

FILED

DEC 14 3 25 PM '92

ORDINANCE 92-19

SECRETARY AN ORDINANCE OF HERNANDO COUNTY, FLORIDA PROVIDING FOR ADDITIONAL FILING FEES IN THE COUNTY COURT IN AND FOR HERNANDO COUNTY AND IN THE FIFTH JUDICIAL CIRCUIT COURT IN AND FOR HERNANDO COUNTY, FLORIDA TO BE USED TO PROVIDE AND MAINTAIN COURT FACILITIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Section 34.041 and Section 28.241, Florida Statutes, provides that additional service charges may be imposed by the governing authority of the County by ordinance in cases filed in both the Circuit and County Courts, and that such additional fees shall be expended as provided by such ordinance in providing and maintaining facilities for the use of the court related facilities of the county wherein the service charges are collected; and

WHEREAS, there is a continuing need to provide and maintain court related facilities;

WHEREAS, Hernando County, by previous separate ordinance, has established filing fees for maintenance of the Hernando County Law Library; and

WHEREAS, the Board of County Commissioners of Hernando County, Florida, has determined that it is equitable to allocate to the users of the civil court system some of the added costs of operating the system by increasing certain filing fees;

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

SECTION 1. SHORT TITLE

This ordinance shall be known as the Court Facility Charge Ordinance.

SECTION 2. APPLICABILITY

Commencing on the effective date of this ordinance, in addition to any service charge, filing fee or costs otherwise provided for by law, any party filing or instituting any action, suit or proceeding (including attachment, replevin, probate, guardian and distress) in Circuit and County Court in and for Hernando County, Florida, shall pay as part of the filing fee an additional service charge, hereinafter referred to as the "Court Facility Charge." All monies collected as Court Facility Charges shall be paid by the Clerk of the Court into the "Court Facility Trust Fund" of Hernando County and said funds shall be administrated by the Clerk of the Court to be used exclusively in providing and

maintaining facilities of the applicable Court related functions. Said Court Facility Charges shall be as follows:

<u>COURT</u>	<u>ADDITIONAL CHARGE</u>
County	\$10.00
Circuit	\$25.00

A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners, and shall take effect on January 1, 1993.

SECTION 3. SEVERABILITY

It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase or portion 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 4. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and 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 5. EFFECTIVE DATE

This ordinance is effective January 1, 1993.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS *in Regular Session*
this 8 day of December, 1992.



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

Attest:

Karen Nicolai
KAREN NICOLAI
Clerk

By:

John Richardson
JOHN RICHARDSON
Chairman