
ORDINANCE NO.: 2013 - 14

AN ORDINANCE AMENDING THE HERNANDO COUNTY CODE TO
CREATE THE HERNANDO COUNTY FIRE RESCUE MUNICIPAL SERVICES
TAXING UNIT AND MODIFYING EMS MUNICIPAL SERVICES BENEFIT
UNIT; PROVIDING FOR SEPARABILITY; PROVIDING FOR THE REPEAL OF
CONFLICTING PROVISIONS; PROVIDING FOR INCLUSION IN THE
COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO

COUNTY:

**Section 1. Expansion of the Geographic Boundaries of the Hernando County Emergency
Medical Services MSTU**

The geographical description of the Hernando County Emergency Medical Services
Municipal Services Taxing Unit, as contained in Appendix “A” of Section 24-1057, Hernando
County Code, is hereby amended as described in Appendix “A” as attached hereto and made a part
hereof.

**Section 2. Creation of the Hernando County Emergency Fire Rescue and Suppression
Services MSTU**

A new division to be contained within Article IV of Chapter 12 of the Hernando County Code
is created to read as follows:

2013 MAY 21 PM 1:19
DEPARTMENT OF STATE
ALLAHABAD, FLORIDA
FILED

1 **Findings of Fact and Purpose.**

2 It is hereby found by the Board of County Commissioners of Hernando County,
3 Florida (“the Board”) that emergency fire rescue and suppression services are
4 essential services for the benefit of the health, safety, and welfare of the public. It is
5 further the finding of the Board that the legislature has in F.S. § 125.01(1)(g), as it
6 may be amended from time to time, provided for the creation of an MSTU as a taxing
7 vehicle granting to all counties the taxing flexibility to levy ad valorem taxes within
8 the limits fixed for municipal purposes for the furnishing of municipal services
9 within those areas receiving the benefit of such municipal services. In this instance,
10 the creation of such a MSTU will avoid double taxation of certain county residents
11 and provide a needed and necessary service in other areas of the county. It is the
12 purpose of this division to create an MSTU for the purpose of funding the operations
13 of an emergency fire rescue and suppression services system within the areas
14 described herein.

15 **Creation and Boundaries of Unit.**

16 The Hernando County Emergency Fire Rescue and Suppression Services Municipal
17 Service Taxing Unit (“the Unit”) is hereby created for the purpose of funding the
18 operations of an emergency fire rescue and suppression services system within the
19 area described in Exhibit “B” attached hereto and incorporated herein. The Unit may
20 be described by a legal description or a map. Where there is a conflict or discrepancy

1 between the map and the legal description, the legal description shall prevail.

2 **Budget and Millage.**

3 The Board shall annually adopt the budget for the Unit pursuant to Chapter 129 and
4 F.S. ch. 200, as they may be amended from time to time. The Board shall establish
5 the ad valorem rate for this unit by resolution pursuant to the provisions of the
6 Florida Statutes.

7 **Duties of the Board of County Commissioners.**

8 The Board shall have the discretion to fund emergency fire rescue and suppression
9 services within the MSTU up to the limits established by the Florida Constitution and
10 Florida Statutes. Besides funding emergency fire rescue and suppression services by
11 an MSTU other methods of funding may be used as allowed by law. The Board has
12 full authority to levy ad valorem taxes up to the limits permitted by the Florida
13 Constitution and the laws of Florida and to use the funds for the operation of the
14 Unit.

15 **Capital Reserves.**

16 The Board is empowered to set up reserves in the budget for the Unit in excess of its
17 estimated expenditures for any fiscal year, for the purpose of creating reasonable
18 reserves for the purchase of equipment and making other necessary capital
19 expenditures or for any other lawful purposes for which reserves may be used.

1 **Consent of Municipalities.**

2 The provisions of this division creating an MSTU shall not be effective within any
3 municipality in Hernando County unless and until such municipality consents by
4 ordinance in accordance with the provisions of F.S. § 125.01(1)(q), as it may be
5 amended from time to time to the imposition of the MSTU within the municipality.

6 The consent of a municipality shall not be required in municipalities that have
7 previously approved the provision of emergency fire rescue and suppression services
8 by Hernando County.

9 **Administration.**

10 The county administrator shall be responsible for ensuring the administration of the
11 Unit.

12 **Section 3. Severability**

13 It is declared to be the intent of the board of county commissioners that if any section,
14 subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held
15 unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining
16 portions of this ordinance.

17 **Section 4. Inclusion in the Code**

18 It is the intention of the Board of County Commissioners of Hernando County, Florida, and
19 it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the
20 Code of Ordinances of Hernando County, Florida. To this end, the section of this Ordinance may

1 be renumbered or re-lettered to accomplish such intention, and that the word "ordinance" may be
2 changed to "section," "article," or other appropriate designation.

