

Marguerite Linke

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Friday, January 30, 2015 2:21 PM
To: Marguerite Linke
Cc: County Ordinances
Attachments: Hernando20150130_Ordinance2015_1_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 30, 2015

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 241
Brooksville, Florida 34601-2800

Attention: Marguerite Linke

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. 2015-1, which was filed in this office on January 30, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2015-1

AN ORDINANCE PERTAINING TO A WAIVER OF ANNUAL EXEMPTION APPLICATIONS REQUIRED BY CHAPTER 196, 196.011(9)(a) F.S. UNDER CERTAIN CONDITIONS EXCLUDING THE EXEMPTION UNDER F.S. CHAPTER 196.1995; WAIVER OF ANNUAL AGRICULTURAL CLASSIFICATION APPLICATIONS REQUIRED BY CHAPTER 193.461(3)(a) F.S.; AND WAIVER OF ANNUAL RENEWAL APPLICATIONS FOR VETERANS DISABILITY DISCOUNT REQUIRED BY CHAPTER 196.011(9)(c)F.S.; PROVIDING FOR SEVERABILITY; PROVIDING FOR TERRITORY EMBRACED; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 88-65, Laws of Florida, amending section 196, 196.011(9)(a) F.S., F.S. Chapter 193.461(3)(a) and F.S. Chapter 196.011(9)(c), provides that a County may, at the request of the Property Appraiser and by a majority vote of its governing body, waive the requirement that an annual application of statement be made for exemption of property, waive the requirement of annual agricultural classification application and waive the annual renewal application for veteran's disability discount within the County and under certain conditions; and

WHEREAS, the Property Appraiser, pursuant to the above-referenced statute, has requested the Board of County Commissioners of Hernando County waive said requirement for all exemptions under Chapter 196.011(9)(a) F.S. except the economic development ad valorem tax exemption under S. 196.1995, annual agricultural classification applications F.S. Chapter 193.461(3)(a) and annual renewal applications of veterans disability discount F.S. Chapter 196.011(9)(c); and

WHEREAS, the Property Appraiser has advised the Board of County Commissioners of Hernando County regarding the possibility of fraudulent claims for exemption, agricultural and veteran's disability claims which may occur in the event the requirement that annual applications for exemptions, annual agricultural classification applications and annual renewal applications of veterans disability discount be waived and the Board of County Commissioners of Hernando County having considered the same; and

WHEREAS, it is in the best interest of Hernando County, Florida to waive the requirement of annual applications for certain exemptions, annual agricultural and veterans disability discount when an initial application is made, an exemption, classification or disability discount granted and there has been no change in ownership, use, thereafter of the exempt property or percentage of disability to which the veteran is entitled.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA as follows:

1. After an initial application for any exemption provided for under Chapter 196.011(9)(a) F.S. (1988) except the exemption under S. 196.1995, has been made and the exemption granted, the requirement of annual renewal application of statement for the above specified exemptions is hereby waived when there has been no change in ownership or use of the exempt property.

After an initial application for classification of use provided for under F.S. Chapter 193.461(3)(a), (1993) has been made and the classification granted, the requirement of annual renewal application or statement for the above specified classification is hereby waived when there has been no change in ownership or use of the classified property. After an initial application for the veteran's discount provided for under Section 6(e), Art. VII, of the State Constitution, as implemented by F.S. Chapter 196.082, has been made and the discount granted. F.S. Chapter 196.011 (9)(c), the requirement of an annual renewal application for the above-specified discount is hereby waived when there has been no change in the use of the property or the percentage of disability to which the veteran is entitled.

2. Reapplication for all exemptions under Chapter 196 F.S. excluding the exemption under S. 196.1995 F.S. shall be required when any property granted an exemption is sold or otherwise disposed of, or when ownership changes in any manner or when the applicant ceases to use the property as his or her homestead or when the status of the owner changes so as to change the exempt status of the property. Reapplication for all classifications under F.S. Chapter 193.461(3)(a) shall be required when

any property granted a classification is sold or otherwise disposed of, or when ownership changes in any manner or when the status of the owner changes so as to change the classified status of the property. The board recognizes that pursuant to F.S. Chapter 196.011(9)(c), the disabled veteran receiving a discount for which annual application is waived herein has the duty to notify the property appraiser promptly whenever there is a change to the use of the property or the percentage of disability to which the veteran is entitled.

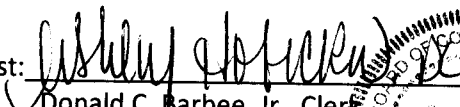
3. It is declared to be the intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance be held invalid, the remainder of the Ordinance shall not be affected.

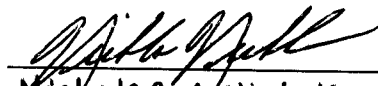
4. All territory within the legal boundaries of Hernando County, Florida, including all incorporated or unincorporated areas shall be embraced by the provisions of this Ordinance.

5. This Ordinance shall take effect immediately upon acknowledgement from the Secretary of the State that the Ordinance has been duly filed.

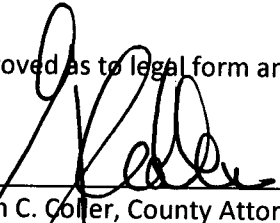
ADOPTED IN REGULAR SESSION this 27th day of JANUARY, 2015.

HERNANDO COUNTY BOARD OF
COUNTY COMMISSIONERS

Attest: 
Donald C. Barbee, Jr., Clerk


Nicholas W. Nielsen, Chairman

Approved as to legal form and sufficiency


Garth C. Collier, County Attorney

