

**Attached is a
Replacement for Attachment #1,
Agenda Item No. 11**

**Request to Schedule a Public Hearing for May 22, 2007 at 6:00
p.m. to Adopt an Ordinance Amending Chapter 18, Article II
of the Code of Laws of Leon County, Florida, Relating to
Water and Sewer Franchise Areas**

Board of County Commissioners Meeting of Tuesday, May 8, 2007

This document distributed: Tuesday, May 7, 2007

ORDINANCE NO. 07-____

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3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF LEON COUNTY, FLORIDA,
5 AMENDING CHAPTER 18, ARTICLE II OF THE CODE
6 OF LAWS OF LEON COUNTY, RELATING TO PUBLIC
7 WATER AND SEWAGE DISPOSAL SYSTEMS, BY
8 ADDING A NEW SECTION 18-45 TO BE ENTITLED
9 "PROCEDURE FOR TRANSFER OF WATER AND
10 SEWER FRANCHISE AREAS"; PROVIDING FOR
11 CONFLICTS; PROVIDING FOR SEVERABILITY; AND
12 PROVIDING AN EFFECTIVE DATE.
13

14 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE
15 COUNTY OF LEON, FLORIDA, AS FOLLOWS, that:

16 **Section 1.** Chapter 18, Article II of the Code of Laws of Leon County, Florida, is
17 hereby amended by adding a new Section 18-45, which shall read as follows:

18 **Sec. 18-45. Procedure for Transfer of Water and Sewer Franchise Areas.**

19 (a) *General.* The Board of County Commissioners hereby delegates to the County
20 Administrator, or his designee, the authority to grant transfers of the authorization to provide
21 water and/or sewer service from a current franchise area holder to another person where all of the
22 following conditions are met:

- 23 (1) The authorization to provide water and/or sewer service for a specific
24 geographical area has been previously granted by the County to the
25 current franchise area holder;
- 26 (2) The current franchise area holder agrees to relinquish any and all rights to
27 provide water and/or sewer service for the specific geographic area, yet
28 there are property owner(s) in that area in need of such service;
- 29 (3) Another utility provider (hereinafter "Applicant") is willing to provide
30 water and/or sewer service in the subject geographic area;

