

**ORDINANCE NO. 2006-\_\_\_\_\_**

**AN ORDINANCE AMENDING COLLIER COUNTY ORDINANCE 2001-43, AS AMENDED (THE VANDERBILT BEACH BEAUTIFICATION MUNICIPAL SERVICE TAXING UNIT); AMENDING SECTION THREE, PURPOSE AND GOVERNING BODY; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR EFFECTIVE DATE.**

WHEREAS, on July 31, 2001, the Board of County Commissioners adopted Ordinance No. 2001-43, establishing the Vanderbilt Beach Beautification Municipal Service Taxing Unit; and

WHEREAS, the Vanderbilt Beach Beautification Municipal Service Taxing Unit Advisory Committee, by majority vote, approved the proposed amendment and requested that the Board of County Commissioners amend and revise Section Three of Collier County Ordinance No. 2001-43; and

WHEREAS, on July 25, 2006 the Board of County Commissioners as the governing body of the Vanderbilt Beach Beautification Municipal Service Taxing Unit approved the amendment to Ordinance No. 2001-43.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA,** that Collier County Ordinance No. 2001-43 is hereby amended to read as follows:

**SECTION ONE: Amendment to Section Three Purpose and Governing Body**

Section Three, Purpose and Governing Body of Collier County Ordinance No. 2001-43 is hereby amended to read as follows:

**SECTION THREE. Purpose and Governing Body**

The MSTU is created for the purpose of: (1) Providing curbing, watering facilities, plantings and maintenance of the median strips and right-of-way edges of roadways within the MSTU; (2) Providing traffic calming improvements, street lighting, and sidewalks within the MSTU; ~~and~~ (3) Beautification and maintenance of other public areas within the MSTU as determined by the Advisory Committee; and (4) providing for the Burial of Power Lines within the MSTU. The governing body of the MSTU shall be the Board of County Commissioners of Collier County, Florida.

**SECTION TWO: Conflict and Severability**

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is 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 remaining portion.

**SECTION THREE: Inclusion in The Code of Laws and Ordinances**

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**SECTION FOUR: Effective Date**

This Ordinance shall be effective upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida this 25<sup>th</sup> day of July, 2006.

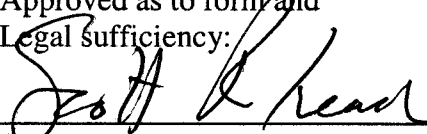
ATTEST:  
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF COLLIER COUNTY, FLORIDA

\_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Frank Halas, Chairman

Approved as to form and  
Legal sufficiency:

  
\_\_\_\_\_  
Scott R. Teach  
Assistant County Attorney