Darlene Christensen

From: Reddick, Ernest L. < Ernest.Reddick@DOS.MyFlorida.com>

Sent: Wednesday, May 03, 2017 10:18 AM

To: Darlene Christensen
Cc: County Ordinances

Subject: Emailing - Hernando20170502_Ordinance2017_18_Ack.pdf

Attachments: Hernando20170502_Ordinance2017_18_Ack.pdf

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RICK SCOTTGovernor

KEN DETZNERSecretary of State

May 3, 2017

Honorable Don Barbee Jr. Hernando County Clerk's Office 20 North Main Street, Rm. 3621 Brooksville, Florida 34601

Attention: Darlene Christensen, Administrative Services

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2017-18, which was filed in this office on May 2, 2017.

Sincerely,

Ernest L. Reddick Program Administrator

ELR/lb

ORDINANCE NO.: 2017-18

1 2 3

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE OF ORDINANCES; AMENDING SECTION 15-163 TO CLARIFY THE SCOPE OF THE COUNTY'S REGULATION OF TREES, WEED GROWTH, AND GRASS HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO

COUNTY:

Section 1. Amendment and Revision of Hernando County Code Section 15-163(a).

Section 15-163(a) of the Hernando County Code is hereby amended to read as follows, with struck-through material deleted and underlined material added.

Sec. 15-163. Prohibited conditions; exemptions.

(a) Any accumulation of weed growth or grass excluding seed pods, to a height in excess of eighteen (18) inches high where such growth or accumulation increases the conditions leading to a haven or breeding place for snakes, rats, rodents or other vermin of like or similar character, or creates a breeding place for mosquitos, creates a fire hazard to adjacent properties or adversely affects or impairs the economic welfare of adjacent properties or creates a hazard at road intersections or rights-of-way within the county shall be declared a public code violation and is hereby prohibited. Dead, decaying, or living trees that pose an actual threat of damage to the public property, rights-of-way, or utilities or adjacent property are hereby declared to be a public code violation. Said public code violations shall be

unlawful in any unincorporated areas of the county. Prohibited conditions of this section shall apply to the various zoning districts in the following manner:

- applicable to <u>all</u> tracts or parcels of land zoned commercial, industrial, or residential to the extent the accumulation of weed growth and grass height lies within one hundred (100) feet of any improved property, with the exception of parcels that are <u>zoned Agricultural</u>, A/R, A/R1, A/R2, County 2.5, or Conservation, as those categories are defined in Appendix A to the Hernando County Code.
- (2) The weed growth and the grass height provisions shall not apply to parcels with natural vegetation which shall be defined as any parcel of land considered naturally vegetated if the parcel has not been cleared or mowed subsequent to January 17, 1984, except those lots mowed for the first time as a result of Ordinance 95-17.

Section 2. 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.

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\JAJ\Ordinances\Dead Trees\Ordinance -- Draft 1.wpd, January 12, 2017 (11:06am) NOTE: additions/deletions = language proposed for addition/deletion to existing Code provisions.

1	Section 3. Inclusion in the Code.
2	It is the intention of the Board of County Commissioners of Hernando County, Florida, an
3	it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the
4	Code of Ordinances of Hernando County, Florida. To this end, the section of this Ordinance ma
5	be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be
6	changed to "section, "article," or another appropriate designation.
7	Section 4. Effective Date.
8	This ordinance shall take effect immediately upon receipt of official acknowledgment from
9	the office of the Secretary of State of Florida that this ordinance has been filed with said office.
10	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
11	HERNANDO COUNTY in Regular Session this 28th day of April 2017.
12	COUNTY COMMINICATION OF THE PROPERTY OF THE PR
13 14	BOARD OF COUNTY COMMISSIONERS HERNANDO COUNTY, FLORIDA
15 16 17	By Darle Res Ton Contractensen
18	Attest: as De puty Cherk By: Nounce
19	DONALD C. BARBEE, JR. WAYNE DUKES
20	Clerk Chairman
21	10 7 10 07 1
22 23	Approved for Form and Legal Sufficiency
24	
25	
26	Deputy County Attorney