

ORDINANCE NO. 84-10

AN ORDINANCE CREATING A MUNICIPAL SERVICE TAXING UNIT TO BE KNOWN AS THE "RIVER COUNTRY ESTATES MULTI-PURPOSE MUNICIPAL SERVICE UNIT"; PROVIDING THAT THE PURPOSE OF THE UNIT IS TO PROVIDE STREET LIGHTING AND MAINTENANCE OF RIGHTS OF WAY, PARKS AND COMMON AREAS WITHIN SAID UNIT; PROVIDING FOR THE CREATION, MAINTENANCE AND OPERATION OF STREET LIGHTING SYSTEM AND A SYSTEM FOR MAINTENANCE OF RIGHTS OF WAY, PARKS AND COMMON AREAS WITHIN SAID UNIT; PROVIDING FOR THE BOUNDARIES OF SAID UNIT; PROVIDING FOR THE LEVY OF AN EQUITABLE PER LOT SERVICE CHARGE; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF THE AFORESAID SERVICE CHARGE; PROVIDING FOR THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING THAT THE SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR HERNANDO COUNTY ORDINANCE NO. 83-7 TO BE REPLACED.

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 Hernando County, Florida, that street lighting and right of way and park maintenance are 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 taxing and benefit unit as a taxing vehicle to grant to all counties that taxing flexibility to levy special service charges 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 Taxing Unit for the purpose of creating, establishing, maintaining and operating a street lighting system and for the purpose of maintaining rights of way, parks and common areas within the areas described in Exhibit "A", attached hereto and made a part hereof by reference.

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SECTION II. CREATION OF UNIT

For the purpose of creating, establishing, maintaining and operating a street lighting system and for the purpose of maintaining rights of ways, parks and common areas within the area described herein, there is hereby created a Municipal Service Taxing Unit to be known as the "RIVER COUNTRY ESTATES MULTI-PURPOSE MUNICIPAL SERVICE UNIT", which shall be all the property within the boundaries described in Exhibit "B", attached hereto and made a part of by reference, located in Hernando County, Florida.

SECTION III. GOVERNING BODY

The Governing Body of the RIVER COUNTRY ESTATES MULTI-PURPOSE MUNICIPAL SERVICE UNIT shall be the Board of County Commissioners of Hernando County, Florida.

SECTION IV. ADMINISTRATION

A. The RIVER COUNTRY ESTATES MULTI-PURPOSE SERVICE 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 RIVER COUNTRY ESTATES MULTI-PURPOSE SERVICE UNIT shall have the following duties.

1. Establish, maintain and operate such street lighting as is necessary to implement the purposes of this Ordinance.
2. Provide street lighting service to improved and unimproved property within the benefited area.
3. Provide maintenance service for the rights of way, parks and common areas within the boundaries of the unit.

C. The County Administrator shall be responsible for administering the RIVER COUNTRY ESTATES MULTI-PURPOSE SERVICE UNIT and shall be responsible for the following to the extent necessary to implement the purposes of this Ordinance:

1. Negotiate and recommend to the County Commission contracts for installing and providing street lighting.
2. Negotiate and recommend to the County Commission contracts for maintenance of the rights of way, parks and common areas.
3. Negotiate and recommend to the County Commission contracts for purchase of such capital equipment as are necessary.
4. Establish rules and regulations for the administration of the unit, not inconsistent with County policy or Administrative Code.
5. Negotiate contracts with power companies for the purpose of providing street lighting.
6. Hire such personnel as are necessary to implement the purposes of this Ordinance.
7. Perform such other acts as are necessary to implement the purposes of this Ordinance to the extent consistent herewith.

D. The powers to be exercised by the RIVER COUNTRY ESTATES MULTI-PURPOSE SERVICE 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 lots within the Unit, the County Commission is hereby authorized to levy an annual service charge against each lot within the unit for the purposes set forth herein for each year.

SECTION VI. AMENDMENT

Upon the effective date of this Ordinance, Hernando County Ordinance No. 83-7 shall be and is hereby amended in its entirety and is replaced in its entirety by this herein adopted ordinance.

SECTION VII. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners of Hernando County, Florida, that if any section,

subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision, and shall not be affected by such holding.

SECTION VIII. 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, and shall take effect immediately as provided by law.

ADOPTED THIS 22nd day of MAY, 1984, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By Henry D. Ledbetter
HENRY D. LEDBETTER, CHAIRMAN

Attest Harold William Brown
HAROLD WILLIAM BROWN, CLERK

EXHIBIT "A"

BUDGET ESTIMATE
for
RIVER COUNTRY ESTATES
PROPOSED MAINTENANCE ORDINANCE

I. GRASS CUTTING:	\$3600.00
Entrance: Right- of way on Highway 19, Beryl Road and River Country Drive up to Chaucer Drive cut each week for 12 months @ \$225.00 --\$2700.00	
Green Area: Seeded area plus right-of- way on Jomel Drive cut each week for 9 months @ \$100.00 -- \$900.00	
II. MAINTENANCE OF COMMON AREAS:	\$1500.00
Grassed areas noted in I above fertilized and weed controlled quarterly; rye grass seeded in November of each year; islands in River Country Drive mulched 3" in November of each year; sprinkler heads, lights for entrance sign and flag re- placed as required; decorative plants pruned each year or replaced if required; and signs in green area replaced as required.	
III. WATER FOR SPRINKLER SYSTEM AT ENTRANCE:	\$4225.00
Five and one-half hours at 60 gallons per minute every other day @ \$16.50 per month(3000 gallons) plus \$1.10 per thousand gallons in excess of 3000 gallons.	
IV. ELECTRICITY FOR LIGHTING ENTRANCE	\$1080.00
\$90.00 per month for 12 months	
V. LABOR COST FOR COMMON AREAS:	\$ 600.00
Contracted maintenance for labor to perform tasks associated with re- placement of lights, sprinkler heads, signs, and minor repairs. \$50.00 per month for 12 months.	
VI. LIABILITY INSURANCE FOR GREEN AREA:	\$ 170.00
VII. ANNUAL INFLATION FACTOR @ 4%:	\$ 447.00
TOTAL:	\$11622.00
ANNUAL COST @ 488 LOTS: \$23.82/ LOT	

EXHIBIT "B"

All of the plats of River Country Estates as recorded in Plat Book 17, Pages 1-7 of Hernando County, Florida.

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FILED FOR RECORD
HAROLD WM. BROWN, CLERK
HERNANDO COUNTY, FLA.
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