Effective Date 3/28/97

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Cng #14
BCC

ORDINANCE

NUMBER 97-14

(970140A0)

AN ORDINANCE AMENDING CHAPTER 4-6, ARTICLE IX, 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

IMAGED
JK

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:

FILE:477678 OR BOOK/PAGE:1523/1788
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.

(6)
IMAGED
4/10/97
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#75
Minutes

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

"ARTICLE IX. ROTONDA LAKES STREET AND DRAINAGE UNIT

Sec. 4-6-161. 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 Lakes Street and Drainage Unit (hereinafter "unit").

Sec. 4-6-162. Territory.

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

(1) Rotonda Lakes, a subdivision lying in the following half-section maps received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 2B13N, 3B17N, 3B17S, 3B18N, 3B18S, 3B19N, and 3B19S.

(2) Rotonda Lakes Unit Two, a subdivision lying in the following half-section maps received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 3B17N, and 3B17S.

(3) Portions of unplatted land lying in the south ½ of Section 17, Township 41 South, Range 21 East, in Charlotte County, Florida, according to the following half-section maps received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County Florida: 3B17S. Said portions being:

Parcels 2, 3, 4, 5, and 7.

Sec. 4-6-163. 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. 4-6-164. Governing body.

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

Sec. 4-6-165. Powers of the governing body.

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

Sec. 4-6-166. 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. 4-6-167. 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 D. Matzelle
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Renée Francis Lee
Renée Francis Lee, County Attorney

p:\wpdata\Brendan Bradley, Assistant County Attorney\orda\rolakes/LR96-598
March 12, 1997

~~AM~~ - ~~10:15~~ A.M.
1:30 P.M. - 4:

SARASOTA HERALD-TRIBUNE
(Charlotte/Englewood AM Editions)

Published Daily

Charlotte County FLORIDA

ORD 97011 0A0
thru 97020 0A0

AD NUMBER 36AH00700 PO.#173107-N

STATE OF FLORIDA
COUNTY OF CHARLOTTE

ORD 97-14

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 17, 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 17 day of March, A.D. 1997.

SEAL Ann Hinkson
Notary Public

NOTARY PUBLIC STATE OF FLORIDA
OFFICIAL NOTARY SEAL
ANN HINKSON
COMMISSION NUMBER
CC457117
MY COMMISSION EXP.
APR. 30,1999

CLERK OF CIRCUIT COURT
CHARLOTTE COUNTY
CERTIFIED TRUE COPY
BY: Deanna J. Metzger
DEPUTY CLERK

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 10:15 A.M. on the 18th day of March, 1997, consider the enactment of ordinances bearing the following titles:

1. AN ORDINANCE AMENDING CHAPTER 4-6, ARTICLE V, 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 4-6, ARTICLE VI, 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 ISSUANCE OF DEBT OBLIGATIONS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

3. AN ORDINANCE AMENDING CHAPTER 4-6, ARTICLE IX, 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 4-6, ARTICLE XI, 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 4-6, ARTICLE XXIII, 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 4-6, ARTICLE XXIII, 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 4-6, ARTICLE XXXIV, CHARLOTTE COUNTY CODE; ABOLISHING ROTONDA II 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 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.

8. AN ORDINANCE AMENDING CHAPTER 4-6, ARTICLE XXXV, CHARLOTTE COUNTY CODE; ABOLISHING ROTONDA III 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 4-6, 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 4-6, CHARLOTTE COUNTY CODE; CREATING ARTICLE XLVII; 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 the Explanations 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 ordinances.

If any person decides 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: Matthew D. Dollison, Chairman

PO #173107-N
March 17, 1997