

*Change
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Effective Date 1-4-91

O R D I N A N C E
NUMBER 90-70

90 DEC 21 AM 11:35
RECORDED

AN ORDINANCE CREATING THE DON PEDRO AND KNIGHT ISLANDS STREET AND DRAINAGE UNIT, A MUNICIPAL SERVICE TAXING UNIT; NAMING THE UNIT; PROVIDING FOR A GOVERNING BODY; DESCRIBING THE TERRITORY INCLUDED IN THE UNIT; DELINEATING THE PURPOSE OF THE UNIT; PROVIDING FOR THE ADOPTION OF A BUDGET AND THE LEVY AND COLLECTION OF AD VALOREM TAX; AND PROVIDING AN EFFECTIVE DATE.

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FINDINGS

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CHARLOTTE COUNTY

1. The Board of County Commissioners has previously created the West Charlotte (Urban) Street and Drainage Unit, in portions of the unincorporated area of Charlotte County, to provide certain services within its territory.

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2. The Board of County Commissioners has determined that, due to the geography and varying needs of the different areas included within the territory of the Unit, it is in the best interests of the properties to establish separate units to provide municipal type services to the properties and residents currently located within the single unit.

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

Section 1. CREATED. There is hereby created, pursuant to the authority contained in Section 121.01(1)(q), Florida Statutes, a municipal service tax unit to be known as the "Don Pedro and Knight Islands Street and Drainage Unit."

1 RECORD VERIFIED - Barbara T. Scott, Clerk
JLB JOY BILBREY D.C.

REC'D DEC 21 1990



** Return to Minutes*

Section 2. AREA. The territory included within the Unit shall include the following portion of the unincorporated area of the County, more particularly described as follows:

Islands lying in Section 19, 20, 28, 29, 32 and 33 of Township 41 South, Range 20 East, along in Sections 3 and 4 of Township 42 South, Range 20 East of Charlotte County, Florida, further described as follows:

Islands lying in said sections of Township 41 South, Range 20 East and Township 42 South, Range 20 East, bounded by the Southerly Section Line of Section 3 and the Northerly Section Line of Section 10, Township 42 South, Range 20 East, to the Southerly Side; thence Lemon Bay to the Easterly side; thence Stump Pass to the Northerly Side; thence the Gulf of Mexico to the Westerly Side.

Section 3. GOVERNING BODY. The Charlotte County Board of County Commissioners shall be the governing body of the Unit.

Section 4. 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 streets platted and accepted for maintenance by the County, including the necessary appurtenances thereto, from funds derived from ad valorem taxes within the Unit.

Section 5. BUDGET. On or before the first day of July of each year, the County Engineer shall present to the Board of County Commissioners a tentative budget for the Unit, and the Board

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may proceed to adopt a budget as county budgets are adopted and fund the budget from ad valorem taxes levied and collected within the Unit.

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

Section 7. INCLUSION INTO THE CODE. It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Laws and Ordinances, Charlotte County, Florida, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 8. EFFECTIVE DATE. This ordinance shall take effect upon receipt of the acknowledgment of its filing in the Office of the Secretary of State, State of Florida.

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PASSED AND DULY ADOPTED this 18 day of DECEMBER, 1990.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By *Wm. D. Noel, Jr.*
Wm. D. Noel, Jr., Chairman



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

By *Donna Neering*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Sandra J. Augustine
Sandra J. Augustine
County Attorney

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