3 **Section 5. Conflicting Provisions Repealed.**

4 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are
5 hereby repealed.

6 **Section 6. Effective Date.**

7 This ordinance shall take effect immediately upon receipt of official acknowledgment from
8 the office of the Secretary of State of Florida that this ordinance has been filed with said office.

9 BE IT ORDAINED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS

10 OF HERNANDO COUNTY in Regular Session this 14 day of MAY, 2013.

11 BOARD OF COUNTY COMMISSIONERS
12 HERNANDO COUNTY, FLORIDA

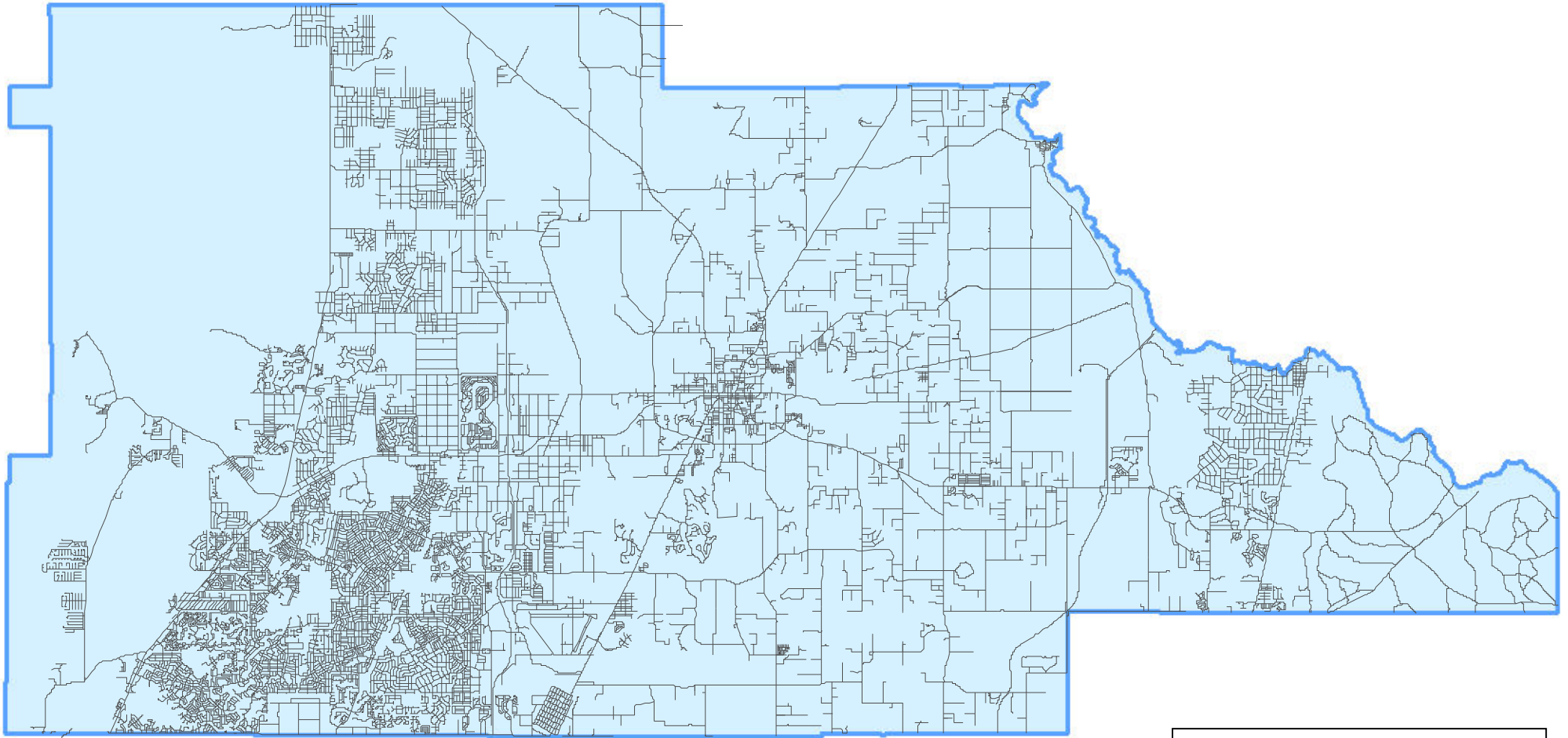


13
14
15
16 Attest: [Signature]
17 DON C. BARBEE, JR. Deputy
18 Clerk


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22 By: [Signature]
23 DAVID D. RUSSELL, JR.
24 Chairman

