

ORDINANCE NO. 2026- ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, REPEALING CHAPTER 98, ARTICLE VI, "BAREFOOT BAY WATER AND SEWER DISTRICT," SECTIONS 98-181 THROUGH 98-200, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; DISSOLVING THE BAREFOOT BAY WATER AND SEWER DISTRICT, A DEPENDENT SPECIAL DISTRICT OF BREVARD COUNTY, AS OF DECEMBER 31, 2029, PURSUANT TO SECTION 189.071, FLORIDA STATUTES; PROVIDING FOR THE CONTINUATION AND ADMINISTRATION OF EXISTING CONTRACTUAL OBLIGATIONS OF THE BAREFOOT BAY WATER AND SEWER DISTRICT; PROVIDING FOR THE DISPOSITION OF DISTRICT-OWNED PROPERTY WITHIN BAREFOOT BAY WATER AND SEWER DISTRICT; REPEALING ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CODE SECTIONS AND EFFECT ON CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners previously created a dependent special district known and referred to as the Barefoot Bay Water and Sewer District, for the purpose of providing water and sewer utility services to the Barefoot Bay community within District Three; and

WHEREAS, the Board of County Commissioners has determined that the Barefoot Bay Water and Sewer District, as then created, will have satisfied the purposes for which it was created by December 31, 2029; and

WHEREAS, the Board of County Commissioners desires to merge the Barefoot Bay utility service area into the countywide utility service area upon the dissolution of the Barefoot Bay Water and Sewer District on December 31, 2029, while providing that existing contractual obligations and commitments of the Barefoot Bay Water and Sewer District, if any, made prior to the effective date of this ordinance shall be honored by Brevard County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Brevard County, Florida, as follows:

SECTION 1. DISSOLUTION OF THE BAREFOOT BAY WATER AND SEWER DISTRICT; REPEAL OF ORDINANCES. The Barefoot Bay Water and Sewer District, a dependent special district of Brevard County, is hereby dissolved pursuant to section 189.071, Florida Statutes as of December 31, 2029.

Ordinance Numbers 1999-17, 2003-09, 2015-03, 2012-14, 2018-29, and 2019-11, establishing, amending, and otherwise providing for the Barefoot Bay Water and Sewer District, are hereby repealed as of December 31, 2029.

SECTION 2. CONTINUATION AND ADMINISTRATION OF EXISTING CONTRACTUAL OBLIGATIONS OF THE BAREFOOT BAY WATER AND SEWER DISTRICT. Brevard County shall honor those contractual obligations and commitments of the Barefoot Bay Water and Sewer District that exist at the time of its dissolution, if any, which contractual obligations and commitments shall be administered by the County Manager.

SECTION 3. DISPOSITION OF ASSETS AND OR LIABILITIES OF THE BAREFOOT BAY WATER AND SEWER DISTRICT. Pursuant to section 189.076, Florida Statutes, the dissolution of the Barefoot Bay Water and Sewer District shall transfer the title to all property owned at the time by the Barefoot Bay Water and Sewer District to Brevard County, which shall also assume all indebtedness of the Barefoot Bay Water and Sewer District.

SECTION 4. CONFLICTS. All ordinances, parts of ordinances or resolutions in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. The provisions of this ordinance are declared to be severable and if any section, sentence, clause, or phrase of this ordinance shall for any reason be held by a court of competent jurisdiction to be invalid or unenforceable, such decision shall not affect the validity of the remaining terms, provisions, clauses, sentences, or sections of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part.

SECTION 6. REPEAL OF CODE SECTIONS AND EFFECT ON CODE. It is the intention of the Board of County Commissioners of Brevard County that all of Chapter 98, Article VI, which includes code sections 98-181 to 98-200, inclusive, of the Brevard County Code of Ordinances are hereby repealed effective December 31, 2029, and are to be deleted from the Brevard County Code of Ordinances. No renumbering of Chapter 98 is intended, and Chapter 98, Article VI is to remain reserved. No other provision of this ordinance is to be codified as part of the Brevard County Code of Ordinances.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon filing with the Office of the Secretary of State, State of Florida, within ten days of enactment. A certified copy of this ordinance shall also be filed with the Special District Accountability Program of FloridaCommerce within 30 days of the effective date of this ordinance.

SECTION 8. CLERK TO FORWARD A COPY TO FLORIDACOMMERCE. Pursuant to section 189.071, Florida Statutes, the Clerk is hereby directed to forward a copy of this ordinance to the Special District Accountability Program at FloridaCommerce within thirty days of the effective date of this ordinance.

DONE, ORDERED AND ADOPTED by the Board of County Commissioners of Brevard County, Florida, in regular session, this 21st day of July, 2026.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: _____
Rachel Sadoff, Clerk

By: _____
Thad Altman, Chair
As approved by the Board on July 21, 2026

(SEAL)