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FILED WITH THE DEPARTMENT OF STATE March 31, 2006

ORDINANCE
NUMBER 2006-022

AN ORDINANCE AMENDING CHAPTER 4-7, CHARLOTTE COUNTY CODE; CREATING ARTICLE XXI; CREATING THE SOUTH BRIDGE WATERWAY UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING FOR THE POWERS OF THE GOVERNING BODY; PROVIDING FOR THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
OR BOOK 2941, PGS 1593-1596 4 pg(s)
INSTR # 1535949
Doc Type GOV, Recorded 04/06/2006 at 03:18 PM
Rec. Fee: \$35.50
Cashiered By: MARIANNE Doc. #5

RECITALS

WHEREAS, 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; and

WHEREAS, the Board of County Commissioners has determined, based on public interest and staff recommendation, that is in the best interest of the property owners and residents in the affected area to create a municipal service benefit unit to provide the funding necessary to perform dredging, maintenance, clearing, marking for navigational purposes, and providing of safety devices in the South Bridge waterway system.

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

Section 1. Charlotte County Code, chapter 4-7, is amended by creating a new article, designated as Article XXI, consisting of sections 4-7-421 through 4-7-440, and by adding the following new language, numbered and designated as follows:

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4-10-06
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 CLERK'S OFFICE
COMMISSION MINUTES
MURDOCK ANNEX

minutes
4

“ARTICLE XXI. SOUTH BRIDGE WATERWAY UNIT

Sec. 4-7-421. 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 the South Bridge Waterway Unit (“unit”).

Sec. 4-7-422. Territory.

The territory included within the unit shall include those portions of the unincorporated area of Charlotte County as depicted on the map attached hereto as Attachment 1, and as more fully described in any assessment roll provided for in this article.

Sec. 4-7-423. Purpose.

The purpose of the unit is to provide for the dredging, maintenance, clearing, marking for navigational purposes, and providing of safety devices in the South Bridge waterway system. The purpose of this unit shall not include the maintenance of seawalls.

Sec. 4-7-424. Governing body.

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

Sec. 4-7-425. Powers of the governing body.

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

Sec. 4-7-426. 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. 4-7-427. 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.”

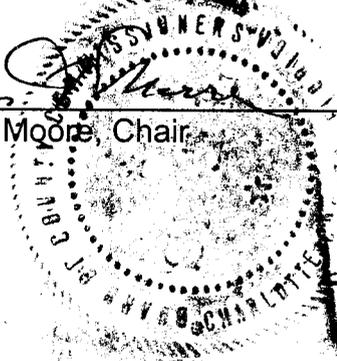
Section 2. Severability. In the event any portion of the foregoing conflicts with any other Charlotte County Code or other applicable law, the more restrictive shall apply. If any subsection, sentence, clause, phrase, or portion of these sections is for any reason held invalid or unconstitutional by 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 28 day of March, 2006.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Thomas G. Moore
Thomas G. Moore, Chair



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

By: Anne L. Bahler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

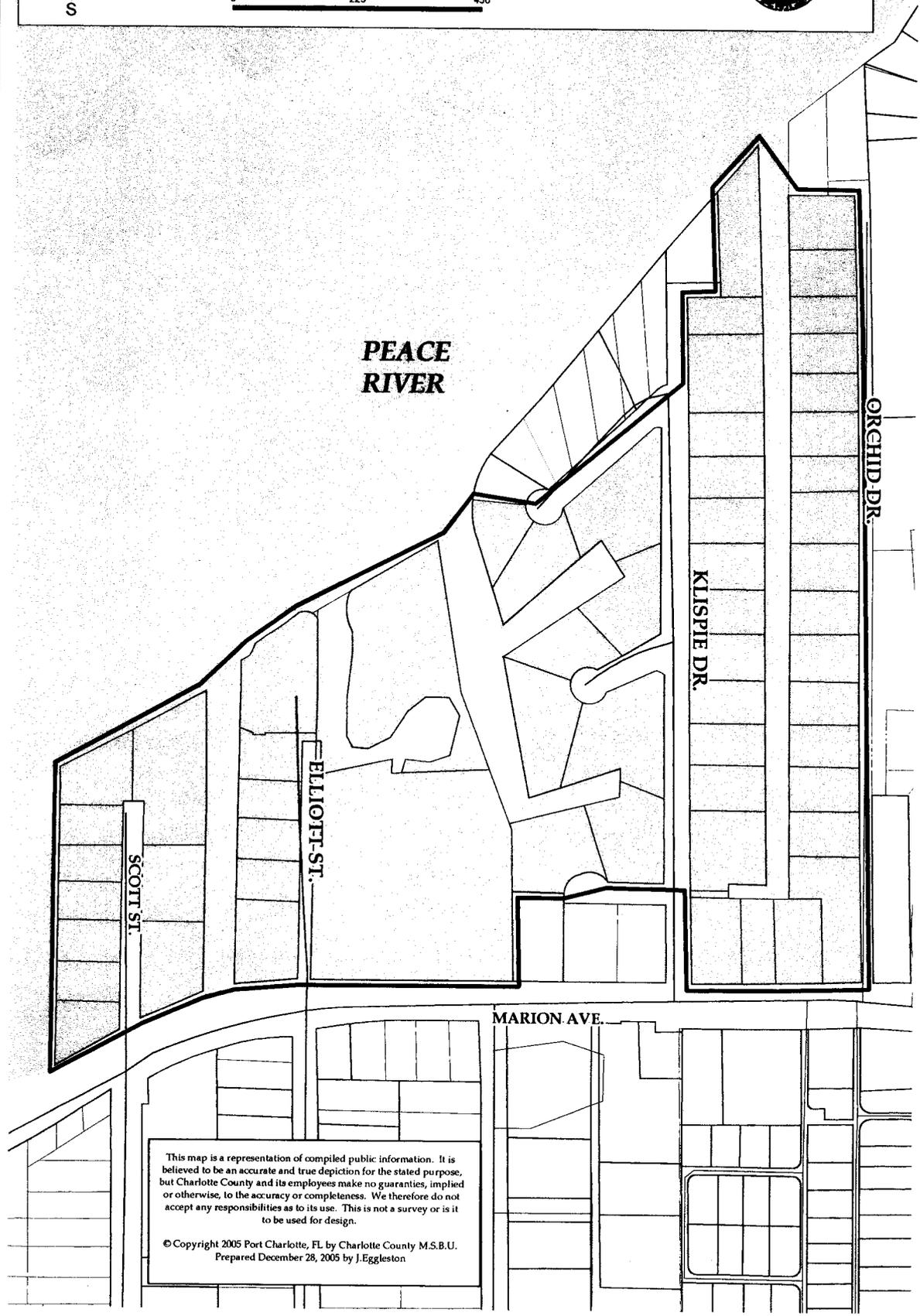
By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
05-746 16



