

ORDINANCE NO. 2003-10

AN ORDINANCE OF THE TOWN OF LADY LAKE, FLORIDA, AMENDING TOWN ORDINANCE 92-06 WHICH CREATED THE VILLAGE CENTER COMMUNITY DEVELOPMENT DISTRICT TO AUTHORIZE THE DISTRICT TO PROVIDE ALL OF THE POWERS PROVIDED IN FLORIDA STATUTE SECTION 190.012; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SEVERABILITY CLAUSE

WHEREAS, The Town of Lady Lake adopted Ordinance 92-06 (Ordinance) of

August 17, 1992, creating the Village Center Community Development district (District),

And

WHEREAS, at this time the District desires to amend the Ordinance,

NOW, THEREFORE, be it ordained that the Town Commission of the Town of Lady

Lake, Florida, as follows:

1. Section 6 of Town Ordinance 92-06 is amended to include the following

additional subsection:

“(e) exercise those powers granted to the District pursuant to

Chapter 190, Florida Statutes, specifically including the power to provide all

services, systems and facilities set forth in Florida Statute 190.012

(2), as of April 21, 2003, a copy of which is attached as *Exhibit A.*”

2. This Ordinance shall take effect as provided by law.

3. 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 effect the validity of the remaining portion.

DONE AND ORDAINED this 5th day of May, 2003, at
Lady

Lake, Lake County, Florida.

M. E. Francis
Michael E. Francis, Mayor

ATTEST:

Sue Gay
Sue Gay, Town Clerk

Leslie Campione
Leslie Campione, Town Attorney
Approved as to form:



"Exhibit A"

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The 2002 Florida Statutes

Title XIII

Chapter 190

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PLANNING AND DEVELOPMENT COMMUNITY DEVELOPMENT DISTRICTS

190.012 Special powers; public improvements and community facilities.---The district shall have, and the board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included therein, any or all of the following special powers relating to public improvements and community facilities authorized by this act:

(1) To finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for the following:

(a) Water management and control for the lands within the district and to connect some or any of such facilities with roads and bridges.

(b) Water supply, sewer, and wastewater management, reclamation, and reuse or any combination thereof, and to construct and operate connecting intercepting or outlet sewers and sewer mains and pipes and water mains, conduits, or pipelines in, along, and under any street, alley, highway, or other public place or ways, and to dispose of any effluent, residue, or other byproducts of such system or sewer system.

(c) Bridges or culverts that may be needed across any drain, ditch, canal, floodway, holding basin, excavation, public highway, tract, grade, fill, or cut and roadways over levees and embankments, and to construct any and all of such works and improvements across, through, or over any public right-of-way, highway, grade, fill, or cut.

(d)1. District roads equal to or exceeding the specifications of the county in which such district roads are located, and street lights.

2. Buses, trolleys, transit shelters, ridesharing facilities and services, parking improvements, and related signage.

(e) Investigation and remediation costs associated with the cleanup of actual or perceived environmental contamination within the district under the supervision or direction of a competent governmental authority unless the covered costs benefit any person who is a landowner within the district and who caused or contributed to the contamination.

(f) Conservation areas, mitigation areas, and wildlife habitat, including the maintenance of any plant or animal species, and any related interest in real or personal property.

(g) Any other project within or without the boundaries of a district when a local government issued a development order pursuant to s. 380.06 or s. 380.061 approving or expressly requiring the construction or funding of the project by the district, or when the project is the subject of an agreement between the district and a governmental entity and is consistent with the local government comprehensive plan of the local government within which the project is to be located.

(2) After the board has obtained the consent of the local general-purpose government within the jurisdiction of which a power specified in this subsection is to be exercised, to plan, establish,

acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

- (a) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.
 - (b) Fire prevention and control, including fire stations, water mains and plugs, fire trucks, and other vehicles and equipment.
 - (c) School buildings and related structures, which may be leased, sold, or donated to the school district, for use in the educational system when authorized by the district school board.
 - (d) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries.
 - (e) Control and elimination of mosquitoes and other arthropods of public health importance.
 - (f) Waste collection and disposal.
- (3) To adopt and enforce appropriate rules following the procedures of chapter 120, in connection with the provision of one or more services through its systems and facilities.

History.--s. 2, ch. 80-407; s. 51, ch. 83-217; s. 9, ch. 84-360; s. 47, ch. 89-169; s. 8, ch. 93-51; s. 39, ch. 99-378; s. 15, ch. 2000-317; s. 47, ch. 2000-364.

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