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ORDINANCE  
NUMBER 2010- 029

AN ORDINANCE AMENDING CHAPTER 3-8  
ARTICLE V OF THE CHARLOTTE COUNTY CODE  
RELATING TO DISCHARGES INTO CHARLOTTE  
COUNTY UTILITIES WASTEWATER FACILITIES;  
REVISING WASTE DISCHARGE FEES; PROVIDING  
FOR INCLUSION OF THIS ORDINANCE INTO THE  
CHARLOTTE COUNTY CODE; AND PROVIDING AN  
EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners ("Board") is  
responsible for regulating the quality and quantity of waste discharged into  
Charlotte County Utilities' ("CCU's") wastewater facilities, including transported  
liquid waste; and

WHEREAS, the Board now desires to amend the fees relating to  
such discharges into CCU's wastewater facilities, in order to more closely align  
such fees to the actual costs incurred from the operation of the Transported  
Waste Receiving Program.

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

Section 1. Charlotte County Code Section 3-8-105(7)c. is hereby  
amended as follows:

c. Waste discharge fee shall be fiveeight cents (\$0.058) per  
gallon for in-county septage waste and seventen cents  
(\$0.0710) per gallon for out-of-county septage waste; twelve  
cents (\$0.12) per gallon for in-county grease waste and  
fourteen cents (\$0.14) per gallon for out-of-county grease  
waste per trip.

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

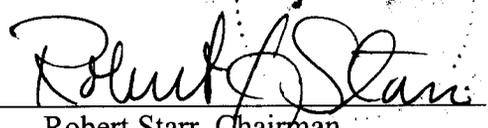
8           Section 3. Inclusion. It is the intention of the Board of County  
9 Commissioners and it is hereby ordained that the provisions of this ordinance  
10 shall become and be made a part of the Code of Laws and Ordinances, Charlotte  
11 County, Florida, and the sections of this ordinance may be renumbered to  
12 accomplish such intention.

13           Section 4. Effective Date. This ordinance shall be filed in the Office of the  
14 Secretary of State, State of Florida, and shall take effect on July 1, 2010.

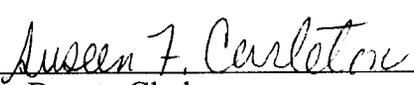
1 PASSED AND DULY ADOPTED this 8th day of June,  
2 2010.

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BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By:   
Robert Starr, Chairman

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

By:   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By:   
Janette S. Knowlton  
County Attorney 

## ECONOMIC IMPACT ESTIMATE

AN ORDINANCE AMENDING CHAPTER 3-8 ARTICLE V OF THE CHARLOTTE COUNTY CODE RELATING TO DISCHARGES INTO CHARLOTTE COUNTY UTILITIES WASTEWATER FACILITIES; REVISING WASTE DISCHARGE FEES; PROVIDING FOR INCLUSION OF THIS ORDINANCE INTO THE CHARLOTTE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: To amend waste discharge fees to cover the rising operational costs of doing business and the capital costs of expanding facilities.

IMPACT: An increase of \$0.03 per gallon is being requested for septage waste. This will bring the fees for in-county septage waste disposal cost to \$0.08 and out-of-county septage waste disposal cost to \$0.10. Because of the increased cost to process grease waste, an increase of \$0.07 per gallon is being request for grease waste. This will bring the fees for in-county grease waste disposal cost to \$0.12 and out-of-county grease waste disposal cost to \$0.14. This increase is necessary to cover costs related to the service and brings Charlotte County's price competitive with surrounding counties.

- |  |   |
|--|---|
| A. Cost of implementation:                   | Service is in place. No additional costs associated with the adoption of this revision.   |
| B. Source of Funds/Ultimate Burden of Costs: | Grease/Septage Waste Haulers will cover the cost of the services rendered to them.        |
| C. Effect on Competition and Employment:     | This increase is in line with prices of surrounding counties. No additional staff needed. |
| D. Benefits of Implementation:               | Will cover costs of service without impacting water and wastewater user rates.            |

### Comparison of Septage and Grease Receiving Program Rates in Florida

#### In County Septage and Grease Rates Per Gallon

Waste Product	Charlotte Co.	Crews Environ. Ft Myers	Blue Environ.- Charlotte to Manatee	Sarasota	Clearwater	Pinellas Co.	Orange Co.	Orlando	Kissimmee	Clay Co.	Broward Co.	Average of Competition
septage	0.05	0.10	no	0.08	0.05	0.12	0.12	0.11	no	0.0339	no	0.09
grease	0.05	0.19	0.24	no	0.12	no	no	0.12	0.10	no	0.35	0.20

#### Out of County Septage and Grease Rates Per Gallon

Waste Product	Charlotte Co.	Crews Environ. Ft Myers	Blue Environ.- Charlotte to Manatee	Sarasota	Clearwater	Pinellas Co.	Orange Co.	Orlando	Kissimmee	Clay Co.	Broward Co.	Average of Competition
septage	0.07	0.10	no	0.08	0.05	no	no	0.11	no	0.0339	no	0.07
grease	0.07	0.19	0.24	no	0.12	no	no	0.12	0.10	no	0.45	0.20

PH #1

# SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

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

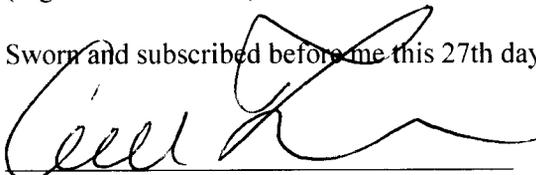
Before the undersigned authority personally appeared Diane Brinckman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, The Arcadian, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement,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

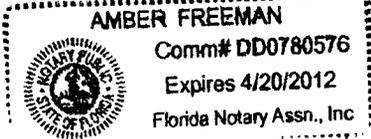
May 27, 2010

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 27th day of May, 2010.

  
(Signature of Notary Public)



Personally known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_

**NOTICE OF INTENTION TO CONSIDER ORDINANCE**

The Board of County Commissioners of Charlotte County proposes to adopt the following ordinance: AN ORDINANCE AMENDING CHAPTER 3-8 ARTICLE V OF THE CHARLOTTE COUNTY CODE RELATING TO DISCHARGES INTO CHARLOTTE COUNTY UTILITIES WASTE-WATER FACILITIES; REVISING WASTE DISCHARGE FEES; PROVIDING FOR INCLUSION OF THIS ORDINANCE INTO THE CHARLOTTE COUNTY CODE; 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 June, 2010, 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

**The Charlotte County Commission meeting room is accessible to the physically disabled.**

**However, if you need assistance or require auxiliary aids and services please contact our office at 941-743-1392 or TTY #941-743-1234. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.**

P.O. #: 2010002025-C  
Published: May 27, 2010  
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FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

DAWN K. ROBERTS
Interim Secretary of State

June 15, 2010

Ms. Barbara T. Scott
Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948-1094

Attention: Ms. 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 June 10, 2010 and certified copy of Charlotte County Ordinance No. 2010-029, which was filed in this office on June 14, 2010.

Sincerely,

[Handwritten signature: Liz Cloud]

Liz Cloud
Program Administrator

LC/srd

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2010 JUN 21 PM 12: 02
BARBARA T. SCOTT
CLERK OF CIRCUIT COURT
CHARLOTTE COUNTY, FL

DIRECTOR'S OFFICE

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