

Section 1. Charlotte County Code, chapter 4-3.5, article IV is amended by deleting the existing language in its entirety and by substituting therefor the following new language, numbered and designated as follows:

“ARTICLE IV. STUMP PASS/BEACH RENOURISHMENT BENEFIT UNIT

Sec. 4-3.5-46. 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 Stump Pass/Beach Renourishment Benefit Unit (“unit”).

Sec. 4-3.5-47. Territory.

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

Sec. 4-3.5-48. Purpose.

The primary purpose of the unit is to provide for the nourishment, renourishment and prevention of erosion of the beaches located within the unit from funds derived from assessments within the unit. Funding derived from this unit may be used in conjunction with funding derived from the Stump Pass/Beach Renourishment Taxing Unit provided for in article VII of this chapter, as part of the larger project involving the dredging of Stump Pass and the use of the resulting dredged material to renourish critically eroded beach area on Knight and Don Pedro Island, which is known as Charlotte County Erosion Control Project Phase 1.

Sec. 4-3.5-49. Governing body.

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

Sec. 4-3.5-50. Powers of the governing body.

The board shall have those powers set forth in section 4-6-2, Charlotte County Code.

Sec. 4-3.5-51. Assessments and Collection.

The authority and procedure for imposing and collecting capital project and maintenance assessments shall be as provided in sections 4-6-3, 4-6-4 and 4-6-5, Charlotte County Code.

Sec. 4-3.5-52. Issuance of debt obligations.

The authority and procedure regarding the issuance of debt obligations shall be as provided in section 4-6-6, 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 27th day of May 2003.

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

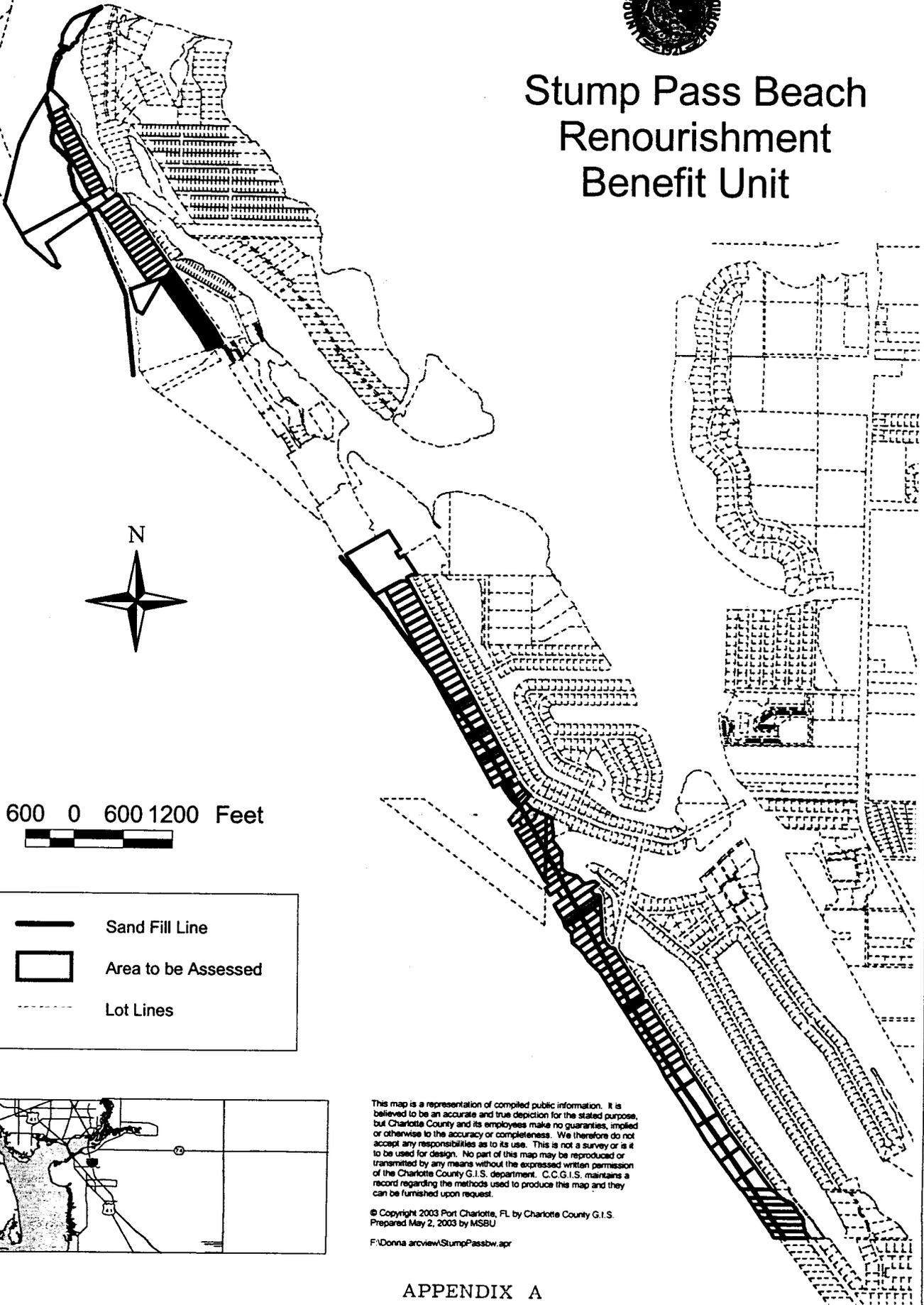
By Anne L Pfahler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

