

ORDINANCE NO. 07-21

AN ORDINANCE AMENDING ORDINANCE NO. 95-8 RELATING TO THE WEST 192 REDEVELOPMENT AREA MUNICIPAL SERVICE BENEFIT UNIT; AMENDING THE DEFINITION OF "MSBU ADMINISTRATIVE COST" TO MORE EXPLICITLY DELINEATE THE SERVICES FUNDED FROM PROCEEDS OF THE MAINTENANCE ASSESSMENTS; AMENDING SECTION 4.01 THEREOF TO PERMIT THE IMPOSITION OF MAINTENANCE ASSESSMENTS AT A UNIFORM RATE THROUGHOUT THE MUNICIPAL SERVICE BENEFIT UNIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (the "Board") of Osceola County, Florida enacted Ordinance No. 95-08 (the "Ordinance") on July 31, 1995, and created the West 192 Redevelopment Area Municipal Service Benefit Unit (the "MSBU") for the purpose of imposing both capital assessments to finance the acquisition and construction of improvements to enhance the commercial viability of property located therein (the "Project") and maintenance assessments to fund the cost of maintaining the Project; and

WHEREAS, the Board desires to amend the definition of "MSBU Administrative Cost" in Ordinance No. 95-8 to more explicitly delineate the services funded from proceeds of the Maintenance Assessments (as defined in Ordinance No. 95-8); and

WHEREAS, the Board also desires to amend Section 4.01 of Ordinance No. 95-8 to permit the imposition of Maintenance Assessments at a uniform rate throughout the MSBU;

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

SECTION 1. MSBU ADMINISTRATIVE COST. The definition of "MSBU Maintenance Cost" set forth in Section 1.01 of Ordinance No. 95-8 is hereby amended as follows:

"MSBU Administrative Cost" means all expenses that are properly attributable to administration of the MSBU under generally accepted accounting

principles, including, without limiting the generality of the foregoing, reimbursement to the County for any moneys advanced for MSBU Administrative Cost, and interest on any interfund loan for such purposes. The term "MSBU Administrative Cost" may include the cost of marketing and other services to enhance the commercial viability of Nonresidential Property located within the MSBU.

SECTION 2. MAINTENANCE ASSESSMENTS. Section 4.01 of Ordinance No. 95-8 is hereby amended as follows:

SECTION 4.01. MAINTENANCE ASSESSMENTS. The Board is hereby authorized to impose Maintenance Assessments against property located within the MSBU or one or more appropriate Benefit Areas.

(A) Maintenance Assessments to fund the MSBU Administrative Cost, the Maintenance Cost for a Project and the Collection Cost may be imposed against all parcels of Nonresidential Property within the MSBU or one or more appropriate Benefit Areas based upon the special benefit accruing to such property from maintenance of the Project, measured by the Taxable Value of such property. With respect to all or any portion of a Project, the Board may establish "impact zones" based upon the proximity of property to the Project and adjust the Taxable Value within such "impact zones" by such factors as the Board determines to be reflective of the relative amount of special benefit derived by Nonresidential Property within such "impact zones" from maintenance of the Project.

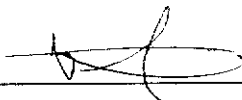
(B) Maintenance Assessments shall be payable annually and shall be computed as (1) the sum of the parcel's share of (a) the MSBU Administrative Cost, (b) the Maintenance Cost, and (c) the Collection Cost, divided by (2) the factor of

0.95, reflecting the percentage of reasonably anticipated receipts the County is permitted to appropriate pursuant to Section 129.01(2)(b), Florida Statutes.

SECTION 3. EFFECTIVE DATE. The Clerk shall file a certified copy of this Ordinance with the Department of State within ten days of its adoption. This Ordinance shall take effect immediately upon its filing with the Department of State.

DULY ENACTED this 27th day of August, 2007.

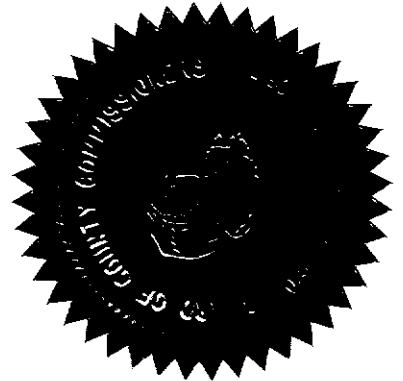
**BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA**

By: 
Vice Chairman

ATTEST:


Deputy Clerk to the Board

(SEAL)



NOTICE THAT THIS ORDINANCE HAS BEEN
FILED WITH THE FLORIDA STATE BUREAU
OF ADMINISTRATIVE CODE.

ON August 29, 2007

BY 
DEPUTY CLERK OF THE BOARD