriation of "increment revenues" to the redevelopment trust fund being created by this ordinance; and

WHEREAS, notice of the City Council's intention to create a redevelopment trust fund has been published in a local newspaper of general circulation and mailed to all "taxing authorities" (as hereinafter defined) in accordance with Section 163.346, Florida Statutes (2005);

NOW THEREFORE, be it enacted by the City Council of the City of Midway, Florida as follows:

SECTION 1. The City Council of the City of Midway has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes,

SECTION 2. There is hereby established and created, in accordance with the provisions of the Act, a Community Redevelopment Trust Fund (the "Fund") for the Community Redevelopment Area, which fund shall be utilized and expended for the purposes of and in accordance with the Community Redevelopment Plan, including any amendments or modifications thereto, including any "community redevelopment," as that term is defined in Section 163.340(9), Florida Statutes (2005), under the Plan.

SECTION 3. The monies to be allocated to and deposited into the Fund shall be used to finance "community redevelopment" within the Community Redevelopment Area according to tax increment revenues attributed to the Community Redevelopment Area, which shall be appropriated by the Community Redevelopment Agency. The Community Redevelopment Agency shall utilize the funds and revenues paid into and earned by the Fund for community redevelopment purposes as provided in the Community Redevelopment Plan and as permitted by law. The Fund shall exist for the duration of the "community redevelopment" undertaken by the Community Redevelopment Agency pursuant to the Community Redevelopment Plan to the extent permitted by the Act as stated in the Plan. Monies shall be held in the Fund by the City, for and on behalf of the Agency, and disbursed from the Fund as provided by the Agency.

SECTION 4. There shall be paid into the Fund each year by each of the "taxing authorities," as that term is defined in Section 163.340(2), Florida Statutes (2005) except for those special districts exempted from such requirement, levying ad valorem taxes within the Community Redevelopment Area, a sum equal to ninety-five percent (95%) of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with Section 6 of this Ordinance and the Act, based on the base tax year established in Section 5 of this Ordinance (such annual sum being hereinafter referred to as the "tax increment").

SECTION 5. The most recent assessment roll used in connection with the taxation of property prior to the effective date of this Ordinance shall be the preliminary assessment roll of taxable real property in Gadsden County, Florida, prepared by the Property Appraiser of Gadsden County, Florida, and certified pursuant to Section 193.122, Florida Statutes (2005) reflecting valuation of real property for purposes of ad valorem taxation as of September 1, 2010 (the "base year value"), and all deposits into the Fund shall be in the amount of tax increment calculated as provided in Section 6 hereof based upon increases in valuation of taxable real property from the base year value as reflected on the preliminary assessment roll of taxable real property in the community redevelopment area in the City of Midway, Florida, prepared by the Property Appraiser of Gadsden County, Florida, filed with the Department of Revenue pursuant to Section 193.1142, Florida Statutes (2005).

SECTION 6 The tax increment shall be determined and appropriated annually by each taxing authority, and shall be an amount equal to ninety-five percent (95%) of the difference between:

(a) That amount of ad valorem taxes levied each year specifically by the City of Midway and Gadsden County, yet excluding all other taxing authorities on taxable real property located within the geographic boundaries of the Community Redevelopment Area; and

(b) That amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year specifically by the City of Midway and Gadsden County, yet excluding all other taxing, upon the total of the assessed value of the taxable real property in the Community Redevelopment Area as shown upon the assessment roll used in connection with the taxation of such property by specifically by the City of Midway and Gadsden County, yet excluding all other taxing, prior to the effective date of this Ordinance.

SECTION 7. The City of Midway and Gadsden County, shall annually appropriate to and cause to be deposited in the Fund the tax increment determined pursuant to the Act and Section 5 of this Ordinance at the beginning of each fiscal year thereof as provided in the Act. The obligation of the City of Midway and Gadsden County to annually appropriate the tax increment for deposit in the Fund shall commence immediately upon the effective date of this Ordinance and continue to the extent permitted by the Act so long as any indebtedness pledging "increment revenue" is to be paid and so long as the Plan is in effect.

