

ORDINANCE NO. 86-12

AN ORDINANCE TO BE ENTITLED THE HERNANDO COUNTY CHILD CARE ORDINANCE; PROVIDING FOR THE REGULATION OF THE OPERATION OF CHILD CARING FACILITIES IN HERNANDO COUNTY; PROVIDING FOR SHORT TITLE; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE ADOPTION OF CERTAIN SECTIONS OF FLORIDA STATUTES AND THE FLORIDA ADMINISTRATIVE CODE BY REFERENCE; PROVIDING AMENDMENTS TO THOSE SECTIONS OF THE FLORIDA STATUTES AND THE FLORIDA ADMINISTRATIVE CODE ADOPTED; PROVIDING FOR LICENSURE; PROVIDING FOR FEES; PROVIDING FOR ADMINISTRATIVE ACTIONS; PROVIDING FOR INSPECTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ENFORCEMENT OF THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION I SHORT TITLE. This Ordinance shall be known as and may be cited as the Hernando County Child Care Facilities Ordinance.

SECTION II DEFINITIONS. As used in this Ordinance:

(a) "Adult" means a person eighteen (18) years of age or older.

(b) "Child" means a person less than eighteen (18) years of age.

(c) "Child Care" means the care, protection, and supervision of a child for a period of less than twenty-four (24) hours a day on a regular basis which supplements for the child, in accordance with his individual needs, daily care, enrichment opportunities, and health supervision and for which a payment, fee or grant is made for said care.

RBS-5-20-86-86-2036

(d) "Child Care Facility" means any child care center or child care arrangement which provides child care for more than five (5) children unrelated to the operator and which receives a payment, fee or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included: public schools and nonpublic schools and their integral programs; summer camps having children in fulltime residence; summer day camps; and Bible schools normally conducted during vacation periods.

(e) "Child Care Personnel" means all owners, operators, employees volunteers working in a child care facility. The term does not include persons who work in a child care facility after hours when children are not present or parents of children in Head Start. For purposes of screening, the term includes any member, over the age of twelve (12) years of age, of a child care facility operator's family, or person over the age of twelve (12) years, residing with a child care facility operator if the child care facility is located in or adjacent to the home of the operator or if the family member of, or person residing with, the child care facility operator has any direct contact with the children in the facility during its hours of operation. Members of the operator's family, or persons residing with the operator, who are between the ages of twelve (12) years and eighteen (18) years shall not be required to be fingerprinted, but shall be screened for delinquency records. For purposes of screening, the term shall also include persons who work in child care programs which provide care for children fifteen (15) hours or more each week in public or nonpublic schools, summer day camps, family day care homes, or those programs otherwise exempted under §402.316, Florida Statutes. The term does not include public or nonpublic school personnel who are providing care during regular school hours or after hours for activities related to a school's program for grades Kindergarten through 12 as required under Chapter 232, Florida Statutes. A volunteer who assists on an intermittent basis for less than forty (40) hours.

(f) "Day Nursery" shall be interchangeably with "Child Care" or "Nursery" means any improved realty, together with equipment and staff in which are is provided for six (6) or more children away from their parents or guardians. Children under eighteen (18) years of age or others who are developmentally handicapped may, if approved by the county public health unit, be accepted for supervision and care before and/or after school hours.

(g) "Direct Supervision" means watching or directing children's activities within close proximity within the same room indoors or within a designated outdoor play area.

(h) "Family Day Care Home" means an occupied residence in which child day care is regularly provided for no more than five (5) preschool children from more than one (1) unrelated family and which receives payment, fee or grant for any of the children receiving care, whether or not operated for profit. The maximum number of five (5) preschool children includes perschool children living in the home and preschool children receiving for day care who are not related to the resident caregiver. Elementary school siblings of the preschool children received for day care may also be cared for outside of shool hours provided the total number of children, including the caregiver's own and those related to the caregiver, does not exceed ten (10). No more than three (3) of the preschool children may be in diapers when children of varying age are supervised.

(i) "Inspection Team" means those employees of the Hernando County Health Unit together with a volunteer meeting background requirements in early childhood development and related activities and programs who are authorized to inspect all child care centers, review all pertient records, assess programs.

(j) "Isolation Area" means an area equipped with a sanitizeable mat or other approved bedding which can be easily isolated and which is as close to a bathroom as is possible for temporary placement of any child suspected of having a

communicable disease until he can be picked up by a parent or guardian. When not occupied by an ill child, this area may be used for other routine activities. In centers constructed after the effective date of these rules, the isolation area shall be located immediately adjacent to a bathroom.

