

From: [Bryant, Linda C.](#)
To: [Ordinances](#)
Cc: [County Ordinances](#)
Subject: [EXT.] -
Date: Wednesday, March 10, 2021 2:31:07 PM
Attachments: [Hernando20210310_Ordinance2021_02_Ack.pdf](#)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 10, 2021

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. 2021-02, which was filed in this office on March 10, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

- 1 membership rescinded.
- 2 (2) Board of adjustment and appeals abolished. The board of adjustment and appeals as
3 referred to in Ordinance 2001-22 and all subsequent amendments thereto with all its
4 powers and duties as prescribed, shall be performed by the Hernando County Board
5 of Construction and Regulation. By adoption of this amendment, the board known
6 as the board of adjustment and appeals as described in Ordinance 2001-22 is hereby
7 abolished and membership rescinded.
- 8 (3) Appointment of members. To ensure continued enforcement of the provisions of this
9 code, the governing body shall appoint members of the board upon approval of the
10 ordinance from which this subdivision derives. For purposes of the initial
11 appointment, the principal office shall make recommendation to the governing
12 authority of qualified persons to serve on this board.
- 13 (4) Created. To carry out the provisions of this code, perform the duties of a board of
14 adjustment and appeals as prescribed by the Hernando County Construction Code
15 and future amendments thereto and to act as a county-wide compliance review board
16 as required by the Hernando County Construction Code there is created pursuant to
17 the provisions of section 489.131(7), Florida Statutes, and the Hernando County

1 Construction Code as adopted by ordinance, the Hernando County Board of
2 Construction and Regulation (hereafter referred to as the "board").

3 (5) Number and qualifications of members; limitation on power. The board shall consist
4 of ~~eleven (11)~~ five (5) members, of whom:

5 (a) One member shall be a general contractor, ~~one member shall be~~ a building
6 contractor, or a residential contractor.

7 (b) One member shall be a plumbing contractor, ~~one member shall be~~ an
8 electrical contractor, ~~one member shall be~~ a mechanical contractor, ~~one~~
9 ~~member shall be~~ or a roofing contractor.

10 (c) ~~One member shall be an engineer~~; One member shall be an architect or
11 engineer.

12 (d) ~~and three (3)~~ Two (2) members shall be consumer representatives as defined
13 by this code.

14 ~~(d)~~(e) Board members shall be duly licensed in their respective trade, with the
15 exception of the consumer representatives.

16 No board member may sit upon the board during the hearing of any matter in which he has
17 a personal interest, in accordance with applicable state laws governing conflicts of interest
18 defined according to Chapter 112, Florida Statutes.

1 **Sec. 8-56. - Terms of office.**

2 The ~~eleven (11)~~ five (5) members shall be appointed by the governing body for a four-year
3 term and shall continue unless sooner removed for malfeasance in office, neglect of duty
4 (which shall include three (3) consecutive unexcused absences), incapacity or other sufficient
5 causes (to include improper interference with ongoing investigations or implying or
6 conveying influence upon a contractor or employee of the principal office or department).
7 To ensure continuity of board policies, the governing body shall initially appoint one member
8 for a one-year term, ~~three (3)~~ two (2) members for two-year terms, ~~three (3)~~ one (1) members
9 for a three-year terms, and ~~four (4)~~ one (1) members for a four-year terms.

10 **Sec. 8-57. - Quorum; affirmative votes of majority required.**

11 ~~Six (6)~~ Three (3) members of the board shall constitute a quorum, in the application of any
12 provision of this code or the official duties of this board. Affirmative votes of the majority
13 present shall be required.

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

Section 3. 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 word "ordinance" may be changed to "section," "article," or any other appropriate designation.

Section 4. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this 9th day of March 2021.

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

Attest:

Heidi Kuppe, D.C.

for DOUG CHORVAT, JR.
Clerk

By:

[Signature]
JOHN ALLOCCO
Chairman



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
BY [Signature]
County Attorney's Office