20 Approved for Form and Legal Sufficiency

21
22
23 [Signature]
24 Assistant County Attorney



Legend

 EMS MSTU BOUNDARY

Scale - Not To Scale
 Mapped by - Trans. Services/Engineering Dept.
 Map Date - 04/15/2013

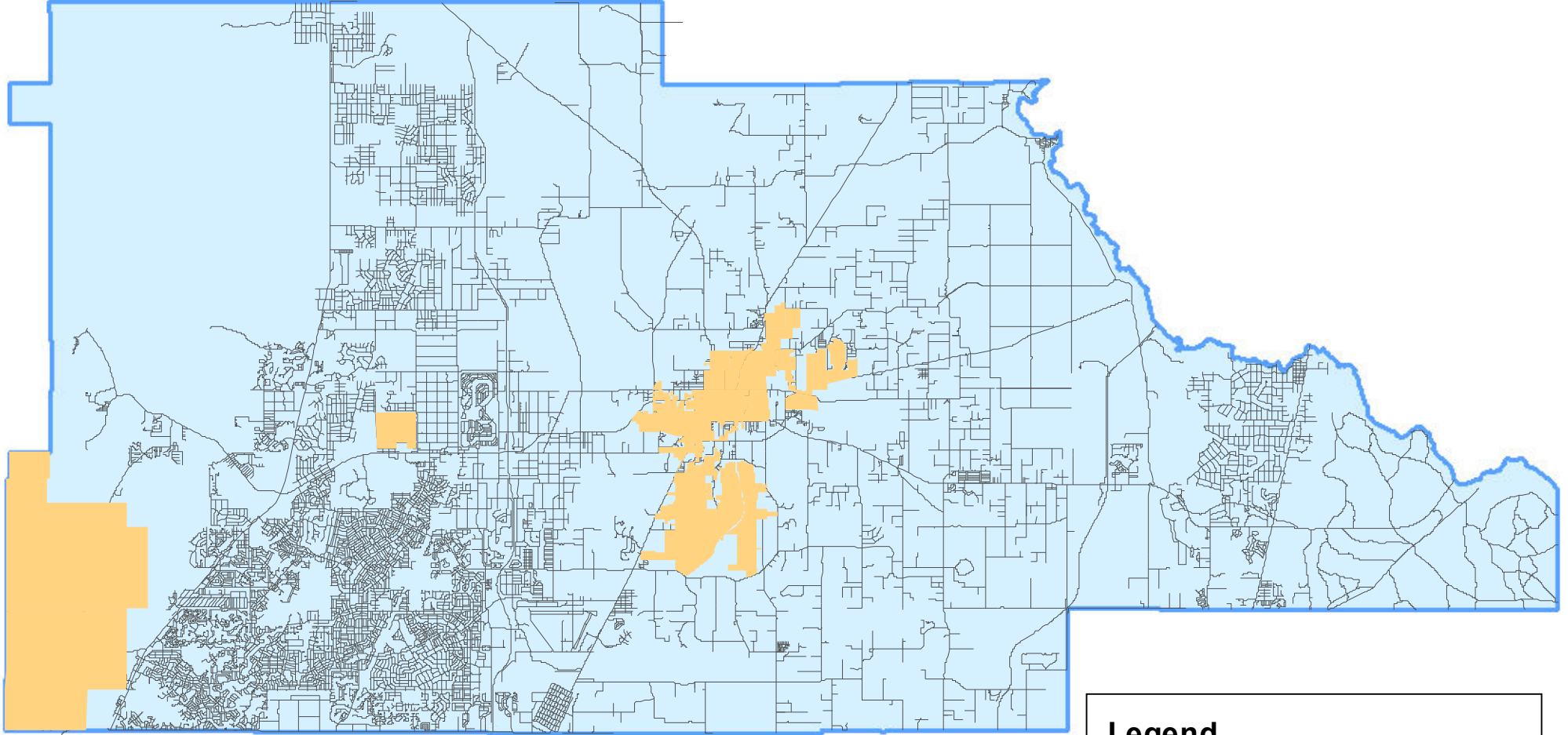


Herando County Geographic Information System (GIS)
 Standard Legal Disclaimer



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APPENDIX A



Legend

 FIRE  MSTU BOUNDARY



APPENDIX B

Scale - Not To Scale
 Mapped by - Trans. Services/Engineering Dept.
 Map Date - 04/15/2013



Hernando County Geographic Information System (GIS)
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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 21, 2013

Honorable Don Barbee, Jr.
Clerk of the Circuit Court
Hernando County
Room 131, 20 North Main Street
Brooksville, Florida 34601-2800

Attention: Ms. Ashley Hofecker, Deputy Clerk

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 15, 2013 and certified copies of Hernando County Ordinance Nos. 2013-14 and 2013-15, which were filed in this office on May 21, 2013.

As requested, the date-stamped originals are being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

Enclosure