Cag #14
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Effective Date: 3/28/97

FILE:477677 OR BOOK/PAGE:1523/1784
RECORDED:4/4/97 09:08:40
BARBARA T. SCOTT, CLERK OF THE CIRCUIT COURT - CHARLOTTE COUNTY
Recording $19.50
Recorded By: Sandra O. Wells D.C.

ORDINANCE

NUMBER 97-13

(970130A0)

AN ORDINANCE AMENDING CHAPTER 4-6, ARTICLE VIII, CHARLOTTE COUNTY CODE; CREATING THE ROTONDA HEIGHTS STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

RECITALS

1. The Board of County Commissioners, pursuant to the provisions of Section 125.01, Florida Statutes, has the power to establish, merge or abolish municipal service benefit units and levy and collect assessments within such units.

2. The Board of County Commissioners, by Resolution 96-0910A0, accepted for maintenance certain described streets, bridges and related drainage facilities within the Rotonda development.

3. It is in the best interest of the citizens of the County to create street and drainage benefit units to provide the funding necessary for the construction and repair of the streets, bridges and related drainage facilities which have been accepted for maintenance.

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

(6)
IMAGED
4/10/97
AR

#13
Minutes

Section 1. Charlotte County Code, Chapter 4-6, Article VIII, is amended by adding the following new language, numbered and designated as follows:

"ARTICLE VIII. ROTONDA HEIGHTS STREET AND DRAINAGE UNIT

Sec. 4-6-136. Unit established.

There is hereby created, pursuant to the authority contained in Section 125.01, Florida Statutes, a municipal service benefit unit to be known as Rotonda Heights Street and Drainage Unit (hereinafter "unit").

Sec. 4-6-137. Territory.

The territory included within the unit shall include the following portions of the unincorporated area of Charlotte County:

(1) Portions of Rotonda Heights, a subdivision lying in the following half-section maps received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 2B15N, 2B15S, 2B16S, 2B22N, and 2B22S. Said portions being:

Lots 1 through 460 (inclusive), 462 through 1777 (inclusive), 1777A, 1778 through 1970 (inclusive), 1973 through 2009 (inclusive), and Parcel 10.

(2) Portions of unplatted land lying in the south 1/2 of Section16, Township 41 South, Range 20 East, in Charlotte County, Florida, according to the following half-section map received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County Florida: 2B16S. Said portions being:

Parcels 7, 8, and 8-2.

Sec. 4-6-138. Purpose.

The purpose of the unit is to provide for the construction, reconstruction, repair, paving, repaving, hard surfacing, rehard surfacing, widening, guttering, and draining, of streets, bridges and related drainage facilities in the unit, and of necessary appurtenances and accessory structures thereto located within or without the unit, from funds derived from special assessments within the unit.

Sec. 4-6-139. Governing body.

The Board of County Commissioners of Charlotte County, Florida, shall be the governing body of the unit.

Sec. 4-6-140. Powers of the governing body.

The board shall have those powers set forth in Chapter 4-6, Article I, Charlotte County Code.

Sec. 4-6-141. Assessments and Collection.

The authority and procedure for imposing and collecting capital project and maintenance assessments shall be as provided in Chapter 4-6, Article I, Charlotte County Code.

Sec. 4-6-142. Issuance of debt obligations.

The authority and procedure regarding the issuance of debt obligations shall be as provided in Chapter 4-6, Article I, Charlotte County Code."

Section 2. Severability. In the event any portion of the foregoing 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 3. Effective Date. This ordinance shall take effect upon its filing in the Office of Secretary of State, State of Florida.

