

ADMINISTRATIVE POLICIES - CITY CLERK

Advertising:

When no other notice requirement is mandated by law, five-days' notice is a reasonable amount of time for advertising.

Mail (see attachment CC-1)

Notary Public Services (see attachment CC-2)

Orientation Packet:

City clerk shall create an orientation packet to be presented to all new council members.

Public Records (see attachment CC-3)

Vacation of a Utility Easement (See attachment CC-4)

Vacation of Road or Portion of Road (See attachment CC-5)

City of Venice Mail Policy

Overview

The Records Department of the City Clerk's Office is responsible for the distribution of incoming mail and the processing of outgoing mail for the City of Venice.

Mail Delivery Services

Incoming mail is received from the United States Postal Service (USPS) every morning and is most often sorted by noon. Outgoing mail will be processed by 10:00 a.m. every day.

Authorized Uses

Official city business mail must be enclosed in an official envelope with the department's City of Venice (COV) return address and must include a proper and complete mailing address.

The COV mail center will not accept any mail other than mail designated as official city business. Personal mail is not accepted and will be returned to the sender.

All mail is subject to be opened for reasons of identification.

Unwanted Mail

It is recommended and encouraged to review any "junk" mail received that the employee respond to the sender asking to be removed from their mailing list.

General Information

Information on postal rates and regulations is available at the COV mail center and www.usps.gov web site. Questions regarding postal procedures, policies and preparations of mailings should be directed to the City Clerk's office.

Policy for Notary Public Services

1. Notary services are provided for city business or to city residents and city business owners only.
2. Notary services are available between the hours of 8-11 a.m. and 1-3 p.m. Individuals seeking Notary services can contact the city at (941) 486-2626 to schedule an appointment. Appointments are recommended.
3. Notary services are not available for deeds, mortgages and other real estate-related documents, wills, living wills, living trusts, power of attorney, legal documents, codicils, depositions or any conveyance of money or property, proof of life, and birth certificates.
4. Notary services are only available for documents presented in English.
5. Notary services are not available to certify that a record is an original or a true copy of another record.
6. The complete document, with all pages and no empty blanks, must be presented for notarization.
7. Individuals seeking Notary services must present a current valid photo ID such as a Driver's license, state issued ID card or a passport.
8. Documents must be signed in person before the Notary who will certify the signature.
9. Notaries shall keep a journal of all Notary services performed.
10. Notary services will be declined if the document, the identification, the circumstances or the capacity of the signer to understand the proceeding raises any questions of authenticity. Services are subject to the foregoing requirements and at the sole discretion of the Notary.

CITY OF VENICE POLICY - PUBLIC RECORDS

Records Custodian

The city clerk is the records custodian for the City of Venice and is charged with the responsibility of maintaining the office having public records, or his or her designee.

Departmental Responsibility

Generally speaking, Florida law requires that public records be kept in the buildings where they are ordinarily used. This allows for optimum service to customers. With a few exceptions, all information being maintained in each department is a public record and open for inspection by any person. Records that are current and continually used are kept within individual departments. Once they become “inactive” and depending on space limitations within the departments, they are sent to records for retention purposes, with the exception of the police department.

Request for Public Records

1. *Individual Requests.* If the department maintains the document(s) in their office, provide the copies to the individual requesting them at the normal copy charge. If the documents are maintained by another department, accept the request and refer it to the proper department or to the city clerk’s office for assistance.
2. *Interdepartmental Requests.* If the request is for documents that are maintained throughout various departments within the city, accept the request and forward it to the city clerk’s office. The city clerk’s office will coordinate and be responsible for all aspects of the request.
3. *Legal/Litigation.* If the request involves a case that is in litigation with the city, contact the city attorney’s office before providing any documents. Notify the person requesting the information that there may be a delay due to this requirement.

Copy Charge

Normal. Fees are in accordance with state law. The fee schedule will be maintained in the city clerk’s office and provided to each department.

Extensive. If the records request is extensive, prepare an estimate of the costs and request payment of the estimate prior to conducting the search. Once payment is received, begin the search. If the estimate was high, refund the balance. If the estimate was low, bill for the balance due.

The city will charge the hourly rate plus benefits of the employee(s) involved in locating, assembling and producing the requested documents, including search and/or retrieval, redacting confidential/exempt information, copying and refiling, and supervising an individual reviewing city records. These charges would be in addition to the amount charged for copies. The city does not charge for the time required for an employee to pickup and return files from an off-site location. Individuals may not provide the medium for copying services. The statutory exemption will be provided for any redactions.

Packaging and Postage. The city will charge actual costs for packaging and postage.

Extensive Use of Information Technology Resources and/or Extensive Clerical or Supervisory Assistance

If the nature or volume of public records to be copied requires the extensive use of information technology resources or extensive clerical and/or supervisory assistance, the city will charge a reasonable service charge based on the cost actually incurred by the City for such extensive use of information technology resources or personnel. The City defines “extensive” as any time over 15 minutes spent providing this service.

Timeliness

Employees should explain legitimate delays to the person making the request and provide an estimated completion date or time.

Inspection

The records request must be made during regular business hours and be able to be conducted in a reasonable location and environment, including conditions, such as security. Records must be reviewed in the presence of a city employee.

Police Department

As a result of the nature of their business, the police department maintains their records at the police department.

Assistance

If at any time you are unsure of how to respond or handle a request for public records, contact the city clerk’s office for assistance.

