

Sherry Crum

From: Hall, Mario R. <Mario.Hall@dos.myflorida.com>
Sent: Wednesday, December 18, 2013 2:53 PM
To: Sherry Crum
Cc: County Ordinances
Subject: RE: Hernando County Ordinances
Attachments: Hernando 2013-42 - Ack.pdf

From: Sherry Crum [mailto:scrum@co.hernando.fl.us]
Sent: Wednesday, December 18, 2013 2:45 PM
To: County Ordinances
Subject: Hernando County Ordinances

Sender Full Name:	Sherry Crum
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2013-42

Sherry L. Crum

Deputy Clerk

Hernando County Clerk of Circuit Court & Comptroller
20 N. Main Street, Room 131
Brooksville, FL 34601
Phone: (352) 540-6209
Fax: (352) 754-4239
scrum@hernandocounty.us

Sherry L. Crum

Deputy Clerk

Hernando County Clerk of Circuit Court & Comptroller
20 N. Main Street, Room 131
Brooksville, FL 34601
Phone: (352) 540-6209
Fax: (352) 754-4239
scrum@hernandocounty.us

Please note: Florida has a very broad Public Records Law. Most written communications to or from the Clerk's Office are public records available to anyone upon request. Your e-mail, including your e-mail address, may therefore, be subject to public disclosure.

@ItsWorkingFL



The Department of State is leading the commemoration of Florida's 500th anniversary in 2013. For more information, please go to <http://www.vivaflorida.org>

The Department of State is committed to excellence.
Please take our [Customer Satisfaction Survey](#).



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 18, 2013

Honorable Don Barbee Jr.
Clerk of the Circuit Court
Hernando County
Room 131, 20 North Main Street
Brooksville, Florida 34601-2800

Attention: Ms. Ashley Hofecker, Deputy Clerk

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. 2013-42, which was filed in this office on December 18, 2013.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosure

ORDINANCE NO. 2013-42

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "WEST HERNANDO STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTNEANCE, AND OPERATION OF A STREET LIGHTING SYSTEM; PROVIDING FOR THE BOUNDARIES OF SAID UNIT; PROVIDING THAT SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY; PROVIDING FOR THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING FOR THE LEVY OF AN EQUITABLE PER LOT ASSESSMENT; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF AFORESAID ASSESSMENT; PROVIDING FOR INCLUSION IN THE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Hernando County, Florida, as follows:

SECTION I. FINDINGS OF FACT AND PURPOSE

It is hereby found by the Board of County Commissioners of Hernando County, Florida, that street lighting is an essential service for the benefit of the health, safety, and welfare of the public. It is further the finding of the Board of County Commissioners that the Legislature has in Section 125.01(1)(q), Florida Statutes, provided for the creation of municipal service benefit units as a vehicle granting to all counties flexibility to levy special assessments within the limits fixed for municipal purposes for the furnishing of municipal services within those areas receiving the benefit of such municipal services in order to solve the controversy of double taxation between residents of the incorporated and unincorporated areas. It is the purpose of this Ordinance to create a County Municipal Service Benefit Unit for the purpose of providing a street lighting system within the boundaries of said unit, described in Exhibit "A" attached hereto and made a part hereof.

SECTION II. CREATION OF UNIT

For the purpose of creating, establishing, maintaining, and operating a street lighting system within the area described herein and for any other purpose allowed by law there is hereby created a Municipal Service Benefit Unit to be known as the "**West Hernando Street Lighting Municipal Service Benefit Unit**" which shall be all the property located in Hernando County, Florida, within the boundaries described in Exhibit "A" attached hereto and made a part hereof by reference, as such property currently exists or as it may be split, subdivided, re-platted or otherwise re-designated by the Hernando County Property Appraiser subsequent to the effective date of this ordinance.

SECTION III. GOVERNING BODY

The Governing Body of the "**West Hernando Street Lighting Municipal Service Benefit Unit**" shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

A. The "**West Hernando Street Lighting Municipal Service Benefit Unit**" shall be administered in accordance with the policies and procedures adopted by the Board of County Commissioners for the administration of all County departments, divisions, and operations.

B. The "**West Hernando Street Lighting Municipal Service Benefit Unit**" shall have the following duties:

1. To establish, maintain, and operate such street lighting system as is necessary to implement the purpose of this Ordinance.
2. To provide a lighting system which will benefit both improved and unimproved property within the unit.