SECTION 8. The fund shall be established and maintained as a separate trust fund by the Community Redevelopment Agency so that the Fund may be promptly and effectively administered and utilized by the Agency expeditiously and without undue delay for its statutory purpose pursuant to the Plan.

SECTION 9. The governing body of the Agency shall be the trustees of the Fund and shall be responsible for the receipt, custody, disbursement, accountability, management, investment and proper application of all monies paid into the Fund.

SECTION 10. Any and all ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.


SECTION 11. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 12. The Clerk of the City of Midway, Florida, is hereby authorized and directed to send a certified copy of this Ordinance to each of the taxing authorities and to the Property Appraiser of Gadsden County, Florida.

SECTION 13. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED AND DULY ADOPTED this 2nd day of September, 2010

CITY OF MIDWAY, FLORIDA


Charles Willis
Mayor Pro-Tem/Councilmember

ATTEST:


FRANCES HARRELL, CITY CLERK


LARRY WHITE, INTERIM CITY ATTORNEY

189.012 Definitions.—As used in this chapter, the term:

- (1) “Department” means the Department of Economic Opportunity.
- (2) “Dependent special district” means a special district that meets at least one of the following criteria:
 - (a) The membership of its governing body is identical to that of the governing body of a single county or a single municipality.
 - (b) All members of its governing body are appointed by the governing body of a single county or a single municipality.
 - (c) During their unexpired terms, members of the special district’s governing body are subject to removal at will by the governing body of a single county or a single municipality.
 - (d) The district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.

This subsection is for purposes of definition only. Nothing in this subsection confers additional authority upon local governments not otherwise authorized by the provisions of the special acts or general acts of local application creating each special district, as amended.

- (3) “Independent special district” means a special district that is not a dependent special district as defined in subsection (2). A district that includes more than one county is an independent special district unless the district lies wholly within the boundaries of a single municipality.
- (4) “Local governing authority” means the governing body of a unit of local general-purpose government. However, if the special district is a political subdivision of a municipality, “local governing authority” means the municipality.
- (5) “Public facilities” means major capital improvements, including, but not limited to, transportation facilities, sanitary sewer facilities, solid waste facilities, water management and control facilities, potable water facilities, alternative water systems, educational facilities, parks and recreational facilities, health systems and facilities, and, except for spoil disposal by those ports listed in s. 311.09(1), spoil disposal sites for maintenance dredging in waters of the state.
- (6) “Special district” means a unit of local government created for a special purpose, as opposed to a general purpose, which has jurisdiction to operate within a limited geographic boundary and is created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. The term does not include a school district, a community college district, a special improvement district created pursuant to s. 285.17, a municipal service taxing or benefit unit as specified in s. 125.01, or a board which provides electrical service and which is a political

The 2017 Florida Statutes

Title XIII
PLANNING AND
DEVELOPMENT

Chapter 189
UNIFORM SPECIAL DISTRICT
ACCOUNTABILITY ACT

[View Entire
Chapter](#)

189.071 Merger or dissolution of a dependent special district.—

(1) The merger or dissolution of a dependent special district may be effectuated by an ordinance of the local general-purpose governmental entity wherein the geographical area of the district or districts is located. However, a county may not dissolve a special district that is dependent to a municipality or vice versa, or a dependent district created by special act.

(2) The merger or dissolution of an active dependent special district created and operating pursuant to a special act may be effectuated only by further act of the Legislature unless otherwise provided by general law.

(3) A dependent special district that meets any criteria for being declared inactive pursuant to s. [189.062](#) may be dissolved or merged by special act without a referendum.

(4) A copy of any ordinance and of any changes to a charter affecting the status or boundaries of one or more special districts shall be filed with the Special District Accountability Program within 30 days after such activity.

