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MEMORANDUM

July 18, 1996

TO : ALICE CROSBY, DIVISION OF LEGAL SERVICES  
 DIVISION OF RECORDS AND REPORTING

FROM : MARTHA GOLDEN, DIVISION OF WATER AND WASTEWATER *MAG GW  
 BOW*

RE : DOCKET NO. 941044-WS; RESOLUTION OF BOARD OF  
 COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE  
 COUNTY SUBJECT TO PROVISIONS OF CHAPTER 367, FLORIDA  
 STATUTES - REQUEST FOR EXEMPTION FOR PROVISION OF  
 WASTEWATER SERVICE BY PELICAN HARBOR MOBILE HOME PARK

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On November 18, 1994, this Commission received an application from Pelican Harbor Mobile Home Park (Pelican Harbor) for an exemption pursuant to Section 367.022(7), Florida Statutes and Rules 25-30.060(1), (2) and (3)(g), Florida Administrative Code. The primary contact person is Mr. John Burger, Director. The mailing address for the above contact person is 3203 Bayside Parkway, Punta Gorda, Florida, 33982. The mailing address for the utility is 6720 Riverside Drive, Punta Gorda, Florida, 33982. The physical address for the utility is 3317 Bayside Parkway, Punta Gorda, Florida, 33982. The utility provides wastewater service to the Pelican Harbor Mobile Home Park. Water service is purchased from Punta Gorda Water Company.

As stated above the application was filed in accordance with Section 367.022(7), Florida Statutes and Rules 25-30.060(1), (2) and (3)(g), Florida Administrative Code. Included with the application was a statement from Mr. Burger that Pelican Harbor is a nonprofit corporation, that it will provide wastewater service solely to members who own and control it, and that the service area is located at 3317 Bayside Parkway, Punta Gorda, Florida, 33982. The Pelican Harbor Civic Association will do the billing. The members pay for the wastewater service through their association dues. Also included with the application were the Articles of Incorporation as filed with the Secretary of State and the Bylaws which documents clearly show the requirements for membership and that each member is entitled to one vote. The applicant stated that control has already passed to the non-developer members. Additionally, the applicant acknowledged Section 837.06, Florida Statutes, regarding false statements.

Based on the above, an order should be issued within thirty days approving Pelican Harbor Mobile Home Park's application for exemption pursuant to Section 367.022(7), Florida Statutes, as a

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nonprofit corporation and closing the docket. In the event of any change of circumstances or method of operation, Pelican Harbor or successor(s) in interest, should be ordered to notify the Commission within thirty days of such change so that its exempt status may be reevaluated.