(k) "Kindergarten" means those portions of any child care center holding itself out to the public as a Kindergarten or as offering Kindergarten instruction shall comply with Chapter 10D-24, F.A.C., and shall not in any manner decrease the area nor sanitary fixtures provided for other child care.

(l) "Person" means any natural person, individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer, or any other entity whatsoever or any combination of such, jointly or severally.

(m) "Preschool" shall be interchangeable with "Nursery School" or "Learning Center" means any child care center having appropriate equipment and staff, conducting a minimum curriculum on a daily basis for children ages two (2) through five (5) years, nine (9) months of age.

(n) "Operator" means any person ultimately responsible for the overall operation and administration of a child care facility, whether or not he is the owner.

(o) "Volunteer" means a person who assists on a regular basis the direct supervision of children or the handling of food. Regular basis shall mean one or more times per week regardless of the number of hours.

### SECTION III ADOPTED BY REFERENCE.

All statutes and rules of the State of Florida, Department of Health and Rehabilitative Services, Chapter 402 F.S., Chapter 4A-36 F.A.C., Chapter 10M-10 F.A.C., Chapter 10M-11 F.A.C., Chapter 10M-12 F.A.C., relating to child care standards

that may be instituted after the effective date of this Ordinance, and which are more stringent or are in conflict with any section of this Ordinance are hereby incorporated by reference as a part of this Ordinance to the same extent and to the same effect as if the provisions of such statute or rule has been set out in full herein and to the exclusion of the section or sections of this Ordinance which are in conflict and less stringent.

#### SECTION IV LICENSURE.

(1) No person shall hold himself out to the public as being an owner or operator of a child care center of any type without first obtaining a license or temporary permit from the County Public Health Unit.

(2) No person shall be an owner or operator of, nor be employed in, nor be a substitute or volunteer in, a child care center who has been found guilty of, been convicted of, plead guilty or "nolo contendere" to, or who is on probation as the result of committing any crime against the State of Florida or any other state involving child abuse, neglect, sexual battery, or who is currently a habitually excessive user alcohol or who illegally uses drugs or who is mentally unstable to an extent that may be injurious to children.

(3) The application for a new license or for renewal of a license to operate a child care facility shall be made on forms obtained from and approved by the County Public Health Unit. All information on the application must be truthful and correct. Falsification of applicant information is subject to denial of the application to operate a child care facility.

(4) Applications shall be notarized and shall contain at a minimum the following:

(a) The name and address of the applicant if an individual, and if a firm, partnership, association, or other group, the name and address of every member thereof, or of all executive officers, if applicable.

(b) The address at which the child care center is to be located.

(c) The type of child care center desired.

(d) The ages of children and hours of care.

(5) All such pertinent information as is necessary to the County Public Health Unit for the licensing process which may include screening for good moral character of all applicants and prospective employees. Abuse registry checks will also be included.

(6) Child care personnel hired after the effective date of this Ordinance must attest in the application for employment that they are of good moral character. The owner or the designee shall initiate, immediately following the employment of an individual, the screening check which includes at a minimum contact with previous employers, if applicable, character references and local law enforcement agencies. In all other screening activities, the owner or the designee may work in conjunction with the department or local licensing agency in securing additional information as to moral character. Permanent employment of the individual is contingent on the determination that the individual is of good moral character.

(7) Proof of adequate liability insurance must be provided.

(8) A license or temporary permit and renewals thereof shall be valid in the possession of the applicant only and shall not be subject to sale, assignment or transfer. Said license shall be valid for business at the address on the face of document only.

(9) Upon issuance of the license, it shall be displayed in a conspicuous place inside the child care facility. The license must bear the distinctive seals of the State of Florida or the issuing County and of the Department. The licensed capacity of the child care facility shall be designated on the face of the license. The child care facility must not exceed the licensed capacity designated on the license at any given time.

(10) Any owner or operator of a child care center licensed under this Ordinance, shall, on or before the date of this license expiration, make application for a renewal of his license on forms to be furnished by the County Public Health Unit.

(11) The County Public Health Unit shall, upon completion of a satisfactory inspection of the child care facility and upon receipt of the annual licensure fee as established by Resolution of the Board of County Commissioners, automatically issue a new license.

(12) An application for license may be denied for any of the following reasons:

(a) Failure to meet any of the minimum standards as set by this Ordinance.

(b) Evidence of the commission of any act as defined in paragraph 2 above.

(c) Evidence of operating without a valid license.

(13) The County Public Health Unit may revoke or suspend a license for any of the following reasons:

(a) Evidence of violations of any provision of this Ordinance.

