

ORDINANCE NO. 2001-04

An Ordinance of Hernando County, Florida, providing for enactment and authority; amending section 18-49, Hernando County Code of Ordinances, to remove the durational residency and voter registration requirements as preconditions to issuance of a permit to engage in the occupation of Fortuneteller and related occupations in Hernando County; to transfer administrative responsibilities from the Clerk of the Board of County Commissioners to the County Code Enforcement Department, to remove conditions and requirements imposed upon officers not under the direct authority of the Board of County Commissioners, and to reletter remaining subsections; providing for severability; providing for inclusion in the code; 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. Enactment and Authority

This ordinance is adopted in accordance with and pursuant to the authority of Chapter 125 of the Florida Statutes.

Section 2. Amending Section 18-49, Hernando County Code of Ordinances, entitled "Same—County permit required; penalty", deleting therefrom durational residency and voter registration requirements for obtaining certain permits, transferring administrative responsibilities from the Clerk of the Board of County Commissioners to the County Code Enforcement Department, deleting conditions and requirements imposed upon officers not under the direct authority of the Board of County Commissioners, and relettering remaining subsections.

Section 18-49, Hernando County Code of Ordinances, is hereby amended to read:

(a) No license to engage in the occupation of fortune telling, or any other pursuit for which a license is required by section 18-48 of this article, shall be issued to any person unless such person holds a permit therefor given by the board of county commissioners of the county. No permit shall be issued until after following conditions are fulfilled:

- (1) The applicant shall ~~have been~~ be a resident of the state of Florida for at least two (2) years and shall be a registered voter in the county.
- (2) The applicant shall establish good moral character by reference from not less than five (5) reputable citizens of the county persons.
- (3) The application, with a recent photograph of the applicant which shall become a permanent part of the permit, shall be presented to the clerk of the board of county

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CLERK OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

commissioners Code Enforcement Department, who ~~which~~ shall make investigations and examination of the applicant and report the results thereof to the board of county commissioners for their consideration in acting upon the application.

- (4) The board of county commissioners shall consider the application and the report of the clerk Code Enforcement Department and order the permit either issued or denied. The order of the board shall be made in triplicate, with the original given to the applicant, one copy retained by the clerk of the board, and one by the licensing official.

~~(b) Any official who shall issue a license provided by section 18-48, upon application not accompanied by the permit required by this ordinance shall be guilty of malfeasance and subject to removal from office.~~

~~(c) All county law Enforcement officers shall aid and assist the clerk of the board of county commissioners in conducting the examination of any applicant for the permit required for this section.~~

~~(d)~~ Every licensee comprehended by this section shall at all times while engaging in the occupation for which licensed display at his place of business both his license and the permit herein required. Failure or refusal to do so shall be prima facie evidence of engaging in such occupation with a license.

~~(e)~~(c) Anyone guilty of engaging in any occupation comprehended by section 18-48, without a license and the permit required by this section or who shall obtain any such permit or license by fraud or deceit shall, for the first offense, be subject to punishment as provided in Section 1-8 of this code.

~~(f)~~(d) This ordinance does not apply to churches who heal the sick by prayer or to regularly ordained ministers of churches who are members of the Florida State Spiritualist Ministerial Association whose charters are filed in the Library of Congress and on record in the State capitol of Tallahassee.

Section 3. Severability

It is declared to be the intent of the Board that the provisions of this ordinance are severable, and if any sentence, section, or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions and the remaining provisions shall remain in full force and effect.

Section 4. Inclusion in the Code

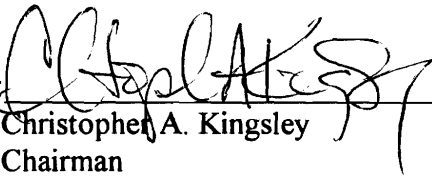
It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this ordinance may be renumbered or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

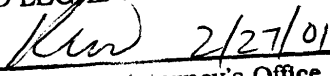
Section 5. Effective Date

This ordinance shall become effective upon receipt of official acknowledgment from the Secretary of State that said ordinance has been filed.

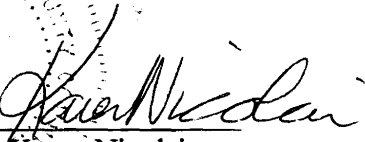
Adopted by the Board of County Commissioners in Regular Session this 27th day of February 2001 A.D.

**Board of County Commissioners
Hernando County, Florida**

By: 
Christopher A. Kingsley
Chairman

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY  2/27/01
County Attorney's Office



Attest: 
Karen Nicolai
Clerk