

Where are we (Loxahatchee/Acreage) in the incorporation process?

A feasibility study and a municipal charter has been completed, as required by State Statute. Next, the citizens group will submit the feasibility study and charter to our local legislative delegation. The legislative delegation must agree that it has enough merit to be carried forward to the next legislative session for consideration. If the Legislature approves the proposed referendum during the 2023 legislative session, then all the residents affected by the proposed incorporation will have the opportunity to vote for or against incorporation in a referendum in 2023/24. **Ultimately, the residents have the final say in the process.**

What are the benefits of incorporation?

1. We shape the Charter and format of our municipality, deciding such things as form of government and size of council. The Charter serves as the constitution of the self-government structure. The Charter is a legislative Act, approved by the Legislature and then voted on by referendum of the people (majority rules).
2. We choose who sits on our council and represents us through elections – local people and local accountability.
3. Through autonomous, local self-government, we can create ordinances that are consistent with our community, lifestyle and values, provided they do not conflict with Federal or State Statutes.
4. We can protect our rural, agricultural and equestrian community through local control of land use and zoning.
5. We would receive a portion of shared tax revenues such as gas taxes, sales taxes, and the penny sales tax. We would also be able to collect revenues such as building permit fees, franchise fees, land use fees, zoning fees, impact fees for public buildings, Fire Rescue, Law Enforcement, library facilities, parks & recreation, transportation and mobility fees from new development.
6. We can ensure that we are responsive to the needs of our residents by controlling and investing revenue to benefit our local community.
7. Traffic control - we control placement of intersection lights, street lights, signage and speed limits.
8. We are protected from being annexed by abutting municipalities.
9. We are eligible for additional government grant funds, State funds and Federal funds that are not available to special districts and specifically ITID. These are funds we are missing out on for our community.
10. We will have a seat at the table with the County, League of Cities, Treasure Coast Regional Planning Council, the Transportation Planning Agency of Palm Beach, and the State and Federal Governments.

What are the risks of incorporation?

1. Our local government will have increased responsibilities and operations costs.
2. There could be an additional layer of government until Indian Trail is dissolved, although taxes cannot be duplicated.
3. Our ability to levy ad valorem taxes and bonds will be limited by Statute. Shared revenue sources can fluctuate.
4. Property greater than a ½ acre, sold or transferred **after incorporation**, would lose the Homestead Creditor Protection under Article X, Section 4 of the Florida Constitution on property. Properties in municipalities have the protection up to a ½ acre. Anyone currently on the deed is grandfathered in until the property is sold, or they voluntarily give up the protection. This means that a creditor cannot place a lien against or force the sale of your homestead to satisfy an obligation or monetary judgment. **It does NOT influence your homestead property tax exemption.**
5. We place our trust in the neighbors we elect to the council, they can change the direction of our community. Choose and vote wisely!!!



FAQ's...

For more information, scan this image with your camera!



1. Will my taxes go up?

- a. Possibly, but not significantly. Indian Trail taxes will go up without incorporation. Your tax dollars will be staying in our community rather than being distributed around all of Palm Beach County.

2. What will the millage rate be?

- a. The feasibility study found that the Town would be sustainable with a 3 mill ad valorem tax rate. The actual millage rate will be determined by the city council, and may be changed annually. Increasing the millage rate is restricted by Statute and landowners are protected by a cap of 3% increase of the assessed value of property and a 10% cap for a non-homesteaded property.

3. Will my property taxes be calculated differently?

- a. No, the calculation will still be based on the same home value.

4. Can we make our own codes?

- a. Yes, provided they do not conflict with State or Federal codes or County codes where the County has home rule authority ie. health department and county road thoroughfare plan. The municipality will have home rule authority on most things in our community.

5. What happens to ITID?

- a. ITID will remain an independent special district for the purposes of drainage services until 2032 when it is anticipated the community will have a referendum to dissolve Indian Trail or make it a dependent district. ITID has agreed to turn over assets such as parks, equipment, staff and the majority of easements to the municipality.

6. Will incorporation mean no more Palm Beach County Code Enforcement?

- a. YES! Municipalities are granted Home Rule Authority by the State but are subject to Federal and State Laws. The County prevails only on those items granted by the State and set out in their Charter, since Palm Beach County is a Charter County. The new municipality would have 2 years to write its own comprehensive plan and another year to adopt its own ULDC/Codes. In other words, we would make our own ordinances and codes subject to Federal and State Statutes and subject to the County ONLY on those items they have Home Rule Authority on.

7. How will self-government help with crime in the community?

- a. The municipality will be able to direct police services and resources as needed for the community.

8. How will services such as police and fire department be provided?

- a. Initially, the municipality will have a contract with Palm Beach County Sheriff's office for police services. In the future, it will have the authority to create its own police force or to contract with a neighboring municipality's police department or to continue to contract with the PBSO, if residents wish.
- b. Initially, the municipality will continue to be a part of the County's Fire MSTU (Municipal Special Taxing Unit). In the future, it will have the authority to create its own fire department or to contract with a neighboring fire department, if residents wish.

9. What influence can we have as a Town on the City of Westlake and the development in its city?

- a. The Town will not have decision making authority for what decisions are made in another municipality, as they have home rule authority within their city. However, our Town will have home rule authority over the decisions in our own town. In addition, as a Town, we will have a voice with the County and State.