

ORDINANCE NO.: 2013 - U

AN ORDINANCE AMENDING CHAPTER 23, ARTICLE III OF THE HERNANDO COUNTY CODE OF ORDINANCES RELATING TO IMPACT FEES; AMENDING IMPACT FEE SCHEDULES IN SECTION 23-91 (EDUCATIONAL FACILITIES), TO PROVIDE FOR THE CONTINUED SUSPENSION OF EDUCATIONAL FACILITIES IMPACT FEE RATES FOR AN ADDITIONAL 270 DAYS IN ORDER TO COMPLETE AN EDUCATIONAL FACILITIES IMPACT FEE STUDY; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 2012-13 extended the suspension of certain impact fees, such that fees would be restored effective on February 13, 2013; and

WHEREAS, the Hernando County Board of County Commissioners has agreed to participate with the Hernando County School District to complete a study to update the impact fee rates for educational facilities; and

WHEREAS, this study is currently being undertaken and managed by the Hernando County School District, and

WHEREAS, the Hernando County Board of County Commissioners desires to extend the suspension of fees for educational facilities pending completion of the final study recommendations by an additional two hundred seventy days (270) days to facilitate the drafting and advertisement of an ordinance amendment which will implement the recommendations of the educational facilities impact fee study.

NOW THEREFORE:

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

SECTION I. Hernando County Code of Ordinances, Section 23-69 (*Computation of the amount of educational facilities impact fee*) is hereby amended to reflect a 270 day delay from February 13, 2013 to November 10, 2013 in restoration of impact fee rates as more precisely delineated with strike-through and underlined text on the Schedule set forth in Exhibit A, attached hereto and made a part hereof by this reference:

SECTION II. APPLICABILITY. This Ordinance shall be applicable throughout the unincorporated areas of Hernando County and throughout the incorporated areas of Hernando County, to the extent permitted by Article VIII, Section 1(f) of the Constitution of the State of Florida.

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2 **SECTION III. SEVERABILITY.** It is declared to be the intent of the Board of County
3 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
4 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
5 validity of the remaining portions of this ordinance.
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7 **SECTION IV. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature
8 applicable only to unincorporated areas of Hernando County, Hernando County ordinances, County
9 resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance
10 to the extent of such conflict except for ordinances concerning either adoption or amendment of the
11 Comprehensive Plan, pursuant to Chapter 163, part II, Florida Statutes.
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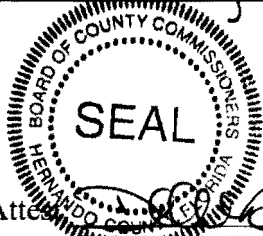
13 **SECTION V. REMAINDER.** All sections, subsections, clauses, sentences, phrases, and
14 provisions of Chapter 23, Article III, Division 1, of the Hernando County Code of Ordinances not
15 amended herein shall stay the same and remain in full force and effect until amended, repealed or
16 otherwise acted upon by the Board of County Commissioners.
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18 **SECTION VI. FILING WITH THE DEPARTMENT OF STATE.** The clerk shall be and is
19 hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative
20 Code, Department of State, R.A. Gray Bldg., Room 101, 500 S. Bronough Street, Tallahassee, FL
21 32399-0250.
22

23 **SECTION VII. INCLUSION IN CODE.** It is the intention of the Board of County
24 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this
25 Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,
26 Florida. To this end, any section or subsection of this Ordinance may be renumbered or re-lettered
27 to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or
28 other appropriate designation. Section II through Section VIII need not be codified.
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30 **SECTION VIII. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing
31 with the Department of State.
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34 **DULY PASSED AND ADOPTED IN REGULAR SESSION THIS** 22 **DAY OF**
35 January, 2013.



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

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41 Attest: 
42 **DONALD C. BARBEE, JR., CLERK**

By: 
43 **DAVID D. RUSSELL, JR., CHAIRMAN**

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45 (SEAL)

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**Approved as to Form and
Legal Sufficiency**

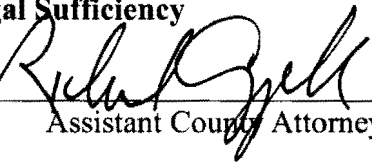
By: 
Assistant County Attorney

EXHIBIT A
SECTION 23-69

SCHEDULE OF EDUCATIONAL FACILITIES IMPACT FEES

Land Use Type	Impact Fee	Effective ¹ 11/15/11	Effective ¹ 2/13/13 <u>11/10/13</u>
Residential:			
Single-family, detached	\$4,266.00	\$0.00	\$4,266.00
Single-family, attached	3,255.00	\$0.00	3,255.00
Multifamily	3,360.00	\$0.00	3,360.00
Mobile home, 1 acre	4,266.00	\$0.00	4,266.00
Mobile home, other	3,822.00	\$0.00	3,822.00
Other residential	4,266.00	\$0.00	4,266.00

¹ /The new impact fee rates shall apply to all building permits issued after the stated effective date; building permits applications which are in process but not yet issued shall be subject to the impact fee rates in effect at the time the building permit is actually issued by the county.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 28, 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 letter dated January 23, 2013 and certified copies of Hernando County Ordinance Nos. 2013-4 through 2013-6, which were filed in this office on January 28, 2013.

As requested, the date stamped originals are being return for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

Enclosure