

CM #14

ORDINANCE
NUMBER 2013 - 005

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ARTICLE XLVIII, CHAPTER 4-6, OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA; AMENDING THE PURPOSE OF THE SOUTH GULF COVE BEAUTIFICATION MSBU; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK 3755, PGS 2152-2154 3 pg(s)
INSTR # 2173677
Doc Type GOV, Recorded 04/16/2013 at 02:07 PM
Rec. Fee: \$27.00
Cashiered By: PATT Doc. #2

RECITALS

WHEREAS, the Board of County Commissioners (the "Board"), 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, on April 13, 2010, adopted Ordinance No. 2010-018 which created the South Gulf Cove Beautification municipal service benefit unit (the "Unit"); and

WHEREAS, the original purpose of the Unit was to provide for beautification and landscaping projects, and to provide for the acquisition, construction and maintenance of community improvement projects, including a pedestrian/bikeway system, neighborhood parks, greenways and open space; and

WHEREAS, the South Gulf Cove Beautification Unit advisory board has requested that the Board amend the stated purpose of the Unit to permit funds derived from within the Unit to be used for additional purposes including decorative lighting, entrance monuments and signs, pedestrian and bikeway systems within parks, and mangrove trimming within beautification projects in addition to the purposes now therein provided; and

WHEREAS, the Board finds that the expenditure of funds for the above requested purposes is for a valid purpose and will provide a special benefit to the assessed properties within the Unit.

Mun 3
★

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

3 Section 1. Section 4-6-974 of Article XLVIII, Chapter 4-6, of the Code of Laws and
4 Ordinances, Charlotte County, Florida is hereby amended as follows (strikethroughs are
5 deletions, underlined sections are additions):

6 “Sec. 4-6-974. Purpose.
7 The purpose of this unit is to provide for beautification and landscaping
8 projects, including those within the rights-of-way, and to provide for the
9 acquisition, construction and maintenance of community improvement
10 projects, including decorative lighting, entrance monuments and signs, a
11 pedestrian/bikeway system within parks, mangrove trimming within
12 beautification projects, neighborhood parks, greenways and open space. The
13 costs for the acquisition, construction, maintenance and utilities for the
14 beautification, landscaping and community improvement projects will be paid
15 from funds derived from special assessments within the unit.”

16
17 Section 2. Severability. If any provision of this ordinance or the application thereof
18 to any person or circumstance is held invalid, the invalidity shall not affect other provisions
19 or applications of this Ordinance which can be given effect without the invalid provision or
20 applications. To this end, the provisions of this Ordinance are declared severable.

21 Section 3. Effective Date. A certified copy of this Ordinance shall be filed with the
22 Department of State of the State of Florida within 10 days of enactment and shall take
23 effect upon filing with said department.

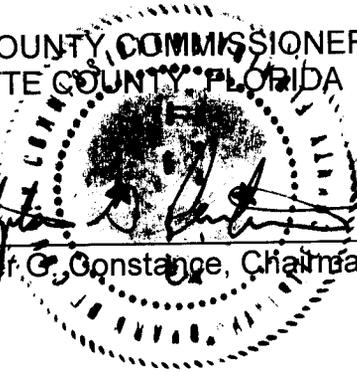
24
25
26
27
28
29
30
31
32
33
34

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

PASSED AND DULY ADOPTED this 26th day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Christopher G. Constance, Chairman



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

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney

LR 03-2270

D. J.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

ECONOMIC IMPACT ESTIMATE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ARTICLE XLVIII, CHAPTER 4-6, OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA; AMENDING THE PURPOSE OF THE SOUTH GULF COVE BEAUTIFICATION MSBU; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

The ordinance will amend the purpose of the South Gulf Cove Beautification Unit to provide for acquisition, construction and maintenance of community improvement projects including decorative lighting, monuments and signs, pedestrian and bikeway paths within parks, and mangrove trimming within beautification projects, neighborhood parks, greenways and open space.

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.

There are no appreciable costs to the public or private sector.

- | | |
|---|---|
| A. Cost of Implementation: | The costs of adopting the ordinance are nominal. |
| B. Source of Funds/Ultimate Burden of Costs: South Gulf Cove Beautification Unit. | |
| C. Effect on Competition and the Employment: None.
Market | |
| D. Benefits on Implementation: | The beautification and improvement projects will benefit and enhance the real property within the unit. |



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 5, 2013

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

Attention: Ms. Michelle L. DiBerardino, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 29, 2013 and certified copies of Charlotte County Ordinance Nos. 2013-004 and 2013-005 which were filed in this office on April 4, 2013.

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

RECEIVED
MURDOCK BRANCH
2013 APR 12 PM 1:10
BARBARA T. SCOTT
CLERK OF CIRCUIT COURT
CHARLOTTE COUNTY, FL