From:	Harris, Whitley
To:	Ordinances
Cc:	County Ordinances
Date:	Wednesday, March 23, 2022 3:20:16 PM
Attachments:	Hernando20220322 Ordinance2022 09 Ack.pdf



FLORIDA DEPARTMENT Of STATE

RON DESANTIS

Governor

LAUREL M. LEE Secretary of State

March 23, 2022

Honorable Doug Chorvat, Jr. Hernando County Clerk's Office 20 North Main Street, Rm. 362 Brooksville, Florida 34601

Attention: Ms. Heidi Kurppe, Deputy Clerk

Dear Mr. Chorvat:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2022-09, which was filed in this office on March 22, 2022.

Sincerely,

Anya Owens Program Administrator

AO/lb

 HERNANDO COUNTY, FLORIDA: Section 1. Chapter 10 (Community Appearance), Article II (Landscaping), Code of Ordinances, Hernando County, Florida, Amended. Chapter 10 (Community Appearance) Article II (Landscaping), Code of Ordinances, Hernando County, Florida, is hereby amended a follows: *** Sec. 10-22. – Land clearing permits. *** (h) Abandoned project: Unless exempt as provided in this article, As as a condition of receiving a land clearing permit for a commercial project or proposed subdivision, the applicant 	1	ORDINANCE NO. 2022 - 09
4 ARTICLE II (LANDSCAPING), CODE OF ORDINANCES, HERNANDO 5 COUNTY, FLORIDA, TO PROVIDE EXEMPTIONS FROM LANDSCAPE 6 SURETY REQUIREMENTS FOR LAND CLEARING PERMITS WHEN A 7 BOND IS ALREADY REQUIRED BY SECTION 255.05, FLORIDA STATUTES; 8 PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 9 CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; 10 PROVIDING AN EFFECTIVE DATE. 11 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF 13 HERNANDO COUNTY, FLORIDA: 14 Section 1. Chapter 10 (Community Appearance), Article II (Landscaping), Code of Ordinances, Hernando County, Florida, is hereby amended a 16 Article II (Landscaping), Code of Ordinances, Hernando County, Florida, is hereby amended a 17 Sect. 10-22. – Land clearing permits. 20 *** 21 (h) Abandoned project: Unless exempt as provided in this article, As as a condition of receiving a land clearing permit for a commercial project or proposed subdivision, the applicant or process subdivision and the applicant or proposed subdivision and the applicant or proposed subdivision of the applicant or proposed subdivision of the applicant of the project or proposed subdivision of the applicant of the provided in this article. As as a condition of the provided in the provided in the provided subdivision of the provided in the provided subdivision the applicant of the provided in the provide	2	
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shall be required to post a bond or other surety to ensure the development site is re-vegetated if th	22	receiving a land clearing permit for a commercial project or proposed subdivision, the applicant
	23	shall be required to post a bond or other surety to ensure the development site is re-vegetated if the
24 construction project is abandoned. The lapse of all valid county permits shall constitut	24	construction project is abandoned. The lapse of all valid county permits shall constitute
abandonment. The bond or other surety shall be in an amount to cover the cost, as certified by	25	abandonment. The bond or other surety shall be in an amount to cover the cost, as certified by a
26 professional engineer, of reestablishing ground cover and trees at a density of fifteen (15) per acr	26	professional engineer, of reestablishing ground cover and trees at a density of fifteen (15) per acre

1 for the entire area of clearing. The bond or other surety shall remain in effect for a period of not 2 less than eighteen (18) months after the construction project is completed. An inspection shall be 3 requested by the applicant and upon finding that all landscape requirements have received the proper care and maintenance for long-term survival, the bond may be released. 4 * * * 5 6 Sec. 10-30. – Exemptions. * * * 7 8 (c) The following are exempt from the bond or other surety requirement in Section 10-9 22(h) regarding land clearing permits: 10 An applicant who has a contract with the County for the construction of a (1)11 public building, for the prosecution and completion of a public work, or for repairs upon a public 12 building or public work, who is already required to execute and record in the public records of the 13 County, a payment and performance bond pursuant to Section 255.05, Florida Statutes. * * * 14 Section 2. Severability. It is hereby declared the intent of the Board of County 15 Commissioners of Hernando County, Florida, that if any section, subsection, clause, sentence, 16 phrase, or provision of this Ordinance is for any reason held unconstitutional or invalid, the 17 invalidity thereof shall not affect the validity of the remaining portions of this Ordinance. 18 Inclusion in the Code. It is hereby declared the intent of the Board of 19 Section 3. County Commissioners of Hernando County, Florida, and it is hereby directed, that the provisions 20 of this Ordinance shall become and be made a part of the Code of Ordinances, Hernando County, 21 Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish 22 such intention, and that the word "ordinance" may be changed to "section," "article," or any other 23 appropriate designation. 24 Conflicting Provisions Repealed. All ordinances or parts of ordinances 25 Section 4.

26 in conflict with the provisions of this Ordinance are hereby repealed.

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FILE LOCATION: F:\1 COUNTY ATTORNEY'S OFFICE\SKE\ORDINANCES\LAND CLEARING PERMITS - EXEMPTIONS NOTE: <u>additions</u>/deletions = underlined text proposed for addition to Code; strikethrough text proposed for deletion from Code

1	Section 5. Effective Date. This Ordinance shall take effect immediately upon
2	receipt of official acknowledgment from the office of the Secretary of State of Florida that this
3	Ordinance has been filed with said office.
4	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
5	HERNANDO COUNTY, FLORIDA, in Regular Session this 22 rd day of
6	March 2022.
7	
8	BOARD OF COUNTY COMMISSIONERS
9	HERNANDO COUNTY, FLORIDA
10	
11	
12	Didi 2 DC.
13	Attest: <u>Douglas A. CHORVAT, JR.</u> March CLERK OF CIRCUIT COURT AND COMPTROL LEP. By: <u>STEVE CHAMPION</u> CHAIRMAN
14	DOUGLAS A. CHORVAT, JR. STEVE/CHAMPION
15	CLERK OF CIRCUIT COURT CHAIRMAN
16	AND COMPTROLLER
17 18	
10 19	COUNTY COMMAN
20	
20	
23	APPROVED AS TO FORM AND LEGAL SUFFICIENCY
22 23 24 25 26	By: Maunon eller
26	County Attorney's Office