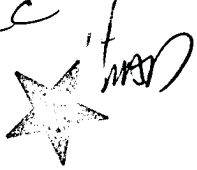


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FILED WITH THE DEPARTMENT OF STATE : November 14, 2016

ORDINANCE
NUMBER 2016- 041

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA AMENDING CHAPTER 4-1, ARTICLE II, SECTION 4-1-17 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, "MSBU/TU ADVISORY BOARDS MEMBERSHIP" BY ADDING PROVISIONS TO CLARIFY THE TERMS OF OFFICE FOR EXISTING ADVISORY BOARD MEMBERS; AMENDING CHAPTER 4-6, ARTICLE VIII BY CREATING A NEW SECTION 4-6-143 THAT ESTABLISHES AN ADVISORY BOARD FOR THE ROTONDA HEIGHTS STREET AND DRAINAGE UNIT MSBU; AMENDING CHAPTER 4-6, ARTICLE XXXV BY CREATING A NEW SECTION 4-6-738 THAT ESTABLISHES AN ADVISORY BOARD FOR THE ROTONDA SANDS STREET AND DRAINAGE UNIT MSBU; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, The Charlotte County Board of County Commissioners (hereinafter "Board") adopted Ordinance Number 2015-045 to provide for consistency and continuity among all MSBU/MSTU advisory boards; and

WHEREAS, the Board desires to amend that Ordinance to clarify the terms of office for all MSBU/MSTU advisory boards; and

WHEREAS, the Board has received Petitions requesting establishment of two new advisory boards, one for the Rotonda Heights Street & Drainage MSBU and one for the Rotonda Sands Street & Drainage MSBU; and

WHEREAS, the Board desires to establish advisory boards for the Rotonda Heights Street & Drainage MSBU and the Rotonda Sands Street & Drainage MSBU.

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NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA AS FOLLOWS:

Section 1. Section 4-1-17 of the Code of Laws and Ordinances of Charlotte County, Florida is hereby amended as follows (underlined sections are additions and strikethrough sections are deletions):

Sec. 4-1-17. - Membership.

For each unit, the board of advisors shall consist of five (5) members (hereinafter, collectively "members") appointed by the board. All members shall be residents and owners of real property within the unit. The criteria for selection of members shall include, among other things, technical knowledge or expertise in matters related to the work program of the unit or demonstrated interest in community service.

For newly created advisory boards to a new or existing unit, continuity of membership shall be established with the initial terms of office being drawn by lot as follows: One (1) member shall be appointed for one (1) year, two (2) members shall be appointed for two (2) years, and two (2) members shall be appointed for three (3) years. After the initial term, members shall serve a term of three (3) years and all members shall be eligible for reappointment to the board of advisors. All terms of office for newly created advisory boards shall commence on November 1 and terminate on October 31.

For existing advisory boards, continuity of membership shall be maintained ~~through appointing new members or reappointing members for a period of three (3) years to be consistent with the date establishing the advisory board~~ as follows: The current term of office for all members serving on an advisory board on November 1, 2016 shall terminate and such members shall be immediately reappointed to a new term of office that commences on November 1, 2016. In order to stagger the terms of office thereafter, such reappointed members' term length shall be determined by lot at the first meeting of the advisory board held after November 1, 2016, with one member being appointed for a one (1) year term, two (2) members being appointed for two (2) year terms and two (2) members being appointed for three (3) year terms. Members appointed to fill a vacancy with less than six (6) months to the end of term date shall be appointed for the remainder of the term and the following three-year term. Members appointed to fill a vacancy with a remaining term of more than six (6) months shall fill the remainder of the vacant term.

Section 2. Section 4-6-143 of the Code of Laws and Ordinances of Charlotte County, Florida is hereby created as follows:

Sec. 4-6-143. Establishment of Advisory Board.

The Board of County Commissioners hereby establishes a Board of Advisors for the Rotonda Heights Street and Drainage Unit adhering to Sections 4-1-16—4-1-23, in Article II, Chapter 4-1 of the Code of Laws and Ordinances of Charlotte County, Florida.

Section 3. Section 4-6-738 of the Code of Laws and Ordinances of Charlotte County, Florida is hereby created as follows:

Sec. 4-6-738. Establishment of Advisory Board.

The Board of County Commissioners hereby establishes a Board of Advisors for the Rotonda Sands Street and Drainage Unit adhering to Sections 4-1-16—4-1-23, in Article II, Chapter 4-1 of the Code of Laws and Ordinances of Charlotte County, Florida.

Section 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or applications. To this end, the provisions of this ordinance are declared severable.

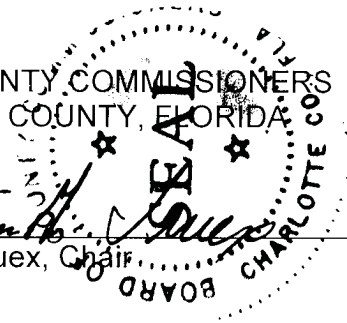
Section 5. Effective Date. A certified copy of this Ordinance shall be filed with the Department of State of the State of Florida within 10 days of enactment and shall take effect upon filing with said department.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 8 day of Nov., 2016.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chair



ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-officio
Clerk to the Board of County
Commissioners

By: Michelle D. Bernardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR16-0631 MCW



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 14, 2016

Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Michelle DiBerardino

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2016-041, which was filed in this office on November 14, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

(pd)

SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

The Board of County Commissioners of Charlotte County proposes to adopt the following ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA AMENDING CHAPTER 4-1, ARTICLE II, SECTION 4-1-17 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, "MSBU/TU ADVISORY BOARDS MEMBERSHIP" BY ADDING PROVISIONS TO CLARIFY THE TERMS OF OFFICE FOR EXISTING ADVISORY BOARD MEMBERS; AMENDING CHAPTER 4-6, ARTICLE VIII BY CREATING A NEW SECTION 4-6-143 THAT ESTABLISHES AN ADVISORY BOARD FOR THE ROTONDA HEIGHTS STREET AND DRAINAGE UNIT MSBU; AMENDING CHAPTER 4-6, ARTICLE XXXV BY CREATING A NEW SECTION 4-6-738 THAT ESTABLISHES AN ADVISORY BOARD FOR THE ROTONDA SANDS STREET AND DRAINAGE UNIT MSBU; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A public hearing on this ordinance will be held at 10AM, or as soon thereafter as it may be heard, on the 8th day of November, 2016, in Room 119 of the Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida.

Copies of the proposed ordinance and the economic impact estimate, if applicable, are available for inspection by the general public in the Charlotte County Attorney's Office, 18500 Murdock Circle, Port Charlotte, Florida.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

Should any agency or person decide to appeal any decision made by the Board with respect to any matter considered at such meeting, he will need a record of the proceeding, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1318, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Holly Vinacco, who on oath says that she is legal clerk of the Charlotte Sun and the Englewood Sun, each a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing, was published in said newspaper in the issue(s) of:

October 28, 2016

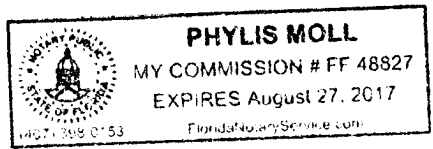
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each publication day and has been entered as periodicals matter at the post office in Punta Gorda in said Charlotte County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Holly Vinacco
(Signature of Affiant)

Sworn and subscribed before me this 28th day of October, 2016

Phylis Moll
(Signature of Notary Public)

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Personally Known OR Produced Identification

Type of Identification Produced _____