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ORDINANCE NO. 89-14

PROVIDING FOR THE AMENDMENT OF SECTION 24-316 AND 24-317 OF THE HERNANDO COUNTY CODE TO REVISE THE AREA TO BE BENEFITED BY EAST LINDEN ESTATES STREET LIGHTING MUNICIPAL SERVICES TAXING UNIT; AMENDING SECTION 24-320 PERTAINING TO THE LEVY AND COLLECTION OF ASSESSMENTS; PROVIDING FOR SEVERABILITY; 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. Section 24-316, Hernando County Code, is hereby amended to read as follows:

"SECTION 24-316, 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 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 within the areas described in Exhibit "A", attached hereto and made a part hereof by reference."

SECTION II. Section 24-317, Hernando County Code, is hereby amended to read as follows:

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

"SECTION 24-317, CREATION OF UNIT.

For the purpose of creating, establishing, maintaining and operating a street lighting system within the area described here, there is hereby created a Municipal Service Taxing Unit to be known as the "EAST LINDEN ESTATES MUNICIPAL STREET LIGHTING SERVICE 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."

SECTION III. Section 24-320 is hereby amended to read as follows:

"SECTION 24-310, 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, tracts, parcels, cooperative parcels and condominium parcels within the Unit, the County Commission is hereby authorized to levy an annual service charge against each lot, tract, parcel, cooperative parcel and condominium parcel within the Unit as of October 1st of each year. Unless fully paid and discharged or barred by law, said annual service charges 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."

SECTION IV. SEVERABILITY.

It is declared to be the 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 there shall not affect the validity of the remaining portions of this Ordinance.

SECTION V. INCLUSION IN THE COUNTY 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 section 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 VI. 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, said Ordinance shall take effect on October 1, 1989.

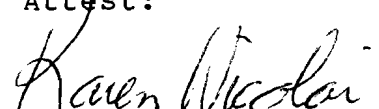
ADOPTED THIS 15th day of August, 1989, A.D.

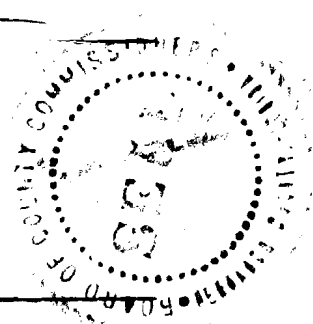
BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By


JUNE ESTER
VICE CHAIRMAN

Attest:


KAREN NICOLAI, CLERK



O.R. 748 PG 0411

LEGAL DESCRIPTION FOR EAST LINDEN ESTATES MUNICIPAL SERVICE TAXING UNIT

The West 3/4 of the North 1/2 of the SE 1/4 of Section 33, Township 23 South, Range 18 East, Hernando County, Florida

AND

The Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of Section 33, Township 23 South, Range 18 East, Hernando County, Florida

AND

The South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 23 South, Range 18 East, Hernando County, Florida

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HERNANDO COUNTY, FLA
RECORD CLERK
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