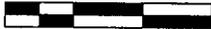
Renée Francis Lee
Renée Francis Lee, County Attorney *BB*



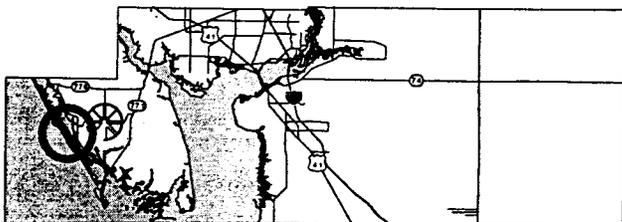
Stump Pass Beach Renourishment Benefit Unit



600 0 600 1200 Feet



	Sand Fill Line
	Area to be Assessed
	Lot Lines



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 guarantees, 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. No part of this map may be reproduced or transmitted by any means without the expressed written permission of the Charlotte County G.I.S. department. C.C.G.I.S. maintains a record regarding the methods used to produce this map and they can be furnished upon request.

© Copyright 2003 Port Charlotte, FL by Charlotte County G.I.S.
Prepared May 2, 2003 by MSBU

F:\Donna arcview\StumpPassbw.apr

ECONOMIC IMPACT STATEMENT

AN ORDINANCE AMENDING CHAPTER 4-7, CHARLOTTE COUNTY CODE; CREATING AN ARTICLE IN THE CODE; CREATING THE STUMP PASS BEACH RENOURISHMENT MUNICIPAL SERVICE BENEFIT UNIT (MSBU)

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

The ordinance would establish the Stump Pass Beach Renourishment Unit (MSBU). There is currently no dredging or renourishment MSBU in this area and property owners have requested that a unit be established to fund necessary work to dredge and to control beach erosion. Assessments would be collected on the tax bills as with all other MSBUs.

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 nominal costs of adopting the ordinance.

B. Source of Funds/Ultimate Burden of Costs:

Work performed for the benefit of the property within the unit would be paid for by assessments on property within the unit.

C. Effect on Competition and Employment

Projects would be open to competitive bidding by qualified vendors and trades.

D. Benefits on Implementation:

Property owners in the Unit would be able to have projects, such as dredging and renourishment of beaches, performed as necessary.

SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

PUBLISHER'S AFFIDAVIT OF PUBLICATION

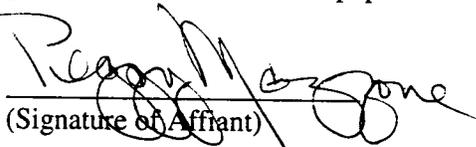
STATE OF FLORIDA

COUNTY OF CHARLOTTE:

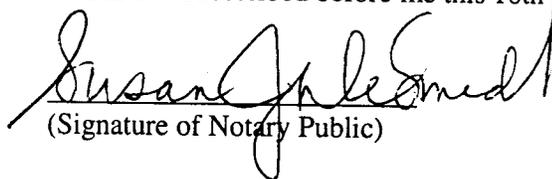
Before the undersigned authority personally appeared Peggy Mazzone, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement,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

May 16, 2003

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 16th day of May, 2003.


 (Signature of Notary Public)

$1 \times 6.292 \times \$4.95 =$
 $\$31.15$

STATE OF FLORIDA
 NOTARY PUBLIC
 SUSAN J. DESMIDT
 My Comm Exp. 6/26/04
 No. CC 947769
 Personally Known Other I.D.

NOTICE OF INTENTION TO CONSIDER ORDINANCE

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 AM, or as soon thereafter as may be heard, on the 27th day of May, 2003, consider the enactment of an ordinance bearing the following title:

AN ORDINANCE AMENDING CHAPTER 4-35, CHARLOTTE COUNTY CODE; DELETING THE EXISTING ARTICLE IV [PALM ISLAND BEACH NOURISHMENT UNIT]; CREATING A NEW ARTICLE IV, STUMP PASS/BEACH RENOURISHMENT BENEFIT 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 ordinance and economic 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 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 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
 P.O. 2003002628-L
 PUBLISHED: May 16, 2003
 163352 1022891

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
 Office of the Secretary
 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



FLORIDA DEPARTMENT OF STATE
 Glenda E. Hood
 Secretary of State
 DIVISION OF ELECTIONS

HISTORIC PRESERVATION BOARDS
 Historic Florida Keys Preservation Board
 Historic Palm Beach County Preservation Board
 Historic Pascoola Preservation Board
 Historic St. Augustine Preservation Board
 Historic Tallahassee Preservation Board
 Historic Tampa/Hillsborough County
 Preservation Board
 RINGLING MUSEUM OF ART

June 2, 2003

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

Attention: Anne Pfahler

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 29, 2003, and certified copies of Charlotte County Ordinance Nos. 2003-023 through 2003-030, which were filed in this office on June 2, 2003.

Sincerely,

Liz Cloud, Chief
 Bureau of Administrative Code

LC/mp

IMAGED
 6-26-03
 AP

RECEIVED AT
 JUN 17 11:45 AM '03
 BUREAU OF ADMINISTRATIVE CODE
 The Collins Building • 107 West Gaines Street • Tallahassee, Florida 32399-0250 • (850) 245-6270
 FAX: (850) 245-6282 • WWW Address: <http://www.dos.state.fl.us> • E-Mail: election@mail.dos.state.fl.us