(b) Evidence of a threat, either potential or probable, to the safety, health or emotional welfare of any child or children in care.

#### SECTION V APPLICATION AND LICENSE FEES.

(1) The Hernando County Health Department is authorized to charge a reasonable application fee as set by Resolution of the Board of County Commissioners for each child care center for which a license is sought.

(2) The license fee, payable by check or money order to the Department prior to the issuance of the license, will be collected for all new, renewal or change of ownership applications and shall be based upon the licensed capacity of the facility as follows:

<u>Number of Children</u>	<u>Amount of Fee</u>
6 - 25 minimum	\$25.00
26 - 99 varies, based on \$1.00/child	\$26.00 - \$99.00
100 or more maximum	\$100.00

(3) For periods of less than six (6) months, only one-half (1/2) the annual license fee will be collected.

SECTION VI ADMINISTRATIVE ACTIONS.

(1) Upon declaration by the County Health Officer of eminent threat to the health and/or welfare of the children in care of any child care facility, such business may be immediately closed. No child care facility closed upon the authority of the County Health Officer may be reopened without the express written consent of the County Health Officer.

(2) No license shall be denied, revoked or suspended except after notice in writing to the applicant or licensee, setting forth the particular reasons for the proposed action. Such notice shall be effected by registered or certified mail with return receipt requested, or by personal service. The licensee or applicant may within ten (10) days after receipt of said notice request a hearing, which request shall be in writing, and be delivered to the County Public Health Unit in person or by due course of mail. If no such request is made within the time fixed, said County Public Health Unit shall proceed to refuse, revoke or suspend said license as set out in the notice of the proposed action.

(3) A copy of a referral, revocation or suspension order shall be sent by registered or certified mail or personally served upon the applicant or licensee. The order shall become final upon receipt.

(4) Any person aggrieved by any final order of the County Public Health Unit denying, suspending, or revoking his license, may appeal in writing for the appointment of a hearing officer in accordance with the provision of Chapter 402, F.S.



(5) Suspended licenses may be reinstated by action of the County Public Health Unit upon compliance by the licensee with the previously issued orders.

SECTION VII INSPECTION.

(1) Upon receipt of a completed application for a license, including the appropriate fee, accompanied by a recommendation from the inspection team, the County Public Health Unit within sixty (60) days therefrom shall issue a license or temporary permit. No license nor temporary permit shall be granted without the written approval of the inspection team. Said license shall set out on the face thereof the maximum number of children to be allowed on the premises at any one time.

SECTION VIII AMENDMENTS TO THE FLORIDA STATUTES AND ADMINISTRATIVE CODE.

(1) All child care facilities shall conform to the building, electrical, plumbing, zoning and other code requirements within whose jurisdiction the facility is located. In all new establishments and those undergoing significant remodeling, a set of accurate floor plans indicating exits, windows and essential equipment must be submitted to the County Public Health Unit for approval. Significant remodeling as used herein shall mean any change to the physical structure which impacts staff-child ratios.

(2) Child care centers shall be located on well-drained sites, easily accessible by good roads. They shall not be licensed to operate where excessive noise, dust, smoke, traffic or other situations an actual or potential threat to the health and well being of children and staff.

(3) Animal Health.

(a) Animals requiring inoculations against rabies must have evidence of an annual shot on record.

(b) No animal may be permitted within a child care center in violation of Chapter 10D-3. Such animals as may

be excluded due to disease may not be readmitted without a licensed veterinarian's statement of health on record at the facility.

(c) No psittacine birds, no turtles, nor any other exotic animals may be maintained in any child care centers nor permitted in any outside areas accessible to children. All allowable animals must be in good health and have an appropriate disposition.

(4) Developmental Stages.

(a) All infants in care in any child care center shall receive, when awake, daily periods of close interaction with trained adults including but not limited to holding, cuddling, encouragement to play with crib toys, to crawl or toddle, when appropriate, weather permitting, to play outdoors and to respond to speech. During bottle feeding, infants under one (1) year shall be held in the arms of a staff member. Toys and other play equipment shall be selected to provide infants with a variety of tactile, manipulative stimulation.

(b) All children over age of two (2) years attending any child care center shall receive at a minimum at least sixty (60) minutes of daily non-structured stimulation/enrichment appropriate to the age of the child. Developmental goal attainment of such stimulation shall be determined by the inspection team member qualified in Early Childhood Development.

(c) Children attending any pre-school shall receive at a minimum one hundred twenty (120) minutes daily of approved developmental instruction appropriate to the age of the child. Qualified personnel as defined in Part II, Section 6, shall be responsible for this instruction. Developmental goal attainment of such instruction shall be determined by the Child Development Specialist.