SOUTH BRIDGE WATERWAY UNIT



0 Feet 225 450



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design.

© Copyright 2005 Port Charlotte, FL by Charlotte County M.S.B.U.
Prepared December 28, 2005 by J.Eggleston

ECONOMIC IMPACT STATEMENT

AN ORDINANCE CREATING THE SOUTH BRIDGE WATERWAY UNIT

PURPOSE: Analyze what the ordinance is designed to accomplish. Describe the present situation and the effect the ordinance will have thereon.

The ordinance will establish a new waterway unit called the South Bridge Waterway Unit. The purpose of the unit is to provide for the dredging, maintenance, clearing, marking for navigational purposes, and providing of safety devices in the South Bridge waterway system.

IMPACT: Consider costs and benefits, both monetary and non-monetary for the private sector (non-governmental entities) and the public sector (governmental entities). In discussing costs and benefits, distinguish between those which are social (borne by society as a whole) and those which are private (accrue to certain individuals or groups). Identify the specific groups which will be impacted.

A. Cost of Implementation: The nominal costs of adopting the ordinance.

B. Source of Funds/Ultimate Burden of Costs: The properties located within the South Bridge Waterway Unit as described in Attachment 1 to the Ordinance.

C. Effect on Competition and the Employment Market: None

D. Benefits on Implementation: Improved accuracy in assessing benefited properties.

2-3

SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

NOTICE OF INTENTION TO CONSIDER ORDINANCE

The Board of County Commissioners of Charlotte County proposes to adopt the following ordinance:

AN ORDINANCE AMENDING CHAPTER 4-7, CHARLOTTE COUNTY CODE; CREATING ARTICLE XXI; CREATING THE SOUTH BRIDGE WATERWAY UNIT; DESCRIBING THE GEOGRAPHIC TERRITORY INCLUDED WITHIN THE UNIT; PROVIDING THE PURPOSE OF THE UNIT; PROVIDING FOR A GOVERNING BODY; PROVIDING FOR THE POWERS OF THE GOVERNING BODY; PROVIDING FOR THE AUTHORITY AND PROCEDURE FOR IMPOSING AND COLLECTING MAINTENANCE AND CAPITAL PROJECT ASSESSMENTS; PROVIDING FOR THE ISSUANCE OF DEBT OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A public hearing on the ordinance will be held at 10AM, or as soon thereafter as it may be heard, on the 28th day of March, 2006, in Room 119 of the Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida.

Copies of the proposed ordinance 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.

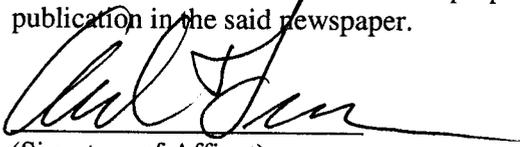
BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA
 P.O. #: 2006002078-1
 Published: March 18, 2006
 163352 1631452

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

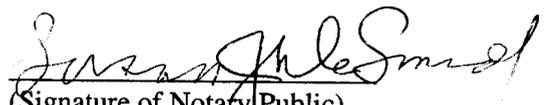
Before the undersigned authority personally appeared Amber Freeman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement,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

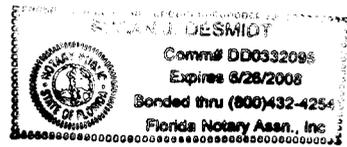
March 18, 2006

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 20th day of March, 2006.


 (Signature of Notary Public)



1 x 5.792 x 5.75 = \$ 33.31



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
 Secretary of State
 DIVISION OF LIBRARY AND INFORMATION SERVICES

March 31, 2006

Honorable Barbara T. Scott
 Clerk of Circuit Court
 Charlotte County
 18500 Murdock Circle, Room 416
 Port Charlotte, Florida 33948

Attention: 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 March 29, 2006 and certified copies of Charlotte County Ordinance Nos. 2006-021 through 2006-025, which were filed in this office on March 31, 2006.

Sincerely,

Liz Cloud
 Program Administrator

LC/mp

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 BARBARA T. SCOTT
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 CHARLOTTE COUNTY, FL

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