

*Orig
Bac*

Effective Date 1-6-94

ORDINANCE
NUMBER 93-73

Barbara I. Scott, Clerk of the Circuit Court - Charlotte County
File Number: 270598 OR BOOK 1319 PAGE 1680
Recorded: 01/07/94 03:31 P.M.

AN ORDINANCE CREATING THE MANASOTA KEY STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC AREA INCLUDED IN THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR THE POWERS OF THE UNIT, INCLUDING THE ADOPTION OF A BUDGET, THE LEVY OF AD VALOREM TAX, AND THE COLLECTION OF AD VALOREM TAX; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

FINDINGS

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.

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)(g), Florida Statutes, a municipal service tax unit to be known as the "Manasota Key Street and Drainage Unit."

#175
MINUTES
3 pages

Recording Fee Paid
Record Verified by Recorder, D.C.

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:

(1) All land lying west of Lemon Bay and east of the Gulf of Mexico in Sections 1, 2, 12, and 13 of Township 41 South, Range 19 East, Charlotte County, Florida.

(2) All land lying west of Lemon Bay and east of the Gulf of Mexico in Sections 7 and 18, Township 41 South, Range 20 East, Charlotte County, Florida.

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, as well as sidewalks, bike paths, and beautification projects, 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 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.

PASSED AND DULY ADOPTED this 21st day of December 1993.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

BY [Signature]
Richard J. Leonard, Chairman

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

BY [Signature]
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

[Signature]
Matthew G. Minter
County Attorney



FLORIDA DEPARTMENT OF STATE

Jim Smith, Secretary of State
DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
Tallahassee, Florida 32399-0250
(904) 488-8427

January 3, 1994

Honorable Barbara T. Scott
Clerk of the Circuit Court
Charlotte County Courthouse
Post Office Box 1687
Punta Gorda, Florida 33951-1687

Attention: Caroline W. Lounsbury, Deputy Clerk

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter of December 28, 1993 and certified copies of Charlotte County Ordinance Numbers 93-67 through 93-73, which were received and filed in this office on January 3, 1994.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

RECEIVED
JAN 6 1994
94 JAN -6 PM 3:51
ADMINISTRATIVE CODE