

ORDINANCE NO. 025 – 2007

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING CHAPTER 15.5, MONROE COUNTY CODE; PROVIDING FOR AMENDMENTS TO ORDINANCE NO. 10-2005; PROVIDING FOR REINSTATEMENT OF SUMMERLAND KEY IN THE LEGAL DESCRIPTION OF THE SUMMERLAND/CUDJOE/SUGARLOAF MSTU; PROVIDING FOR REVISION OF THE LEGAL DESCRIPTION OF THE SUMMERLAND/CUDJOE/SUGARLOAF MSTU; PROVIDING FOR REMOVAL OF SUMMERLAND KEY FROM THE LEGAL DESCRIPTION OF THE BIG PINE MSTU PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 38-2004 created the Summerland/Cudjoe/Upper Sugarloaf Municipal Service Taxing Unit for purposes of ad valorem taxation to provide funding for a wastewater/sewerage system for that area of the Lower Keys; and

WHEREAS, Ordinance No. 10-2005 removed Summerland Key from the Summerland/Cudjoe/Upper Sugarloaf Municipal Service Taxing Unit and added Summerland Key to the Big Pine Municipal Service Taxing Unit; and

WHEREAS, it has been determined that the original placement of Summerland Key was correct and the revisions regarding Summerland Key in Ordinance No. 10-2005 need to be reversed; now therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Article XI, Chapter 15.5, Monroe County Code shall be revised to read:

ARTICLE XI. SUMMERLAND/CUDJOE/SUGARLOAF MUNICIPAL SERVICE TAXING UNIT*

Sec. 15.5-171. Created.

(a) Pursuant to the provisions of section 125.01(1)(q), Florida Statutes, there is hereby created a Municipal Service Taxing Unit to be known as the Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit. The Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit shall encompass that portion of the unincorporated area bounded on the west by the Harris Channel "Meander" and on the east by Niles Channel,

(b) The Board is hereby authorized, in the manner and under the authority provided by section 125.01(1)(q), Florida Statutes, to levy and collect ad valorem taxes at a millage rate not greater than 0.70 mil upon taxable real and personal property within the Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit, commencing with the County fiscal year beginning October 1, 2005. The imposition of ad valorem taxes, as authorized herein, shall cease after four consecutive fiscal years and the Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit shall terminate on September 30, 2010.

(c) Revenue derived from ad valorem taxes levied in the Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit shall be used solely for the administration, planning and development costs associated with and incurred in advancing wastewater and reclaimed water projects within and benefiting the Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit. The Board shall adopt a budget for the Summerland/Cudjoe--Sugarloaf Municipal Service Taxing Unit for the County fiscal year beginning October 1, 2005 and each fiscal year thereafter, at the same time and in the same manner as the County budget.

Section 2. Article XII, Chapter 15.5, Monroe County Code shall be revised to read:

ARTICLE XII. BIG PINE MUNICIPAL SERVICE TAXING UNIT*

Sec. 15.5-181. Created.

(a) Pursuant to the provisions of F.S. § 125.01(1)(q), there is hereby created a Municipal Service Taxing Unit to be known as the Big Pine Municipal Service Taxing Unit. The Big Pine Municipal Service Taxing Unit shall encompass that portion of the unincorporated area bounded on the west by Niles Channel and on the east by the west end of the Seven Mile Bridge less No Name Key.

(b) The board is hereby authorized, in the manner and under the authority provided by F.S. § 125.01(1)(q), to levy and collect ad valorem taxes at a millage rate not greater than 0.70 mil upon taxable real and personal property within the Big Pine Municipal Service Taxing Unit, commencing with the county fiscal year beginning October 1, 2005. The imposition of ad valorem taxes, as authorized herein, shall cease after four (4) consecutive fiscal years and the Big Pine Municipal Service Taxing Unit shall terminate on September 30, 2010.

(c) Revenue derived from ad valorem taxes levied in the Big Pine Municipal Service Taxing Unit shall be used solely for the administration, planning and development costs associated with and incurred in advancing wastewater and reclaimed water projects within and benefiting the Big Pine Municipal Service Taxing Unit. The board shall adopt a budget for the Big Pine Municipal Service Taxing Unit for the county fiscal year beginning October 1, 2005 and each fiscal year thereafter, at the same time and in the same manner as the county budget.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

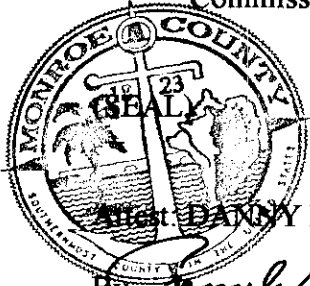
Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 5. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 20th day of June, 2007.

Mayor Mario DiGennaro	<u>Yes</u>
Mayor Pro Tem Dixie M. Spehar	<u>Yes</u>
Commissioner Charles "Sonny" McCoy	<u>Yes</u>
Commissioner Sylvia Murphy	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>



By DANNY L. KOLHAGE, Clerk
Jamela Hancock
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA
By Mario DiGennaro
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Suzanne A. Hutton
SUZANNE A. HUTTON
COUNTY ATTORNEY
Date 6/22/07

FILED FOR RECORD
2007 JUN 22 PM 3: 39
DANNY L. KOLHAGE
CLK. DIR. CT.
MONROE COUNTY, FLA.

MONROE COUNTY COURTHOUSE
500 WHITEHEAD STREET, SUITE 101
KEY WEST, FLORIDA 33040
TEL. (305) 294-4641
FAX (305) 295-3663

BRANCH OFFICE:
MARATHON SUB COURTHOUSE
3117 OVERSEAS HIGHWAY
MARATHON, FLORIDA 33050
TEL. (305) 289-6027
FAX (305) 289-1745



CLERK OF THE CIRCUIT COURT
MONROE COUNTY
www.clerk-of-the-court.com

BRANCH OFFICE:
PLANTATION KEY
GOVERNMENT CENTER
88820 OVERSEAS HIGHWAY
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 852-7146

ROTH BUILDING
50 HIGH POINT ROAD
PLANTATION KEY, FLORIDA 33070
TEL. (305) 852-7145
FAX (305) 853-7440

June 22, 2007

Ms. Liz Cloud, Program Administrator
Administrative Code & Weekly
R.A. Gray Building
500 S Bronough Street
Tallahassee FL 32399-0250

Via Signature Confirmation 2306 3250 0000 0479 3037

Dear Ms. Cloud,

Enclosed please find a certified copy of Ordinance No. 025-2007 amending Chapter 15.5, Monroe County Code; providing for amendments to Ordinance No. 010-2005; providing for reinstatement of Summerland Key in the legal description of the Summerland/Cudjoe/Sugarloaf MSTU; providing for revision of the legal description of the Summerland/Cudjoe/Sugarloaf MSTU; providing for removal of Summerland Key from the legal description of the Big Pine MSTU providing for severability; providing for the repeal of all Ordinances inconsistent herewith; providing for incorporation into the Monroe County Code of Ordinances; and providing an effective date.

This Ordinance was adopted by the Monroe County Board of County Commissioners at a Regular Meeting held in formal session on June 20, 2007. Please file for record. Should you have any questions please feel free to contact me at (305) 295-3130.

Danny L. Kolhage
Clerk of the Circuit Court
and ex officio Clerk to the
Board of County Commissioners

by: *Pamela G. Hancock, D.C.*

cc: *Via E-Mail to the following:*
Property Appraiser
BOCC

Municipal Code Corporation
County Attorney
File