From: County Ordinances

To: Ordinances; County Ordinances

Cc: Patricia Tapia; Paige Jefferys; Heidi Kurppe
Subject: RE: Hernando County Ordinance No. 2025-01 - Adopted on January 14, 2025

 Date:
 Friday, January 17, 2025 11:02:18 AM

 Attachments:
 Hernando20250116 Ordinance2025 01 Ack.pdf

Good morning,

Attached is the acknowledgement letter for Hernando County Ordinance No. 2025-01.

Best,

Alexandra Leijon

Administrative Code and Register Director Office of General Counsel Department of State Room 701 The Capitol | Tallahassee, FL P: (850)245-6270

From: Ordinances <ord@hernandoclerk.org> Sent: Thursday, January 16, 2025 11:38 AM

To: County Ordinances < CountyOrdinances@dos.myflorida.com>

Cc: Patricia Tapia <ptapia@hernandoclerk.org>; Paige Jefferys <pjefferys@hernandoclerk.org>; Heidi Kurppe

<hkurppe@hernandoclerk.org>

Subject: Hernando County Ordinance No. 2025-01 - Adopted on January 14, 2025

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Heidi Kurppe
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2025-01

Thank You,

Heidi Kurppe

Administrative Services | Administrative Services Supervisor Office of Doug Chorvat Jr., Clerk of Circuit Court and Comptroller

Phone: (352)754-4201 | Email: ord@hernandoclerk.org

20 N Main Street, Brooksville, FL 34601

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NOTICE:



RON DESANTIS
Governor
CORD BYRD
Secretary of State

January 17, 2025

Doug Chorvat, Jr. County Clerk Hernando County 20 North Main Street, Rm. 362 Brooksville, Florida 34601

Dear Doug Chorvat Jr.,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2025-01, which was filed in this office on January 16, 2025.

Sincerely,

Alexandra Leijon Administrative Code and Register Director

AL

ORDINANCE NO.: 2025 1 2 AN ORDINANCE PROHIBITING THE ABANDONMENT OF NEWSPAPER 3 VENDING MACHINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR 4 INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF 5 CONFLICTING PROVISIONS: AND PROVIDING FOR AN EFFECTIVE DATE. 6 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO 7 COUNTY: 8 Section 1. Prohibition Against Abandoning Newspaper Vending Machines. A new 9 Hernando County Code § 21-6, to be entitled "Abandonment of Newspaper Vending Machines," is 10 hereby created to read as follows: 11 Abandonment of Newspaper Vending Machines Legislative Intent. Abandoned newspaper vending machines are evesores that 12 A. are frequently transformed into makeshift garbage cans. Also, graffiti and criminal 13 activities gravitate toward them. The Hernando County Board of County 14 Commissioners enacts this section to protect Hernando County's aesthetics and its 15 16 residents' quality of life. 17 В. Definitions. As used in this Section: "Code Enforcement Officer" means any employee designated as a 18 1. code enforcement officer pursuant to Fla. Stat. §§ 125.69 or 162.21, as they may be 19

amended from time to time.

20

"Law Enforcement Officer" shall have the same definition as provided 1 2. 2 for in Fla. Stat. § 705.101(2), as it may be amended from time to time. "Newspaper Vending Machine" shall mean any self-service 3 3. 4 complimentary or coin/money-operated, cubicle-shaped box, crate, container, carton 5 or storage bin that has a door, window or latch and which contains or offers to the 6 public any printed material that includes, but is not limited to, newspapers, circulars, 7 flyers and/or advertisements, whether commercial or noncommercial. 8 <u>4.</u> "Nominal Salvage Value" means the value of an article of abandoned 9 or derelict property (which value a reasonably prudent person would believe is the fair market value of the property, taking into consideration its useful life, earning 10 capacity or replacement cost, less depreciation and items of general or special 11 depreciation) that would be nominally greater than the costs of salvage, including the 12 13 removal, transportation, storage and sale of the same. 14 5. "Officer" shall mean any Hernando County Law Enforcement Officer 15 or Code Enforcement Officer, as those terms are defined herein. "Public Property" shall have the same definition as provided for in 16 6. Fla. Stat. § 705.101(5), as it may be amended from time to time. 17 Abandoned Newspaper Vending Machines. It shall be unlawful for any 18 C. 19 person to abandon a newspaper vending machine on public property. A newspaper vending machine shall be considered abandoned and subject to removal if: 20

1 1. It remains empty for a period of sixty (60) days; or, 2 2. It is in such a wrecked, inoperable, graffiti-covered, or partially 3 dismantled state that it has no value other than nominal salvage value. 4 <u>D.</u> Abatement. An officer shall utilize the procedures set forth in Fla. Stat. § 5 705.103, as it may be amended from time to time, in the event he or she discovers an 6 abandoned newspaper vending machine on public property. 7 E. Enforcement. In addition to the foregoing, any violation hereunder may be 8 prosecuted as described in Hernando County Code Chapter 2, Article III, as it may 9 be amended or renumbered. Section 2. Severability. It is declared to be the intent of the Board of County 10 11 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this 12 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the 13 validity of the remaining portions of this ordinance. 14 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 15 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the 16 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that 17 the word "ordinance" may be changed to "section," "article," or any other appropriate designation. 18 Section 4. Conflicting Provisions Repealed. All ordinances or parts of ordinances in 19 conflict with the provisions of this ordinance are hereby repealed. 20

DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\JAJ\Ordinances\Abandoned Newspaper Boxes\2024-12-13 Proposed Ordinance Draft 3.wpd, December 13, 2024 (12:56pm) NOTE: additions/deletions = language proposed for addition/deletion to existing Code provisions.

1	Section 5. Effective Date. This ordinance shall take effect immediately upon receipt of
2	official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
3	been filed with said office.
4	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
5	HERNANDO COUNTY in Regular Session this 14th day of January 2025
6	
7	BOARD OF COUNTY COMMISSIONERS
8	HERNANDO COUNTY, FLORIDA
9	
10	
11	11.1.7
12	Attest: Click Muffel, Capity Clarks
13	DOUGLAS CHORVAT BRIAN HAWKINS
14	Clerk and Comptroller Chairman
15	
16	Approved for Form and Legal Sufficiency
17	
18	Jon Jouben Man Control of the Contro
19	County Attorney