

Sponsored by: Puto
Introduction Date: May 9, 2006
Public Hearing Dates: May 9, 2006
May 23, 2006
Enactment Date: May 23, 2006

**CITY OF MARATHON, FLORIDA
ORDINANCE 2006-09**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA,
AMENDING ORDINANCE 03-12-01 CONSENTING TO THE INCLUSION
OF A SPECIFIED AREA OF THE CITY OF MARATHON IN THE
MARATHON MUNICIPAL SERVICE TAXING UNIT**

WHEREAS, the City of Marathon (the "City") enacted Ordinance No. 03-12-01 (the "Ordinance") authorizing the establishment of the Marathon Municipal Service Taxing Unit to provide a limited funding source for the reimbursement and provision of municipal services relating to the administration, planning and development of wastewater and reclaimed water projects (the "Projects") by the Florida Keys Aqueduct Authority (the "FKAA") within the Marathon Municipal Service Taxing Unit; and

WHEREAS, the City has elected to retain control of the Projects from the FKAA, and the FKAA has consented to the same; and

WHEREAS, the City desires to amend the Ordinance to reflect the transfer of control over the Projects from the FKAA to the City and that the purpose of the Ordinance is to provide a limited funding source for the reimbursement and provision of municipal services relating to the administration, planning and development of wastewater and reclaimed water projects by the City within the Marathon Municipal Service Taxing Unit.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MARATHON, FLORIDA:**

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Ordinance No. 03-12-01, Section 1.(A) is hereby amended to read as follows:

The Board of County Commissioners of Monroe County, Florida, has previously established by Ordinance the Marathon Municipal Service Taxing Unit, the boundaries of which are as specified in the legal description attached as Exhibit "A", for the purpose of providing a limited funding source for the reimbursement and provision of municipal services relating to the administration, planning and development of wastewater and reclaimed water projects by the City of Marathon within the Marathon Municipal Service Taxing Unit.

Section 3. The original Section 1.(A) is deleted in its entirety.

Section 4. Any provision of the Code that conflicts with this Ordinance is hereby repealed.

Section 5. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become a part of the City of Marathon, Florida Code of Ordinances; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 7. This Ordinance shall be effective immediately upon its adoption on second reading.

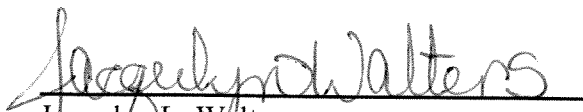
ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, this 23rd day of May, 2006.

THE CITY OF MARATHON, FLORIDA


Christopher M. Bull, Mayor

AYES: Mearns, Tempest, Worthington, Pinkus, Bull
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:


Jacquelyn L. Walters
Acting City Clerk

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE

CITY OF MARATHON, FLORIDA ONLY:

A handwritten signature in black ink, appearing to be "J. H. J.", written over a horizontal line.

City Attorney

G:\W-JRH\37388 - Marathon\019 - Water and Wastewater Issues\Ordinances\Amending MSTU Ordinance to Remove FKAA.doc

EXHIBIT "A"

CITY OF MARATHON, FLORIDA

MORE PARTICULARLY DESCRIBED

AS

. Land description.--The corporate boundaries of the city shall be as follows: from the East end of the Seven Mile Bridge (approximately Mile Marker 47) to the West end of the Tom's Harbor Bridge (approximately Mile Marker 60), including, but not limited to, the entire islands of Knight Key; Hog Key; Vaca Key; Stirrup Key; Boot Key; Crawl Key; East Sister's Island; West Sister's Island; Fat Deer Key; Long Point Key; Deer Key; Little Deer Key; Little Crawl Key; Grassy Key; the unincorporated areas of Monroe County commonly known as Marathon and Coco Plum; all land filled in between the islands, including all islands connected by U.S. 1, Overseas Highway and roadways connecting thereto; and all adjacent islands not connected by roadways within the boundaries of Monroe County between Mile Marker 47 and Mile marker 60, specifically excluding all areas within the boundaries of the City of Key Colony Beach, all of the above being within the boundaries of Monroe County, Florida.