

## Marguerite Linke

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**From:** Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>  
**Sent:** Tuesday, April 21, 2015 10:25 AM  
**To:** Marguerite Linke  
**Cc:** County Ordinances  
**Attachments:** Hernando20150421\_Ordinance2015\_06\_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

April 21, 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. 2015-06, which was filed in this office on April 21, 2015.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

**ORDINANCE NO.: 2015 -*blb***

AN ORDINANCE AMENDING SECTION 4-22 OF THE HERNANDO COUNTY CODE; AMENDING PROVISIONS GOVERNING THE REGULATION OF UNLAWFUL SOUND FROM PROPERTY OWNED OR LEASED BY LOCATIONS LICENSED TO SERVE ALCOHOLIC BEVERAGES; THE PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY:

**Section 1.** Hernando County Code Section 4-23 is hereby amended to read as follows:

It is unlawful for any person managing, employed at, operating or occupying any location licensed to serve alcoholic beverages to permit the use of any portion of the owned or leased property, including any common areas appurtenant to a leasehold, of such location for the operation or amplification of sound produced by a radio, tape player, phonograph, disc player, computer, speaker or other mechanical sound-making device or by an instrument, including an amplified, acoustic or percussive instrument, so that the sound of such device or instrument is:

- (a) Plainly audible on any property zoned and used for residential purposes; or and

1           (b)    Disseminated in such a manner as to cause noise disturbance which  
2                            disturbs the peace, quiet and comfort of a residential neighborhood,  
3                            or

4           (c)    Unreasonably loud, raucous, jarring, disturbing, or a nuisance to  
5                            persons within a residential neighborhood.

6           **Section 2.**    It is declared to be the intent of the Board of County Commissioners that if  
7                            any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held  
8                            unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining  
9                            portions of this ordinance.

10          **Section 3.**    It is the intention of the Board of County Commissioners of Hernando County,  
11                            Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made  
12                            a part of the Code of Ordinances of Hernando County, Florida. To this end, the section of this  
13                            Ordinance may be renumbered or relettered to accomplish such intention, and that the word  
14                            “ordinance” may be changed to “section, “article,” or other appropriate designation.

15          **Section 4.**    All ordinances or parts of ordinances in conflict with the provisions of this  
16                            ordinance are hereby repealed.

17          **Section 5.**    This ordinance shall take effect immediately upon receipt of official  
18                            acknowledgment from the office of the Secretary of State of Florida that this ordinance has been  
19                            filed with said office.

1           **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**  
2 **HERNANDO COUNTY** in Regular Session this 14<sup>th</sup> day of April 2015.



**BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA**

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8  
9 Attest:   
10 DONALD C. BARBEE, JR.  
11 Clerk

By:   
NICHOLAS W. NICHOLSON  
Chairman

12  
13 Approved for Form and Legal Sufficiency

14  
15   
16 Deputy County Attorney  
17