History.—s. 8, ch. 89-169; s. 8, ch. 97-255; s. 1, ch. 2012-16; s. 18, ch. 2014-22; s. 17, ch. 2016-22.

Note.—Former s. 189.4042(2).

189.062 Special procedures for inactive districts.—

(1) The department shall declare inactive any special district in this state by documenting that:

(a) The special district meets one of the following criteria:

1. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has taken no action for 2 or more years;

2. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government notifies the department in writing that the district has not had a governing body or a sufficient number of governing body members to constitute a quorum for 2 or more years;

3. The registered agent of the district, the chair of the governing body of the district, or the governing body of the appropriate local general-purpose government fails to respond to an inquiry by the department within 21 days;

4. The department determines, pursuant to s. [189.067](#), that the district has failed to file any of the reports listed in s. [189.066](#);

5. The district has not had a registered office and agent on file with the department for 1 or more years; or

6. The governing body of a special district provides documentation to the department that it has unanimously adopted a resolution declaring the special district inactive. The special district is responsible for payment of any expenses associated with its dissolution.

(b) The department, special district, or local general-purpose government has published a notice of proposed declaration of inactive status in a newspaper of general circulation in the county or municipality in which the territory of the special district is located and has sent a copy of such notice by certified mail to the registered agent or chair of the governing body, if any. Such notice must include the name of the special district, the law under which it was organized and operating, a general description of the territory included in the special district, and a statement that any objections must be filed pursuant to chapter 120 within 21 days after the publication date.

(c) Twenty-one days have elapsed from the publication date of the notice of proposed declaration of inactive status and no administrative appeals were filed.

(2) If any special district is declared inactive pursuant to this section, the property or assets of the special district are subject to legal process for payment of any debts of the district. After the payment of all the debts of said inactive special district, the remainder of its property or assets

shall escheat to the county or municipality wherein located. If, however, it shall be necessary, in order to pay any such debt, to levy any tax or taxes on the property in the territory or limits of the inactive special district, the same may be assessed and levied by order of the local general-purpose government wherein the same is situated and shall be assessed by the county property appraiser and collected by the county tax collector.

(3)(a) In the case of a district created by special act of the Legislature, the department shall send a notice of declaration of inactive status to the Speaker of the House of Representatives and the President of the Senate, and the standing committees of the Senate and the House of Representatives charged with special district oversight as determined by the presiding officers of each respective chamber and the Legislative Auditing Committee. The notice of declaration of inactive status shall reference each known special act creating or amending the charter of any special district declared to be inactive under this section. The declaration of inactive status shall be sufficient notice as required by s. 10, Art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported. Each special act creating or amending the charter of a special district declared to be inactive under this section may be repealed by general law.

(b) In the case of a district created by one or more local general-purpose governments, the department shall send a notice of declaration of inactive status to the chair of the governing body of each local general-purpose government that created the district.

(c) In the case of a district created by interlocal agreement, the department shall send a notice of declaration of inactive status to the chair of the governing body of each local general-purpose government which entered into the interlocal agreement.

(4) The entity that created a special district declared inactive under this section must dissolve the special district by repealing its enabling laws or by other means as set forth in s. 189.071 or s. 189.072.

(5) A special district declared inactive under this section may not collect taxes, fees, or assessments unless the declaration is:

- (a) Withdrawn or revoked by the department; or
- (b) Invalidated in proceedings initiated by the special district within 30 days after the publication date of the newspaper notice required under paragraph (1)(b). The special district governing body may initiate proceedings within the period authorized in this paragraph by:
 1. Filing with the department a petition for an administrative hearing pursuant to s. 120.569; or
 2. Filing an action for declaratory and injunctive relief under chapter 86 in the circuit court of the judicial circuit in which the majority of the area of the district is located.

(c) If a timely challenge to the declaration is not initiated by the special district governing body, or the department prevails in a proceeding initiated under paragraph (b), the department