

ORDINANCE NO. 86-10

AN ORDINANCE CREATING A MUNICIPAL SERVICE TAXING UNIT TO BE KNOWN AS THE "RIVER COUNTRY ESTATES MULTI-PURPOSE MUNICIPAL SERVICE UNIT; PROVIDING THAT THE PURPOSE OF THE UNIT IS TO PROVIDE STREET LIGHTING AND MAINTENANCE OF RIGHT OF WAY, PARKS AND COMMON AREAS WITHIN SAID UNIT; PROVIDING FOR CREATION, MAINTENANCE AND OPERATION OF STREET LIGHTING SYSTEM AND A SYSTEM FOR MAINTENANCE OF RIGHTS OF WAY, PARKS AND COMMON AREAS WITHIN SAID UNIT; PROVIDING FOR BOUNDARIES OF SAID UNIT; PROVIDING FOR THE LEVY OF AN EQUITABLE PER LOT SERVICE CHARGE; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF THE AFORESAID SERVICE CHARGE; PROVIDING FOR THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING THAT THE SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR HERNANDO COUNTY ORDINANCE NO. 83-7 TO BE REPLACED; AND PROVIDING FOR INCLUSION IN THE COUNTY CODE.

STATE OF FLORIDA
HERNANDO COUNTY
1986

030633

FILED FOR RECORD
HAROLD W.M. BROWN, CLERK
HERNANDO COUNTY, FLORIDA

'86 OCT 17 AM 10 05

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION I. Section 24-81, Hernando County Code of Ordinances, is hereby amended to read as follows:

"Section 24-81. Finding of Fact and Purpose.

It is hereby found by the Board of County Commissioners that street lighting, fire hydrants and right of way and park maintenance are essential service for the benefit of the health, safety and welfare of the public. It is further the finding of the Board of County Commissioners that the legislature has in Section 125.01(1)(q), Florida Statutes, provided for the creation of municipal service taxing and benefit units as a taxing vehicle to grant to all counties that taxing flexibility to levy special service charges within the limits fixed for

municipal purposes for the furnishing of municipal services within those areas receiving the benefit of such municipal services in order to solve the controversy of double taxation between residents of the incorporated and unincorporated areas. It is the purpose of this division to create a county municipal service taxing unit for the purposes of creating, establishing, maintaining and operating a street lighting system, installing and maintaining fire hydrants and maintaining rights of way, parks and common areas within the areas described in Exhibit "B", attached hereto and made a part hereof by reference."

SECTION II. Section 24-82, Hernando County, Code of Ordinances, is hereby amended to read as follows:

"Section 24-82. Creation of Unit.

For the purposes of creating, establishing, maintaining and operating a street light system, installing and maintaining fire hydrants and maintaining rights of way, parks and common areas within the area described in Exhibit "B", referred to in Section 24-71, there is hereby created a municipal service taxing unit to be known as the "River Country Estates Multi-Purpose Municipal Service Unit", which shall be all the property within the boundaries described in Exhibit "B", attached hereto and made a part of by reference, located in the county."

SECTION III. Section 24-84, Hernando County, Code of Ordinances, is hereby amended as follows:

"Section 24-84. Administration.

(a) The service unit created by this division shall be administered in accordance with the policies and procedures adopted by the Board of County Commissioners for the administration of all county departments, divisions and operations.

(b) The service unit created by this division shall have the following duties:

(1) Establishing, maintaining and operating such street lighting as is necessary implement the purposes of this division.

(2) Providing street lighting service to improved and unimproved property within the benefited area.

(3) Providing maintenance service for the rights of way, parks and common areas within the boundaries of the unit.

(4) Installing and maintaining fire hydrants for the improved and unimproved property within the benefited area.

(c) The county administrator shall be responsible for administering the service unit and shall be responsible for the following to the extent necessary to implement the purposes of this division:

(1) Negotiating and recommending to the county commission contracts for installing and providing street lightings.

(2) Negotiating and recommending to the county commission contracts for maintenance of rights of way, parks and common areas.

(3) Negotiating and recommending to the county commission contrcats for installing and maintaining fire hydrants.

(4) Negotiating and recommending to the county commission contracts for purchase of such capital equipment as are necessary.

(5) Establishing rules and regulations for the administration of the unit, not inconsistent with county policy or administrative code.

(6) Negotiating contracts with power companies for the purpose of providing street lighting.

(7) Hiring such personnel as are necessary to implement the purposes of this division.

(8) Performing such other acts as are necessary to implement the purposes of this division to the extent consistent herewith.

(d) The powers to be exercised by the service unit are specifically made subject to all applicable state and county laws."

SECTION IV SEVERABILITY. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence, phrase or provision of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

SECTION V EFFECTIVE DATE. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this Ordinance has been filed with said office.

SECTION VI REPEAL. Hernando County Ordinance No. 83-7, is hereby repealed in its entirety. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

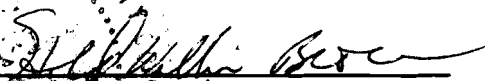
SECTION VII INCLUSION IN THE CODE. It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular
Session this 27th day of May, 1986.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA.

(SEAL)

Attest:


Harold William Brown
Clerk

By:


William T. Koenig III
Chairman