APPLICATION FOR VACATION OF UTILITY EASEMENT

Applicant's Name _____

Address _____

City, State, Zip Code _____

Phone No. _____

Procedure:

1. Applicant must contact the Director of Utilities at 480-3333 (ext. 7310) to determine that there are no utility lines in the area requested to be vacated. If City utilities exist within the area to be vacated, the Utilities Director will determine whether the vacation request can proceed.
2. Applicant must also provide verification from your cable company, FPL, TECO, and Frontier that there are no facilities in the area requested to be vacated. To assist you, call 1-800-432-4770 to determine where the facilities are located. If you need further information, contact Comcast Cable at 941-342-3578, FPL at 941-483-2034, TECO at 941-342-4006 and Frontier at 813-892-9648. If there are lines in this easement, the applicant must obtain the proper documents from these agencies prior to submitting an application to the City of Venice.
3. Applicant must provide a registered survey, including a sketch and description of the easement indicating area to be vacated.
4. Application fee of \$375.00 payable to City of Venice.

Address and Legal Description of Area to be Vacated _____

Reason for Vacation _____

Date

Applicant's Signature

**INSTRUCTION SHEET
CITY OF VENICE**

VACATION OF A ROAD OR PORTION THEREOF

PETITION MUST BE COMPLETED IN FULL.

1. **UTILITIES.** Prior to submitting the application, complete A. and B. below:
 - A. Contact the Director of Utilities at 480-3333 (ext. 7310) to determine that there are no City utility lines in the area requested to be vacated. If City utilities exist within the area to be vacated, the Director of Utilities will determine whether the vacation request can proceed.
 - B. Provide written verification from your cable company, Comcast, FPL, TECO, **AND** Frontier. that there are no facilities in the area requested to be vacated. If there are no facilities in the area to be vacated, documentation is required stating such from the three utility companies. If there are utilities in the area to be vacated, the applicant must obtain the proper documents from these agencies prior to submitting an application to the City of Venice. To assist you, call 1-800-432-4770 to determine where the facilities are located. If you need further information, contact Comcast Cable at 342-3578, FPL at 483-2034, TECO at 342-4006 and Frontier at 813-892-9648.
2. **FILING FEE.** A nonrefundable filing fee in the amount of \$500.00 is required to cover administrative costs. Make check payable to: City of Venice.
3. **CERTIFICATE OF OWNERSHIP** from an abstract company listing name, address and telephone number(s) of property owners abutting or affected by this vacation of a road or portion thereof.
4. **PLAT.** Applicant must provide a copy of the recorded plat, including any amendments, showing the portion to be vacated.
5. **SURVEY.** Applicant must provide a certified survey showing bench marks and monuments, existing right-of-way, pavement, sidewalks, and utilities.
6. **LEGAL DESCRIPTION.** Applicant must provide the legal description of that certain road or portion thereof desired to be vacated.
7. **CERTIFICATE OF SEARCH** obtained from the Delinquent Tax Division of the Tax Collector verifying that all State, County, and Municipal taxes have been paid on Petitioner's abutting real property.

8. **OUTSTANDING DEBT SEARCH.** The City of Venice will conduct a search of the City's records to verify that there are no outstanding debts on the Petitioner's abutting real property, including, but not limited to, assessments, code enforcement fines, and utility bills.
9. **LEGAL FEES.** Applicant is to reimburse the City for legal services required to process vacation of a road or portion thereof.
10. **STAFF REVIEW.** Engineering, Planning & Zoning, Utilities, Police, Fire, Public Works, City Clerk, City Attorney, City Manager, Verizon, FPL, and Comcast to review the request to determine any other outstanding issues, including, but not limited to, potential future uses of the property, liability, and emergency access. If City staff confirms a need to retain the property, the vacation process will cease.
11. **PUBLIC HEARING.** A Public Hearing before City Council will be scheduled by the City Clerk's office and advertised as required by law, at least ten days before the public hearing. The City Clerk will prepare and place the required advertisement in a newspaper of general circulation in Sarasota County.
12. **DOCUMENTATION.** The City of Venice will prepare and record the proper documents if the request is approved by City Council.
13. **PROCESSING** of this Petition will begin when all supporting documents and the filing fee (numbers 1 through 7) are returned to:

Lori Stelzer, City Clerk
City of Venice
401 W. Venice Avenue
Venice, Florida 34285
Phone: (941) 882-7390

**PETITION
VACATION OF A ROAD OR PORTION THEREOF**

Petitioner _____

Mailing Address _____

Telephone No. () _____ () _____

Attorney or Agent for Petitioner _____

Mailing Address _____

Telephone No. () _____ () _____

I, We, hereby petition the City of Venice for the vacation of a road or portion thereof, hereinafter more particularly described, and says:

1. That the reasons for this Petition are as follows:

2. That the accurate legal description of that certain road or portion thereof, desired to be vacated is as follows:

3. That the names and residence address of the adjoining real property owners are as follows:

4. That the public or private drainage or utility easements or right of access or parks (will/will not) be affected or disturbed by granting of this petition.

If affected or disturbed, describe how affected or disturbed:

5. That Certificate of Search attached hereto certifies to the fact that all State, County, and Municipal taxes have been paid on the Petitioner's real property abutting said road sought to be vacated.
6. That the road or portion thereof, herein petitioned to be vacated (has/has not) been accepted for maintenance by the City of Venice.
7. That a filing fee to cover publication, recording and administrative costs in the amount of \$500.00 is herewith submitted.

RESPECTFULLY SUBMITTED this _____ day of _____, 20 ____.

Petitioner