PASSED AND DULY ADOPTED this 25th day of March, 1997.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Matthew D. DeBoer
Matthew D. DeBoer, Chairman

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

By: Karen S. Mitchell
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Renée Francis Lee
Renée Francis Lee, County Attorney

p:\wpdata\brad\ords\rohelight.s/LR96-398
March 12, 1997

~~10:15~~ A.M.
1:00 P.M. 9 45

ORD 970110AO
thru 970200AO

SARASOTA HERALD-TRIBUNE
(Charlotte/Englewood AM Editions)

Published Daily

Charlotte County FLORIDA

AD NUMBER 36A7006700 PO #173167-N

ORD 97-13

STATE OF FLORIDA
COUNTY OF CHARLOTTE

Before the undersigned authority personally appeared Penny DiGregorio, who on oath says she is Advertising Manager, Charlotte/AM of the Sarasota Herald-Tribune (Charlotte/Englewood editions), a daily newspaper published in Charlotte County, Florida; that the attached copy of advertisement, being a notice in the matter of:

Notice of Intention To Consider Ordinances

in the Court, was published in the Charlotte/Englewood edition of said newspaper in the issues of:

March 7, 1997

Affiant further says that the said Sarasota Herald-Tribune is a newspaper published in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in Charlotte County, Florida, each day, and has been entered as second-class mail 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 she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisment for publication in the said newspaper.

Signed P. D.

Sworn to and subscribed before me this 7 day of March A.D. 1997.

SEAL Ann Hinkson
Notary Public

OFFICIAL NOTARY SEAL
ANN HINKSON
COMMISSION NUMBER
CC457117
MY COMMISSION EXP.
APR. 30, 1999

NOTICE OF INTENTION TO CONSIDER ORDINANCES

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 1:00 P.M. on the 18th day of March, 1997, consider the passage of ordinances bearing the following titles:

1. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA BROADMOOR STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

2. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA HEMPHILL STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

3. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA LAKES STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

4. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA LONG MEADOW STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

5. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE VI, CHARLOTTE COUNTY CODE, CREATING THE ROTONDA MEADOWS STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

6. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE XXXIV, CHARLOTTE COUNTY CODE, ABOLISHING ROTONDA PINEHURST STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

7. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE XXXIV, CHARLOTTE COUNTY CODE, ABOLISHING ROTONDA 8 STREET AND DRAINAGE UNIT; CREATING THE ROTONDA PINE VALLEY STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

8. AN ORDINANCE AMENDING CHAPTER 4-8, ARTICLE XXXIV, CHARLOTTE COUNTY CODE, ABOLISHING ROTONDA 9 STREET AND DRAINAGE UNIT; CREATING THE ROTONDA SANDS NORTH STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

9. AN ORDINANCE AMENDING CHAPTER 4-8, CHARLOTTE COUNTY CODE, CREATING ARTICLE XLVI; CREATING THE ROTONDA VILLAS STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

10. AN ORDINANCE AMENDING CHAPTER 4-8, CHARLOTTE COUNTY CODE, CREATING ARTICLE XLVI; CREATING THE ROTONDA WHITE MARSH STREET AND DRAINAGE UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING THE POWERS OF THE GOVERNING BODY; PROVIDING THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinances and their descriptive titles [illegible] 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 ordinances.

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
By /s/ Matthew D. Dollison, Chairman

(P.O. #173167-N)
March 7, 1997

CERTIFIED TRUE COPY
OF THE ORIGINAL
CHARLOTTE COUNTY
CLERK OF THE CIRCUIT COURT
BY: [illegible] DEPUTY CLERK

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
Office of the Secretary
Office of International Relations
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing

MEMBER OF THE FLORIDA CABINET
Historic Florida Keys Preservation Board
Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County Preservation Board
Ringling Museum of Art

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

March 31, 1997

Honorable Barbara T. Scott
Clerk to Board of County Commissioners
Charlotte County
Post Office Box 1687
Punta Gorda, Florida 33951-1687

Attention: Karen S. Mitchell, Deputy Clerk

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated March 26, 1997 and certified copy each of Charlotte County Ordinance Nos. 97-10 through 97-20 inclusive, which were filed in this office on March 28, 1997.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

RECEIVED
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TAGED
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