

From: [Bryant, Linda C.](#)
To: [Ordinances](#)
Cc: [County Ordinances](#)
Subject: [EXT.] -
Date: Wednesday, March 10, 2021 2:28:45 PM
Attachments: [Hernando20210310_Ordinance2021_03_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. 2021-03, which was filed in this office on March 10, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\KJB\Legal Requests\2020-660 Ordinance to Auto Adopt FBC\Draft 2 Ordinance for Auto Adopt FBC.wpd, February 8, 2021 (12:36pm) NOTE: additions/~~deletions~~ = language proposed for addition/deletion to existing Code provisions.

1 **ORDINANCE NO.: 2021-03**

2 AN ORDINANCE PROVIDING FOR THE INCORPORATION BY REFERENCE
3 OF THE FLORIDA BUILDING CODE IN THE HERNANDO COUNTY CODE OF
4 ORDINANCES AND THE AUTOMATIC INCORPORATION OF THE MOST
5 RECENT EDITION OF THE FLORIDA BUILDING CODE AS ADOPTED BY
6 THE FLORIDA BUILDING COMMISSION.

7 WHEREAS, the Florida Building Commission of the State of Florida adopts by rule the
8 Florida Building Code that is enforced by local governments; and,

9 WHEREAS, the Florida Building Commission is required to adopt an updated Florida
10 Building Code every three years, with the effective date of the 7th Edition of the Florida Building
11 Code being December 31, 2020; and,

12 WHEREAS, Section 553.73(6) of the Florida Statutes provides that the “initial adoption of,
13 and any subsequent amendment to, the Florida Building Code by [the Florida Building Commission]
14 is deemed to be adopted for use statewide without adoptions by local government.”

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

17 **Section 1. Modification of Chapter 8, Article II, Division 4, Section 8-97 of the**
18 **Hernando County Code of Ordinances.** Chapter 8, Article II, Division 4, Section 8-97 of the

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1 Hernando County Code, is hereby amended as follows:

2 **Sec. 8-97. - Adoption of the Florida Building Code ~~Seventh Edition (2020), as~~**
3 **promulgated by the Florida Building Commission.**

4 There is hereby adopted by the County of Hernando, Florida, that certain statewide
5 unified code known as the Florida Building Code, as developed and maintained by the
6 Florida Building Commission and amended from time to time, being particularly the Florida
7 Building Code Seventh Edition (2020). The same, as it may be amended from time to time,
8 is hereby adopted and incorporated herein as fully as if set forth in haec verba, and from the
9 date upon which this division shall take effect, the provisions thereof, except as otherwise
10 noted herein, shall be controlling in the construction, alteration, removal, demolition,
11 moving, improving, repairing of equipment, use and occupancy, location and maintenance
12 of all buildings and structures within the unincorporated areas of the county. Upon the
13 effective date of the Florida Building Commission's adoption of the Florida Building Code
14 and each subsequent amendment of the Florida Building Code, that most recent edition of
15 the Florida Building shall be incorporated by reference as if fully set forth herein. The
16 automatic adoption of the most recent edition of the Florida Building Code shall be subject
17 to any technical amendments or procedures Hernando County may implement in this code.

18 **Section 2. Severability.** It is declared to be the intent of the Board of County

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1 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
2 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
3 validity of the remaining portions of this ordinance.

4 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners
5 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
6 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
7 section of this Ordinance may be renumbered or relettered to accomplish such intention, and that the
8 word "ordinance" may be changed to "section," "article," or any other appropriate designation.

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

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

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

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

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7 Attest: Heidi Kuypers, D.C.
8 for DOUG CHORVAT, JR.
9 Clerk

By: [Signature]
JOHN ALLOCCO
Chairman

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12 Approved for Form and Legal Sufficiency

13
14
15 [Signature]
16 Assistant County Attorney
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