

CHG  
BCC  
12/14

FILED WITH THE DEPARTMENT OF STATE: May 13, 2020

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT  
OR BOOK 45/4 PAGE 1759 PAGE 1 OF 3  
#1518 #2811290 Doc Type: GOV  
Recorded: 5/13/2020 at 2:35 PM  
Rec Fee: RECORDING \$27.00  
Cashed by: JOAHC

**ORDINANCE  
NUMBER 2020- 018**

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

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING CHAPTER 4-5, ARTICLE XV, SOUTH CHARLOTTE STORMWATER UTILITY UNIT, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY CREATING A NEW SECTION 4-5-361 THAT ESTABLISHES AN ADVISORY BOARD FOR THE SOUTH CHARLOTTE STORMWATER UTILITY UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

RECITALS

WHEREAS, the Charlotte County Board of County Commissioners (the "Board"), adopted Ordinance Number 2015-045 to provide for consistency and continuity among MSBU and MSTU advisory boards; and

WHEREAS, the Board has received a petition requesting establishment of an advisory board for the South Charlotte Stormwater Utility Unit; and

WHEREAS, pursuant to its Home Rule Charter, the Board desires to establish an advisory board for the South Charlotte Stormwater Utility Unit.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA:

SECTION 1. Section 4-5-361 of the Code of Laws and Ordinances of Charlotte County, Florida is hereby created as follows:

Sec. 4-5-361. Establishment of Advisory Board.

The Board of County Commissioners hereby establishes a Board of Advisors for the South Charlotte Stormwater Utility Unit adhering to Sections 4-1-16 through 4-1-23 of the Code of Laws and Ordinances of Charlotte County, Florida.

Min  
3

32           SECTION 2. Codification and Conflict with Other Ordinances. It is the intention  
33 of the Board of County Commissioners and it is hereby ordained that the provisions of  
34 this ordinance shall become and be made a part of the Code of Laws and Ordinances of  
35 Charlotte County, Florida, and the sections of this ordinance may be renumbered or re-  
36 lettered to accomplish such intention. In the event this ordinance conflicts with any  
37 provision of the Charlotte County Code, the provisions of this ordinance shall control to  
38 the extent of any such conflict.

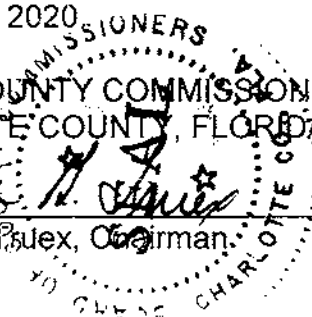
39           SECTION 3. Severability. If any portion of this ordinance is held invalid or  
40 unconstitutional by any court of competent jurisdiction for any reason, such portion shall  
41 be deemed a separate, distinct, and independent provision, and such holding shall not  
42 affect the validity of the remaining portions of this ordinance.

43           SECTION 4. Effective Date. This Ordinance shall take effect as provided by law.

44           PASSED AND DULY ADOPTED this 12<sup>th</sup> day of May, 2020

45           BOARD OF COUNTY COMMISSIONERS  
46           OF CHARLOTTE COUNTY, FLORIDA

47  
48           By: William G. Pulex  
49           William G. Pulex, Chairman



50           ATTEST:

51  
52           Roger D. Eaton, Clerk of the Circuit  
53           Court and Ex-officio Clerk of the  
54           Board of County Commissioners

55  
56           By: Michelle DeBerardino  
57           Deputy Clerk

58  
59           APPROVED AS TO FORM  
60           AND LEGAL SUFFICIENCY:

61  
62           By: Janette S. Knowlton  
63           Janette S. Knowlton, County Attorney  
64           LR20-0259 PSP / PSP  
65

## ECONOMIC IMPACT ESTIMATE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING CHAPTER 4-5, ARTICLE XV, SOUTH CHARLOTTE STORMWATER UTILITY UNIT, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY CREATING A NEW SECTION 4-5-361 THAT ESTABLISHES AN ADVISORY BOARD FOR THE SOUTH CHARLOTTE STORMWATER UTILITY MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*PURPOSE: Analyze what the ordinance is designed to accomplish. Describe present situation and the ordinance's effect thereon.*

Currently, an advisory board does not exist for the South Charlotte Stormwater Utility Municipal Service Benefit Unit. The Board has received a petition requesting establishment of an advisory board. Pursuant to its Home Rule Charter, advisory boards must be created via ordinance.

*IMPACT: Consider costs and benefits, both monetary and non-monetary for the private sector (non-governmental entities) and the public sector (government). 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:*  
Nominal – Staff time and advertising.
- B. *Source of Funds/Ultimate Burden of Costs:*  
South Charlotte Stormwater Utility Municipal Service Benefit Unit
- C. *Effect on Competition and the Employment Market:*  
None
- D. *Benefits on Implementation:*  
It will create an advisory board that may make recommendations to the county for expenditure of the funds within the budget in accordance with existing regulations as well as recommendations to the county regarding the annual proposed budget for the unit.



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

May 13, 2020

Mr. Roger D. Eaton  
Clerk of the Circuit Court  
County Comptroller  
Charlotte County  
18500 Murdock Circle, Room 416  
Port Charlotte, Florida 33948

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-018, which was filed in this office on May 13, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb



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

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is an employee of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** was published in said newspaper in the issues of:

05/01/2020

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com).

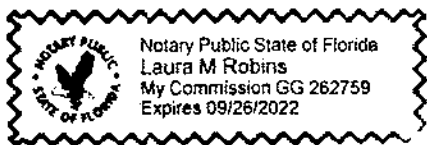
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has 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.

*Melinda Prescott*  
(Signature of Affiant)

Sworn and subscribed before me this 1<sup>st</sup>  
day of May, 2020.

*Laura M Robins*  
(Signature of Notary Public)

Personally known X OR \_\_\_ Produced  
Identification



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

**AN ORDINANCE OF THE  
BOARD OF COUNTY  
COMMISSIONERS OF  
CHARLOTTE COUNTY,  
FLORIDA; AMENDING  
CHAPTER 4-5, ARTICLE  
XV, SOUTH CHARLOTTE  
STORMWATER UTILITY  
UNIT, OF THE CODE OF  
LAWS AND ORDINANCES  
OF CHARLOTTE COUNTY,  
FLORIDA, BY CREATING A  
NEW SECTION 4-5-361 THAT  
ESTABLISHES AN ADVISORY  
BOARD FOR THE SOUTH  
CHARLOTTE STORMWATER  
UTILITY UNIT; PROVIDING  
FOR SEVERABILITY; AND  
PROVIDING AN EFFECTIVE  
DATE.**

A public hearing on this ordinance will be held at 10:00 AM, or as soon thereafter as it may be heard, on the 12th day of May, 2020, in Room 119 of the Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida.

Copies of the proposed ordinance and the economic impact estimate, if applicable, 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

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

Reference No: 051220 B  
Publish: May 1, 2020  
163352 3749229