C. The County Administrator shall be responsible for administering the "**West Hernando Street Lighting Municipal Service Benefit Unit**" for the following to the extent necessary to implement the purpose of this Ordinance:

1. Negotiate and recommend to the Board of County Commissioners contracts for providing specific maintenance services.
2. Negotiate and recommend to the Board of County Commissioners contracts for the purchase of such capital equipment as necessary.
3. Establish rules and regulations for the administration of the unit, not inconsistent with County policy or administrative rule.
4. Negotiate contracts with power companies for the purpose of providing a lighting system.
5. Hire such personnel as are necessary to implement the purposes of this Ordinance.
6. Perform such other acts as are necessary to implement the purpose of this Ordinance to the extent consistent herewith.

D. The powers to be exercised by the "**West Hernando Street Lighting Municipal Service Benefit Unit**" are specifically made subject to all applicable State and County laws.

SECTION V. ASSESSMENTS, LEVY, AND LIEN PROVISIONS

It being recognized that the value of the benefits accrued by virtue of this Ordinance directly benefits equally all platted lot, parcels, tracts, cooperative parcels and condominium parcels within the Unit, the County Commission is hereby authorized to levy an annual assessment against each platted lot, parcel, tract, cooperative parcel and condominium parcel within the unit for the purposes set forth herein. The assessment imposed hereunder shall constitute a lien on all real property of the unit as of the date ad valorem taxes become liens. Unless fully paid and discharged or barred by law, said annual assessment shall remain liens equal in rank and dignity with the lien of County ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved.

If the annual assessment levied on a parcel is not paid, a Tax Certificate pertaining to the parcel will be sold by the Tax Collector as set forth in Chapter 197, Florida Statutes.

SECTION VI. REPEAL

All ordinances or parts of ordinance in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION VII. 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 re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "section," "article," or other appropriate designation.

SECTION VIII. SEVERABILITY

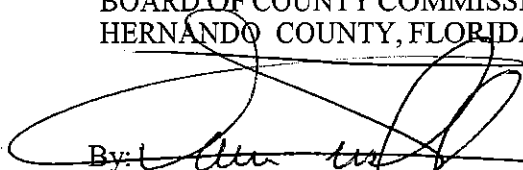
It is declared to be intent of the Board of County Commissioners of Hernando County, Florida, that if any section, subsection, clause, sentence, phrase, or provision of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

SECTION IX. EFFECTIVE DATE

A certified copy of this Ordinance shall be filed in the Office of the Secretary of State by the Clerk of the Board within ten (10) days after adoption of this Ordinance.

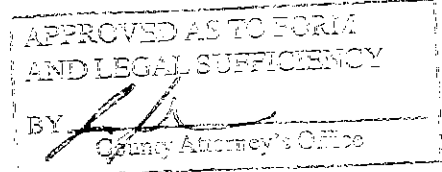
ADOPTED this 17th day of December, 2013, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: 
DAVID D. RUSSELL, JR., CHAIRPERSON

Attest:


DONALD C. BARBEE, JR., CLERK



**EXHIBIT
"A"**

**LEGAL DESCRIPTION FOR WEST HERNANDO
STREET LIGHTING MUNICIPAL SERVICE
BENEFIT UNIT**

The following described parcels in Hernando County, Florida as identified below:

Amber Woods:

A subdivision in Section 16, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 20 Pages 19-20(Phase I);

A subdivision in Section 16, Township 23 South, Rage 18 East, Hernando County, Florida, as recorded in Plat Book 20 Page 42-43 (Phase II);

A subdivision in Section 16, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 20 Page 44-45 (Phase III);

A subdivision in Section 16, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 21 Pages 19-20 (Phase IV);

Also as described in original Amber Woods Street Lighting Ordinance 87-29 adopted June 30, 1987 and amended with Ordinance 88-12 adopted May 11, 1988, Ordinance 90-07 adopted May 1, 1990, and Ordinance 91-17 adopted March 26, 1991;

Amidon Woods:

A Subdivision in Section 25, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 24 Pages 44-45; *also as described in original Amidon Woods Street Lighting Ordinance 89-24 adopted*

Barony Woods:

Being a portion of Section 32, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 23 Pages 11-12 (Phase 1);

Being a portion of Section 32, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 23 Pages 26-27 (Phase 2);

Being a portion of Section 32, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 24 Pages 21-22;

Also as described in original Barony Woods Street Lighting Ordinance 90-29 adopted December 18, 1990 and amended with Ordinance 91-17 adopted March 26, 1991;

Castle Court:

A Subdivision in Section 17, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 21 Pages 30-31; *also as described in original Castle Court Street Lighting Ordinance 91-36 adopted December 10, 1991;*

