

August 13, 2004

FILE 1248802 OR BK 02537 Pgs 1041 - 1042: (2pgs) REC'D 08/30/2004 11:32:34 AM  
BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY  
REC 18:50

CHG  
BCC  
#14

ORDINANCE  
NUMBER  
2004-052

AN ORDINANCE AMENDING CHARLOTTE COUNTY CODE SECTION 4-6-613; AMENDING THE PURPOSE OF THE NORTHWEST PORT CHARLOTTE STREET AND DRAINAGE MSBU TO INCLUDE BEAUTIFICATION AND LANDSCAPING; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

**WHEREAS**, the Charlotte County Board of County Commissioners, by Ordinance 87-44, enacted Chapter 4-6, Article XXVIII, Charlotte County Code, which established the Northwest Port Charlotte Street and Drainage Unit ("unit"); and

**WHEREAS**, the Northwest Port Charlotte Street and Drainage Unit advisory board has requested the Board of County Commissioners to amend the stated purpose of the unit to permit funds derived from within the unit to be used for beautification and landscaping projects, in addition to the purposes now therein provided; and

**WHEREAS**, the expenditure of funds for the requested additional purposes is a valid public purpose and in the best interest of the citizens of the unit.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Charlotte County, Florida:

Section 1. Charlotte County Code, Section 4-6-613, is amended to read as follows:

**"Section 4-6-613. Purpose.**

The purpose of the unit is to provide for the construction, reconstruction, repair, paving, repaving, hard-surfacing, re-hard surfacing, widening, guttering, and draining of the platted

IMAGED  
9-21-04  
AS

IMAGED IN PG

minutes  
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1 streets in the unit, including the necessary appurtenances thereto, including beautification and  
2 landscaping projects, from funds derived from special assessments within the unit ~~only~~.”

3  
4 Section 2. Severability. In the event any portion of the foregoing conflicts with any other  
5 Charlotte County Code or other applicable law, the more restrictive shall apply. If any subsection,  
6 sentence, clause, phrase, or portion of these sections is for any reason held invalid or unconstitutional  
7 by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and  
8 independent provision and such holding shall not affect the validity of the remainder of the chapter.

9 Section 3. Effective Date. This ordinance shall take effect upon its filing in the  
10 Office of Secretary of State, State of Florida.

11 PASSED AND DULY ADOPTED this 10 day of August, 2004.

12 BOARD OF COUNTY COMMISSIONERS  
13 OF CHARLOTTE COUNTY, FLORIDA

14 By Matthew D. DeBoer  
15 Matthew D. DeBoer, Chairman  
16

17 ATTEST:  
18 Barbara T. Scott, Clerk of  
19 Circuit Court and Ex-Officio  
20 Clerk to the Board of County  
21 Commissioners

22 By Anne L Pfahler  
23 Deputy Clerk  
24

25 APPROVED AS TO FORM  
26 AND LEGAL SUFFICIENCY:

27 Renée Francis Lee  
28 Renée Francis Lee, County Attorney BB  
29

2-1

# SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

Ord # 2004  
052

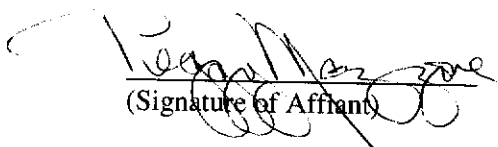
**PUBLISHER'S AFFIDAVIT OF PUBLICATION  
STATE OF FLORIDA**

**COUNTY OF CHARLOTTE:**

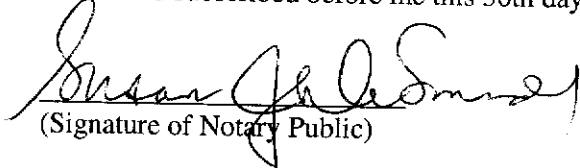
Before the undersigned authority personally appeared Peggy Mazzone, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Intention to Consider Ordinances was published in said newspaper in the issues of:

July 30, 2004

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 day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 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.

  
(Signature of Affiant)

Sworn and subscribed before me this 30th day of July, 2004.

  
(Signature of Notary Public)

SUSAN J. DESMIDT  
Comm# DD0322095  
Expires 6/26/2003  
Bonded thru (000) 1004254  
Florida Notary Public

**NOTICE OF INTENTION TO CONSIDER ORDINANCE**  
The Board of County Commissioners of Charlotte County will, in regular session, in Room 119 of the Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida, at 10 AM, or as soon thereafter as may be heard, on the 10th day of August, 2004, consider the enactment of an ordinance bearing the following title: **AN ORDINANCE AMENDING CHARLOTTE COUNTY CODE SECTION 4-6-613; AMENDING THE PURPOSE OF THE NORTHWEST PORT CHARLOTTE STREET AND DRAINAGE MSBU TO INCLUDE BEAUTIFICATION AND LANDSCAPING; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**  
The proposed ordinance and economic impact statement are available at 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 proceedings, 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**  
P.O. 2004003430-J  
PUBLISHED: July 30, 2004  
163352 1277081

1 x 4.681 x 4.95 = \$ 23.17



FLORIDA DEPARTMENT OF STATE  
**Glenda E. Hood**  
 Secretary of State  
 DIVISION OF LIBRARY AND INFORMATION SERVICES

August 17, 2004

Honorable Barbara T. Scott  
 Clerk of Circuit Court  
 Charlotte County  
 18500 Murdock Circle, Room 416  
 Port Charlotte, Florida 33948

Attention: Anne L. Pfahler, Deputy Clerk

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 11, 2004 and certified copies of Charlotte County Ordinance Nos. 2004-052 through 2004-055, which were filed in this office on August 13, 2004.

Sincerely,

Liz Cloud  
 Program Administrator

RECEIVED AT  
 HONOR BRANCH  
 2004 AUG 19 PM 1:11  
 BARBARA T. SCOTT  
 CLERK OF CIRCUIT COURT  
 CHARLOTTE COUNTY FL

LC/kcs