

## **ORDINANCE NO. 24-40**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA,  
REGARDING MUNICIPAL SERVICE BENEFIT UNITS;  
REPEALING IN ITS ENTIRETY ORDINANCE NO. 10-038  
KNOWN AS THE OAKWOOD SUBDIVISION STREET  
LIGHTING MUNICIPAL SERVICE BENEFIT UNIT (MSBU)  
OF CHAPTER 2-23 CODE OF ORDINANCES; MAKING  
RELATED FINDINGS; PROVIDING FOR CODIFICATION;  
PROVIDING FOR SEVERABILITY; AND PROVIDING AN  
EFFECTIVE DATE**

**WHEREAS**, Section 125.01(1)(q), Florida Statutes provides that the legislative and governing body of a county, to the extent not inconsistent with general or special law, may establish municipal service taxing or benefit units, within which may be provided street lighting and other essential facilities and municipal services from funds derived from service charges, special assessments, or taxes within such unit only; and

**WHEREAS**, Section 125.01(1)(r), Florida Statutes empowers the Manatee County Board of County Commissioners (Board) to levy and collect special assessments within a municipal service taxing or benefit unit; and

**WHEREAS**, on May 11, 2010, the Board adopted Ordinance No. 10-038 establishing the Oakwood Subdivision Street Lighting Municipal Service Benefit Unit (MSBU) for the levy, collection, and enforcement of non-ad valorem assessments in accordance with the uniform method, Section 197.3632, Florida Statutes; and

**WHEREAS**, Ordinance No. 10-038 was codified in a footnote table in Chapter 2-23 in the Manatee County Code of Ordinances; and

**WHEREAS**, the Board voted unanimously on August 8, 2023, to proceed with the Light Up Manatee Program (Light Up Manatee) to strategically install street lighting on local roads throughout the County; and

**WHEREAS**, the Board desires changes for the installation of streetlights on local roads that includes dissolving all existing lighting MSBUs; and

**WHEREAS**, the Board finds that it is in the best interest of the County, its citizens, taxpayers, and business community to repeal Ordinance No. 10-038 in its entirety.

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Manatee County:

**Section 1.** Repeal of Ordinance 10-038. Chapter 2-23-Municipal Service Taxing Districts or Units <sup>[1]</sup>, Footnotes: is hereby amended as follows (underlined text added, ~~strike-through~~ text delete):

**Footnotes:**

--- (1) ---

**Editor's note—** The county established a policy, with the adoption of Res. No. R-83-53, on April 5, 1983, of deferring the establishment of subsequent MSTUs until the existing legislative limits on the annual increase in aggregate ad valorem millage are removed or significantly reduced.

Subsequently, the following units have been established:

Ord. No.	Date	Name
87-20	7-7-87	Gulf and Bay Estates
		(Amended by Ord. No. 91-65, 8-13-91)
87-21	7-7-87	Cape Vista Subdivision
		(Amended by Ord. No. 91-64, 8-13-91)
91-59	6-4-91	Palm Aire
		(Amended by Ord. No. 02-50, 7-30-02)
91-66	8-13-91	Rubonia
93-40	8-26-93	Pic Town Estates [Street Lighting] Municipal Service Benefit Unit
95-39	9-12-95	Holiday Heights Street Lighting Municipal Service Benefit Unit
98-35	8-18-98	Manatee Subdivision Canal Dredging Municipal Service Benefit Unit
98-36	8-18-98	McLewis Bayou Canal Dredging Municipal Service Benefit Unit
98-37	9-1-98	Tropical Harbor Street Lighting Municipal Service Benefit Unit
99-63	11-9-99	Bra-Win Palms Canal Dredging Municipal Service Benefit Unit
00-43	9-19-00	Bryn Mawr Canal Dredging Municipal Service Benefit Unit
01-39	8-21-01	Sunny Shores Street Lighting Municipal Service Benefit Unit
03-41	4-15-03	Peacock Lane Sewer Line Municipal Service Benefit Unit
05-72	12-6-05	Coral Shores Canal Dredging Municipal Service Benefit Unit
08-54	7-29-08	Palmetto Street Lighting Municipal Service Benefit Unit
<del>10-38</del>	<del>5-11-10</del>	<del>Oakwood Subdivision Street Lighting Municipal Service Benefit Unit</del>

**Section 2. Codification.** Pursuant to Section 125.68(1), Florida Statutes, the Codifier shall codify the substantive amendments to the Manatee County Code contained in Section 1 of this Ordinance as provided therein and shall not codify any other section not designated for codification.

**Section 3. Severability.** If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of the Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

**Section 4. Effective Date.** This Ordinance shall be effective as of September 30, 2024, upon filing with the State of Florida Department of State.

**PASSED AND DULY ADOPTED**, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 13<sup>th</sup> day of August, 2024.



**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_

Chairperson

**ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: \_\_\_\_\_

Deputy Clerk