

ORDINANCE 86-5

AN ORDINANCE OF MANATEE COUNTY PROVIDING FOR THE ACCEPTANCE OF GIFTS OF REAL, PERSONAL AND INTANGIBLE PERSONAL PROPERTY; PROVIDING THAT NO GIFT OF REAL, PERSONAL OR INTANGIBLE PERSONAL PROPERTY SHALL BE ACCEPTED EXCEPT IN ACCORDANCE WITH THE PROVISION OF THIS ORDINANCE PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE PROCEDURES FOR THE ACCEPTANCE OF GIFTS OF PERSONAL PROPERTY WITH A VALUE BELOW \$200; PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE PROCEDURES NECESSARY FOR THE IMPLEMENTATION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 125.01, Florida Statutes, and the Florida Constitution, the Board of County Commissioners of Manatee County has the power to carry on County government to the extent not inconsistent with general or special law, to adopt ordinances and resolutions necessary for the exercise of its powers, and to perform any act, not inconsistent with law, which is in the interest of the people of the County; and

WHEREAS, the Board of County Commissioners wishes to establish the authority and procedures whereby Manatee County may accept gifts of real property, intangible personal property and other personal property; and

WHEREAS, the Board of County Commissioners wishes to establish, with clarity, Manatee County's title, obligations, responsibilities and liabilities with respect to property of any nature given or donated to the County; and

WHEREAS, it is necessary and in the best interest of Manatee County that Donors, the County Tax Collector and Property Appraiser, and the public in general, be advised of what property has been accepted by Manatee County; and

WHEREAS, it is necessary and in the best interest of Manatee County that proper records be kept of all property owned by Manatee County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:

Section 1. Definitions.

a. Property shall include all real property, intangible personal property, or personal property, as defined below.

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CLERK OF COURT
MANATEE COUNTY, FLORIDA

SECRETARY OF STATE

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G. Acceptance of Gifts

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b. Real Property shall refer to any land, buildings, fixtures and all other improvements to land or any interest in land, buildings, fixtures or any improvements to land, except construction easements, for a period of one (1) year or less, are specifically excluded from this Ordinance.

c. Intangible Personal Property shall include all intangible personal property, as defined under Section 199.023, Florida Statutes, and shall include, but not be limited to, money, stocks or shares in a business and all notes, bonds or other obligations to pay money.

d. Personal Property shall include, but not be limited to, all goods, chattels, wares, merchandise, supplies, raw materials, products and partially finished products, fuels, energy sources and supplies, vehicular items, floating structures or any article, with or without value, not otherwise identified as real property or intangible personal property, or specifically excluded from this Ordinance.

Section 2. The Board of County Commissioners of Manatee County, Florida, is hereby authorized, in its discretion, to accept gifts of property deemed necessary and useful in the fulfillment of the County's purposes. Such property shall only be used for the purpose of carrying out legally authorized objectives and functions of the County.

Section 3. A gift of any real property or intangible personal property or personal property valued at Two Hundred Dollars (\$200.00) or more, shall not be deemed accepted until formally accepted by resolution, or by other formal action of the Board of County Commissioners identifying with specificity the property and, where appropriate, the account to which it will be credited, or an inventory control number assigned to such property. Where conditions or limitations on use have been attached to such property, or a reversionary or other interest maintained in any such property, the resolution or action of the Board shall set forth such limitations and interests. A copy of any resolution or notice of any formal action of the Board of County Commissioners accepting a gift of real property, shall

be forwarded to the Office of the Tax Collector and Property Appraiser for Manatee County.

Section 4. The County Administrator is authorized to develop Administrative Procedures for accepting gifts of personal property valued at less than Two Hundred Dollars (\$200.00). Such procedures shall identify the manner in which such gifts may be accepted and shall include reports to the Board entered into the official records of the County which identify the personal property, its physical location and the Department, Office or Agency to which it has been assigned.

Section 5. This Ordinance shall not apply to the conveyance of any property to Manatee County where other than nominal consideration is paid or to be paid, or where such property is accepted or conveyed in accordance with any other procedures established by resolution, ordinance or Statute, or where the property and the County's interest in the property is identified in an agreement approved and executed on behalf of the Board of County Commissioners of Manatee County.

Section 6. The County Administrator is authorized and directed to develop any Administrative Procedures necessary for implementing this Ordinance and informing all affected officials and employees of the terms of this Ordinance.

Section 7. Failure to comply with the terms of this Ordinance shall not divest Manatee County of any right, title or interest in any property given or dedicated to the County prior to the effective date of this Ordinance.

Section 8. This Ordinance shall become effective on January 1, 1987.

ADOPTED, in open session, with a quorum present and voting this, the 16th day of September, 1986.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *Richard H. Steiner*

ATTEST: R. B. SHORE
Clerk of the Circuit Court

STATE OF FLORIDA

COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 16th day of September, 1986.

SUBJECT: ORDINANCE 86-5
AN ORDINANCE OF MANATEE COUNTY PROVIDING FOR THE ACCEPTANCE OF GIFTS OF REAL, PERSONAL AND INTANGIBLE PERSONAL PROPERTY; PROVIDING THAT NO GIFT OF REAL, PERSONAL OR INTANGIBLE PERSONAL PROPERTY SHALL BE ACCEPTED EXCEPT IN ACCORDANCE WITH THE PROVISION OF THIS ORDINANCE; PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE PROCEDURES FOR THE ACCEPTANCE OF GIFTS OF PERSONAL PROPERTY WITH A VALUE BELOW \$200; PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE PROCEDURES NECESSARY FOR THE IMPLEMENTATION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

WITNESS My Hand and Official Seal this the 16th day of September, 1986, in Bradenton, Florida.



R. B. Shore, Clerk of Circuit Court
Manatee County, Florida



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

FILED FOR RECORD

26 OCT 1986

September 29, 1986

CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

Honorable R. B. "Chips" Shore
Clerk of the Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 33506

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of September 18, 1986
and certified copy/ies of Manatee
County Ordinance(s) # 86-5
2. Receipt of _____ County Ordinance(s)
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed this/~~these~~ Ordinance(s) in this office
on September 26, 1986.
one
4. The ~~original~~/duplicate copy/ies showing the filing date
is/~~are~~ being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/ mb