Chadbrook Subdivision:

A Subdivision in Section 35, Township 22 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 23 Page 30; *also as described in original Chadbrook Street Lighting Ordinance 89-12 adopted July 18, 1989 and amended by Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

Dry Creek:

A Subdivision of a portion of Sections 34 & 35, Township 21 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 18, Pages 27-28; *also as described in original Dry Creek Street Lighting Ordinance 90-16 adopted August 21, 1990 and amended by Ordinance 91-17 adopted March 26, 1991;*

East Linden Estates:

A Subdivision of a portion of Section 33, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 21 Pages 2-3 & Pages 24-27, Plat Book 23 Pages 1-2, Pages 8-10, Pages 17-19, Pages 28-29; A Subdivision in Section 33, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 22 Pages 18-19; *also as described in original East Linden Estates Street Lighting Ordinance 88-19 adopted May 11, 1988 and amended by Ordinance 89-14 adopted August 15, 1989, Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

Eastwood Estates:

A Subdivision in Section 33, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 31 Pages 40-41; *also as described in original Eastwood Estates Street Lighting Ordinance 98-30 adopted November 24, 1998;*

Elwood Acres:

A Subdivision in Section 9, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 22 Pages 25-26; *also as described in original Elwood Acres Street Lighting Ordinance 89-18 adopted September 5, 1989 and amended by Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

Forest Oaks:

A portion of the Northeast $\frac{1}{4}$ of Section 15, and a portion of the Northwest $\frac{1}{4}$ of Section 14, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 19 Pages 10-12 (Unit 1);

A portion of the Northeast $\frac{1}{4}$ of Section 15, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 19 Pages 34-35 (Unit 2);

A portion of the Northeast $\frac{1}{4}$ of Section 15, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20 Pages 12-13 (Replat of Unit 2);

A portion of the Northwest ¼ of Section 14, and a portion of the Northeast ¼ of Section 15, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 19 Pages 62-67 (Unit 3);

A portion of the Northwest ¼ of Section 14, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20 Pages 1-4 (Unit 4);

A portion of the Northwest ¼ of Section 14, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20 Pages 17-18 (Unit 5);

A portion of the Northwest ¼ of Section 14, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20 Pages 37-38 (Unit 6);

A portion of the Northwest ¼ of Section 14, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 25 Pages 18-19 (Unit 7);

As described in Ordinance 85-9 adopted March 26, 1985 and amended Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;

Horizon North (Phase I, II & Phase III):

A subdivision of a portion of Section 24, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20, Page 7 (Phase I);

A subdivision of a portion of Sections 24 & 25, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20, Pages 14 (Phase II);

A subdivision of a portion of Section 24, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20, Pages 39 (Phase III);

also as described in original Horizon North Street Lighting Ordinance 86-24 adopted October 28, 1986 and amended by Ordinance 87-3 adopted February 3, 1987, Ordinances 88-10 and 88-11 adopted May 11, 1988, Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;

Huntington Woods:

Section 33, Township 23 South, Range 18 East, Hernando County, Florida; as recorded in Plat Book 23 Pages 3-4; *also as described in original Huntington Woods Street Lighting Ordinance 90-11 adopted July 24, 1990 and amended by Ordinance 91-17 adopted March 26, 1991;*

Linden Retreats:

A Subdivision in Section 33, Township 23 South, Range 18 East in Hernando County, Florida as recorded in Plat Book 23 Pages 33-34; *also as described in original Linden Retreats Street Lighting Ordinance 89-23 adopted December 12, 1989 and amended by Ordinance 91-17 adopted March 26, 1991;*

Lindenwood:

The Subdivision of Lindenwood is described as the Northwest ¼ of the Southwest ¼ of Section 27, Township 23 South, Range 18 East in Hernando County, Florida, as recorded in Plat Book 23 Pages 48-49; *also as described in original Lindenwood Street Lighting Ordinance 90-12 adopted July 24, 1990 and amended by Ordinance 91-17 adopted March 26, 1991;*

Lindsey Acres:

A portion of Section 23, Township 22 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 20, Page 35; *also as described in original Lindsey Acres Street Lighting Ordinance 91-33 adopted November 12, 1991;*

Orchard Park:

A subdivision in Section 24, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 19, Pages 82-83 inclusive in the public records of Hernando County, Florida; *also as described in original Orchard Park Street Lighting Ordinance 86-15 adopted July 29, 1986 and amended by Ordinance 88-13 adopted May 11, 1988, Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

Rainbow Hills Estates:

