Marguerite Linke

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>

Sent: Thursday, August 10, 2017 4:55 PM

To: Marguerite Linke
Cc: County Ordinances

Subject: Hernando20170810_Ordinance2017_30_Ack.pdf **Attachments:** Hernando20170810_Ordinance2017_30_Ack.pdf

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RICK SCOTT Governor **KEN DETZNER**Secretary of State

August 10, 2017

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

Attention: Marguerite Linke, 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. 2017-30, which was filed in this office on August 10, 2017.

Sincerely,

Ernest L. Reddick Program Administrator

ELR/lb

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\JAJ\Ordinances\Airport FBO Revision Ordinance\Draft 1.wpd, July 31, 2017 (8:57am) NOTE: <u>additions/deletions</u> = language proposed for addition/deletion to existing Code provisions.

1 **ORDINANCE NO.: 2017-30** 2 AN ORDINANCE REPEALING CERTAIN SECTIONS OF ORDINANCE 2016-03, HERNANDO COUNTY CODE, AS CODIFIED AS RULES AND 3 4 REGULATIONS FOR BROOKSVILLE TAMPA BAY REGIONAL AIRPORT 5 AND REPLACING THEM WITH THE ORDINANCE OR ORDINANCES PRIOR 6 TO 2016-03, OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; 7 PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL 8 OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE 9 DATE. 10 WHEREAS, on February 9, 2016, the Hernando County Board of County Commissioners 11 ("the Board") enacted Ordinance 2016-03, which adopted amended minimum operating standards 12 ("the MOS") for the Brooksville-Tampa Bay Regional Airport ("BKV"); and, 13 WHEREAS, the Board enacted the MOS, now codified as Hernando County Code Chapter 14 3, Art. V, after conducting public workshops and complying with the applicable federal laws and 15 administrative rules that are set forth in Hernando County Code Section 3-76; and 16 WHEREAS, upon the advice of the Board's consultant, the Board increased the facility size 17 requirements for fixed-base operators ("FBO's"), currently codified as Hernando County Code 18 Section 3-78(a)(2)(a); and

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WHEREAS, the Board has reached the conclusion that Section 3-78(a)(2)(a), as applied, does not encourage competitive services as required by the FAA Airport and Improvement Act of 1982; and, WHEREAS, the Board wishes to readopt its prior facility-size requirements for FBO's in order to promote competition in the market for FBO-related services at BKV. NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY: Section 1. Amendment of FBO Facility-Size Requirements and Reversion to 2004 Standards. Hernando County Code Section 3-78(a)(2)(a) is amended to read as follows, with underlined matter added and struck-through matter deleted: b. Each FBO shall conduct its operations on no less than ten (10) acres, provide for no less than twenty thousand (20,000) square feet of hangar space, provide for no less than ninety thousand (90,000) square feet of paved ramp area space designed at a minimum to accommodate FAA Airplane Design Group II aircraft (wingspans up seventy-nine (79) feet) and provide for no less than two thousand (2,000) square feet of floor space for office, customer lounge, and permanent rest rooms. The prospective FBO shall lease from the County no less than three (3) acres within the Airport, erect a hangar of no less than 9,000 square feet, provide for and maintain no less than 40,000 square feet of ramp area, provide for and maintain no less than 2,000

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1 square feet of floor space for office, customer lounge, permanent rest rooms, public 2 telephone facilities for customer use and telephone service connections to the Flight 3 Service Station and/or the United States Weather Bureau. 4 Section 2. Severability. It is declared to be the intent of the Board of County 5 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this 6 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the 7 validity of the remaining portions of this ordinance. 8 Section 3. Inclusion in the Code. It is the intention of the Board of County Commissioners 9 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall 10 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the section of this Ordinance may be renumbered or relettered to accomplish such intention, and that the 12 word "ordinance" may be changed to "section," "article," or other appropriate designation. 13 Section 4. Conflicting Provisions Repealed. All ordinances or parts of ordinances in 14 conflict with the provisions of this ordinance are hereby repealed. 15 Section 5. Effective Date. This ordinance shall take effect immediately upon receipt of 16 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has 17 been filed with said office.

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1	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS O	F
2	HERNANDO COUNTY in Regular Session this 8th day of August 2017.	
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4	BOARD OF COUNTY COMMISSIONERS	
5	HERNANDO COUNTY, FLORIDA	
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7	COUNT INTERIOR	
8 9	Attest: Margnerite Linke, D. C. By: Vayne Whas	
10	DONALD C. BARBEE, JR. WAYNE DUKES	_
11	Clerk Chairman	
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13	Approved for Form and Legal Sufficiency	
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15		
16	h he	
17	Deputy County Attorney	