

(B) 19.50

SR-131

ORDINANCE NO.: 93-02

AN ORDINANCE OF HERNANDO COUNTY TO AMEND HERNANDO COUNTY ORDINANCE 90-31, THE SPRING HILL FIRE AND RESCUE MUNICIPAL SERVICE TAXING UNIT DISTRICT, AMENDING, DELETING, AND ADDING SECTIONS AS FOLLOWS: AMENDING SECTION 1, FINDINGS OF FACT AND PURPOSE; AMENDING SECTION V, POWERS OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION VI, BUDGET AND MILLAGE; DELETING SECTION VIII OPERATIONS COUNCIL; DELETING SECTION VIII DUTIES OF OPERATIONS COUNCIL; DELETING SECTION X COUNTY COMMISSIONERS - FISCAL AND OTHER REGULATIONS; AMENDING SECTION XII FIRE PROTECTION RESCUE AND AMBULANCE CONTRACTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

MAILED AND
FILED
JAN 25 1993

SECRETARY OF STATE

JAN 25 2 13 PM '93

FILED

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

SECTION I.

Hernando County Ordinance 90-31 is amended to read as follows:

A. SECTION I. FINDINGS OF FACT AND PURPOSE - is changed to read:

"SECTION I. FINDINGS OF FACT AND PURPOSE - It is hereby found by the Board of County Commissioner of Hernando County, Florida, that fire protection, rescue and ambulance service are essential services for the benefit of 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 a municipal service taxing unit as a taxing vehicle to grant to all counties that taxing flexibility to levy ad valorem taxes 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 and in order to provide a needed and necessary service. It is the purpose of this Ordinance to create a County Municipal Service Taxing Unit for the purpose of creating, establishing, maintaining and operating a fire protection and rescue and ambulance system within the areas described in Section II.

O. R. 920 PG 0973

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KAREN HICHLER
HERNANDO COUNTY CLERK
93 JUL -2 PM 3:29

This unit shall enter into an Interlocal Agreement to fund the Spring Hill Fire and Rescue District as existing under Chapter 12, Article IV, Section 12-116, of the Hernando County Code which said District had an ad valorem tax levy authority of up to 2 3/4 mills as approved by referendum."

B. **SECTION IV - DUTIES OF THE BOARD OF COUNTY COMMISSIONERS** - is changed to read:

"**SECTION IV - DUTIES OF THE BOARD OF COUNTY COMMISSIONERS** - The Board of County Commissioners shall perform all duties necessary to fund fire protection, rescue and ambulance services within the MSTU."

C. **SECTION V - POWERS OF THE BOARD OF COUNTY COMMISSIONERS** - paragraph C is changed to read as follows:

"C. To enter into interlocal agreements with the Spring Hill Fire and Rescue District to provide for the rendering of fire protection, rescue and ambulance services to residents of the MSTU."

D. **SECTION V - POWERS OF THE BOARD OF COUNTY COMMISSIONERS** - paragraph H is changed to read:

"H. To determine the rate of ad valorem taxes, the rate of special assessments, fees, and other charges for operation of the system and/or for the use of the above services subject to the provisions of Section VI, paragraph B herein."

E. **SECTION V - POWERS OF THE BOARD OF COUNTY COMMISSIONERS** - paragraph G, I, J and L are deleted and remaining paragraphs H, K and M are relettered as paragraph G, H, and I.

F. **SECTION VI - BUDGET, MILLAGE, RETROACTIVE** - is changed to read:

"**SECTION VI - BUDGET AND MILLAGE** The Board of County Commissioners shall annually adopt a budget for the MSTU pursuant to chapter 129 and Chapter 200, Florida Statutes. The MSTU shall have the authority to levy up to, but not to exceed, 2-3/4 mills on all property within the MSTU subject to ad valorem taxes. The MSTU shall not levy any millage

in excess of 2-3/4 mills unless approved by a referendum of electors residing within the area MSTU."

G. SECTION VII - OPERATIONS COUNCIL - is deleted.

H. SECTION VIII - DUTIES OF OPERATION COUNCIL - is deleted.

I. SECTION X - COUNTY COMMISSIONERS - Fiscal and Other Regulations is deleted.

J. SECTION XII - FIRE PROTECTION RESCUE AND AMBULANCE CONTRACTS - is changed to read:

"SECTION IX. FIRE PROTECTION, RESCUE AND AMBULANCE CONTRACTS - The Spring Hill Fire and Rescue District may enter into contracts with said unit for the operation of fire-fighting rescue and ambulance equipment or for the furnishing of fire protection rescue and ambulance service within said unit and said unit may enter into contracts with said fire district MSTU for furnishing fire protection in said MSTU."

SECTION II. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners 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 III. INCLUSION IN THE CODE

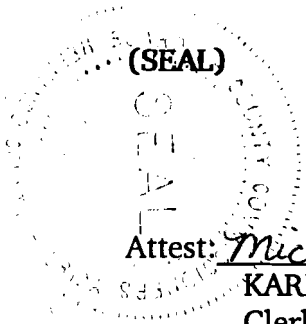
It is the intention of the Board of County Commissioners of Hernando county, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective upon receipt of official acknowledgement from the Secretary of State that said Ordinance has been filed.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular

Session this 19th day of January, 1993, A.D.



Attest: Michelle L. Huntman,
KAREN NICOLAI Deputy Clerk
Clerk

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By: Anthony C. Mosca, Jr.
ANTHONY C. MOSCA, JR.
Chairman

RBB/pv/01-13-93