A subdivision of land lying in Section 35, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 19, Pages 43-45; *also as described in original Rainbow Hills Street Lighting Ordinance 86-11 adopted June 10, 1986 and amended by Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

Rainbow Woods:

Being a subdivision of land lying within Section 17, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 21 Pages 7-14; *also as described in original Rainbow Woods Street Lighting Ordinance 89-04 adopted April 4, 1989 and amended by Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

Skyland Pines:

A replat of Tract "A", Spring Hill, Unit 22; a subdivision lying in Section 36, Township 22 South, Range 17 East and Section 1, Township 23 South, Range 17 East, Hernando County, Florida as recorded in Plat Book 22 Page 46 and Plat Book 10, Page 39; *also as described in original Skyland Pines Street Lighting Ordinance 90-26 adopted December 4, 1990 and amended by Ordinance 91-17 adopted March 26, 1991;*

Springwood Estates Unit 2:

A subdivision of a portion of Section 14, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 22 Pages 40-43; *also as described in original Springwood Estates Unit 2 Street Lighting Ordinance 95-19 adopted November 21, 1995;*

Springwood Estates Units 4 & 5:

A subdivision of a portion of Section 14, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 37 Pages 1 and 25; *also as described in original Springwood Estates Units 4 & 5 Street Lighting Ordinance 10-05 adopted March 9, 2010;*

Sutton Place:

A subdivision in Section 24, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 24 Pages 34-35 and described as; *also as described in original Sutton Place Street Lighting*

Ordinance 89-22 adopted December 12, 1989 and amended by Ordinance 91-17 adopted March 26, 1991;

The Oaks (Units One thru Six):

A subdivision in a portion of Sections 3 & 4, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 20, Pages 21-22 (Units One);

A subdivision in a portion of Sections 3 & 4, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 21, Pages 17-18 (Unit Two);

A subdivision in Section 3, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 21, Pages 28-29 (Unit Three);

A subdivision in Section 3, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 22, Pages 44-45 (Unit 4);

A subdivision in Sections 3 & 4, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 23, Pages 50-51 (Unit 5);

A subdivision in Section 3, Township 23 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 25, Pages 11-12 (Units 6);

Also as described in original The Oaks Street Lighting Ordinance 00-17 adopted December 19, 2000.

Trails at Rivard:

The Trails at Rivard Phases I, II and VI, a subdivision in Sections 19 & 20, Township 23 South, Range 19 East, Hernando County, Florida, as recorded in Plat Book 31, Pages 3-6; *also as described in original Trails at Rivard Street Lighting Ordinance 98-29 adopted November 24, 1998;*

Waterfall Place:

A Subdivision in Section 24, Township 23 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 20 Pages 8-9; *also as described in original Waterfall Place Street Lighting Ordinance 88-16 adopted May 11, 1988 and amended by Ordinance 90-07 adopted May 1, 1990 and Ordinance 91-17 adopted March 26, 1991;*

West Linden Estates:

A Subdivision of a portion of Section 32 & 33, Township 23 South, Range 18 East in Hernando County, Florida as recorded in Plat Book 20 Page 8; *also as described in original West Linden Estates Street Lighting Ordinance 98-21 adopted August 11, 1998;*

Woodland Waters :

A subdivision in Section 24, Township 22 South, Range 17 East and Section 18, Township 22 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 24 Pages 8-11 (Phase One);

A subdivision in the South ½ of Section 18, Township 22 South, Range 18 East, and the Southeast ¼ of Section 13, Township 22 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 28 Pages 6-9 (Phase 2);

A portion of Section 24, Township 22 South, Range 17 East, Hernando County, Florida, as recorded in Plat Book 31 Page 42 (Enclave of Woodland Waters);

A subdivision of a portion of Section 18, Township 22 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 32 Page 36-37 (Phase Four);

A subdivision of a portion of Section 18, Township 22 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 33 Page 33 (Phase Five);

Royal Highland Unit 2: A subdivision of portions of Section 24, Township 22 South, Range 17 East and Section 19, Township 22 South, Range 18 East in Hernando County, Florida as recorded in Plat Book 11 Page 63.

Also as described in original Woodland Waters Street Lighting Ordinance 90-13 adopted July 24, 1990 and amended by Ordinance 91-17 adopted March 26, 1991;

Woodland Waters Phase 6:

A subdivision of a portion of Sections 17 & 18, Township 22 South, Range 18 East, Hernando County, Florida, as recorded in Plat Book 40 Pages 1-3; *also as described in original Woodland Waters Phase 6 Street Lighting Ordinance 06-14 adopted October 3, 2006;*