

DEPARTMENT OF  
ALLIANCE  
2013 JAN 14 PM 1:23  
FILED

ORDINANCE NO.: 2013- 3

AN ORDINANCE OF THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS CONSOLIDATING THE PROVISION OF FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES; PROVIDING FOR THE REPEAL OF SPRING HILL FIRE AND RESCUE MUNICIPAL SERVICES TAXING UNIT; PROVIDING FOR THE DISPOSITION OF ASSETS AND LIABILITIES AND ASSUMPTION OF DEBTS OF THE SPRING HILL FIRE AND RESCUE MUNICIPAL SERVICES TAXING UNIT; PROVIDING FOR THE AMENDMENT OF HERNANDO BEACH MUNICIPAL SERVICES BENEFIT UNIT LEVY AND LIEN PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

**Section 1. Repeal of Spring Hill Fire and Rescue Municipal Services Taxing Unit; Disposition of Assets and Liabilities and Assumption of Debts of the Spring Hill Fire and Rescue Municipal Services Taxing Unit**

A. Sections 12-251 through 12-259 are repealed.

B. All real and personal property titled in the name of the Spring Hill Fire and Rescue Municipal Services Taxing Unit shall be and become property of Hernando County, to be held for the benefit of the Spring Hill Fire and Rescue Municipal Services Taxing Unit and the citizens therein whose taxes have funded acquisition of such property, as required by Florida law. All debts and contracts of the Spring Hill Fire and Rescue Municipal Services Taxing Unit shall be deemed assigned to Hernando County, to the extent that such may be legally assigned.

1           **Section 2.     Amendment of Hernando Beach Municipal Services Benefit Unit Finding**  
2 **of Facts and Purpose Provision.** Hernando County Code § 12-76 is hereby amended to read as  
3 follows:

4           It is hereby found by the board of county commissioners that fire protection is an  
5           essential service for the benefit of the health, safety and welfare of the public. It is  
6           further the finding of the board of county commissioners that the Legislature has, in  
7           section 125.01(1)(q), Florida Statutes, provided for the creation of a municipal  
8           service taxing and benefit unit as a taxing vehicle to grant to all counties taxing  
9           flexibility to levy special service charges and special assessments within the limits  
10          fixed for municipal purposes for the furnishing of municipal services within those  
11          areas receiving the benefit of such municipal services in order to solve the  
12          controversy of double taxation between residents of the incorporated and  
13          unincorporated areas and in order to provide a needed and necessary service. It is the  
14          purpose of this division to create a county municipal service ~~taxing benefit~~ benefit unit for  
15          the purpose of creating, establishing, maintaining and operating a fire protection  
16          system within the areas described in Exhibit "A", attached hereto and made a part  
17          hereof by reference, and for the purpose of compensating the Hernando County Fire  
18          Rescue Department for the cost of providing fire suppression services within the  
19          geographic boundaries of the said unit.

1           **Section 3.     Amendment of Hernando Beach Municipal Services Benefit Unit Levy**  
2 **and Lien Provisions.**

3           Hernando County Code Section 12-90.2 is hereby amended to read as follows:

4           Same – Levy and lien provisions.

5           (a)     It being recognized that the value of the benefits accrued by virtue of this  
6                   division directly benefits all lots within the unit, the county commission is  
7                   hereby authorized to levy an annual service charge against each lot within the  
8                   unit for the purposes set forth herein.

9           (b)     The service charge shall charge shall be calculated as the sum of two  
10                   components. The first component shall be the cost to each parcel for the  
11                   operation of the Hernando Beach Volunteer Fire Company. The second  
12                   component shall be the cost to each parcel for the Hernando County Fire  
13                   Rescue Department's provision of aid to the Hernando Beach Volunteer Fire  
14                   Company, if any, within the geographic boundaries of Hernando Beach  
15                   Municipal Fire Service Unit during the preceding fiscal year.

16           (c)     The service charge imposed hereunder shall constitute a lien on all real  
17                   property of the unit as of the date ad valorem taxes become liens. Unless fully  
18                   paid and discharged or barred by law, said annual service charges shall  
19                   remain liens equal in rank and dignity with the lien of county ad valorem  
20                   taxes and superior in rank and dignity to all other liens, encumbrances, titles

1           and claims in, to or against the real property involved. If the annual  
2           assessment levied on a lot is not paid, a tax certificate pertaining to the  
3           property may be sold by the tax collector as set forth in Chapter 197, Florida  
4           Statutes.

5           **(b)(d)** Special provisions. For property requiring special services from the unit, the  
6           unit shall be authorized and empowered to enter into service contracts to  
7           provide such special service to any property. The charge to be made for such  
8           special service contracts shall be reflected in the contract pursuant to  
9           standards promulgated by the unit.

10           **Section 4.    Severability**

11           It is declared to be the intent of the board of county commissioners that if any section,  
12           subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held  
13           unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining  
14           portions of this ordinance.

15           **Section 5.    Inclusion in the Code**

16           It is the intention of the Board of County Commissioners of Hernando County, Florida, and  
17           it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the  
18           Code of Ordinances of Hernando County, Florida. To this end, the section of this Ordinance may  
19           be renumbered or relettered to accomplish such intention, and that the word “ordinance” may be  
20           changed to “section,” “article,” or other appropriate designation.

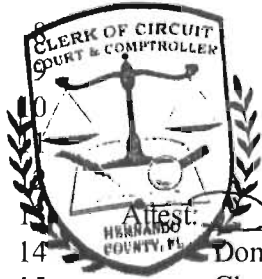
**Section 6. Conflicting Provisions Repealed.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

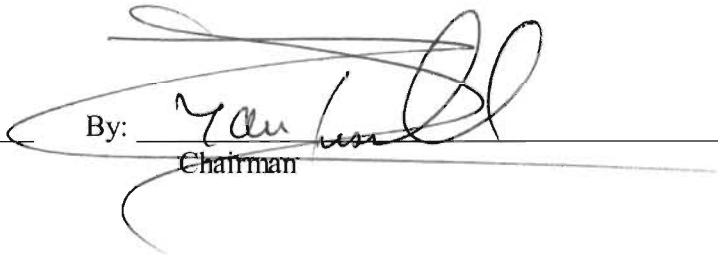
**Section 7. Effective Date.**

This ordinance shall take effect on September 30, 2013.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this 8th day of Jan. 2013.

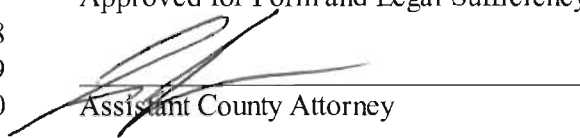


**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA**

By:   
Chairman

Donald Barbee  
Clerk

Approved for Form and Legal Sufficiency

  
Assistant County Attorney



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

January 14, 2013

Honorable Don Barbee, Jr.  
Clerk of the Circuit Court  
Hernando County  
Room 131, 20 North Main Street  
Brooksville, Florida 34601-2800

Attention: Ms. Ashley Hofecker, Deputy Clerk

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 10, 2013 and certified copies of Hernando County Ordinance Nos. 2013-1 through 2013-3, which were filed in this office on January 14, 2013.

As requested, the date stamped originals are being return for your records.

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/elr

Enclosure