(5) Section 4A-36, F.A.C., is amended to add the following:

All child care centers must have at least one (1) conveniently located operating non-coin telephone.

(6) Section 10M-12.002, F.A.C., is amended to add the following:

(a) At least one (1) instructional personnel on the staff of a pre-school shall meet at least one (1) of the following in addition to the above, two (2) years of acceptable experience and at least six (6) semester hours of early childhood development-related course work, or certification by the Child Development Associate Consortium (or its equivalent), or have such background and experience as is acceptable to the County Public Health Unit.

(b) All educational qualifications must be met on or before September 1, 1986.

(7) Section 10M-12.002(4), F.A.C., is amended to add the following:

(a) At least one (1) adult, excluding emergency substitution, must have received training in the Heimlich Maneuver and child-specific cardio-pulmonary resuscitation (CPR) within one (1) year of the date this Ordinance goes into effect.

(b) All operators and employees shall have a statement on file at the child care facility that they have read the Department's pamphlet "Child Abuse and Neglect in Florida, A Guide for Professionals", HRS PI 175-017, 10/82, for guidelines on reporting and identifying child abuse and neglect, or have participated in an equivalent child abuse training course approved by the Department. The pamphlet "Child Abuse and Neglect in Florida, a Guide for Professionals" shall be provided by the licensing agency for this purpose.

(8) Section 10M-12.002(5), F.A.C., is amended to add the following:

Child care centers electing to transport children to an inspected swimming pool, beach, lake or other water sport facility, or which provide same on the premises, shall adhere to the following ratios:

Swimming Children		Non-Swimming Children	
0-12 months	1:6	0-12 months	1:2
13-23 months	1:8	13-23 months	1:2
2 -10 years	1:10	4-10 years	1:10

One (1) adult having a current Advanced Life Saving Certification, or its equivalent, shall be directly responsible for the supervision of each fifty (50) children or a fraction thereof in addition to the above ratios. All center personnel must be able to swim.

(9) Section 10M-12.002(5)(a)(1), F.A.C., is amended to add the following:

When handicapped children of any age are cared for, the permitted ratio may be reduced at the discretion of the inspection team. No infant under six (6) weeks of age may be admitted to any child care center.

(10) Section 10M-12.003(2)(a), F.A.C., is amended in its entirety to read as follows:

Rooms occupied by children as instructional areas, shall have at least 70-foot candles of natural or artificial light at task level.

(11) Section 10M-12.003(2)(b), F.A.C., is amended to add the following:

A maximum temperature of 85° F shall be allowed at all times when children are in attendance.

(12) Section 10M-12.003(2)(c), F.A.C., is amended in its entirety to read as follows:

All rooms, walls and ceilings in all child care centers must be kept clean and in good repair. Floors shall be cleaned or mopped when necessary, but at least daily. If mopped, an approved sanitizing agent shall be used. If floors are carpeted, they shall be vacuumed daily and shampooed as needed. Excessively stained or damaged carpeting shall be removed. "Throw rugs" shall be prohibited. All buildings used for child care activities shall be adequately screened to prevent the entrance of insects and shall be appropriately rodent-proof.

Crawl spaces shall not be accessible to children. All equipment and furnishings, both indoor and outdoor, shall be installed and maintained in a safe and sanitary manner.

(13) Section 10M-12.003(3)(a), F.A.C., is amended in its entirety to read as follows:

All existing child care centers shall provide a minimum of twenty (20) square feet of floor area per child. All new opened, or significantly remodeled child care centers, shall provide a minimum of thirty (30) square feet of usable floor space per child. Where infants are in care, there shall be a minimum of twenty (20) square feet of unobstructed floor space per child. Hallways, bathrooms, kitchen, storage area and shelves, and non-enclosed rooms shall not be counted as part of the square footage requirements.

(14) Section 10M-12.003(3)(a)(1), F.A.C., is amended to read as follows:

The health assessment statement shall be obtained prior to employment.

(15) Section 10M-12.003(3)(a)(1)(a), F.A.C., is amended to read as follows:

That a person shall be mentally and emotionally capable and well as physically capable.

(16) Section 10M-12.003(a)(2), F.A.C., is amended to read as follows:

The health assessment statements shall be valid for a period of two (2) years from the date of issuance.

(17) Section 10M-12.003(4)(a), F.A.C., is amended in its entirety to read as follows:

All existing child care centers shall provide a minimum of forty-five (45) square feet of outdoor play space per child. All new or extensively remodeled child care centers must provide at least sixty (60) square feet of useable, safe and sanitary play area per child. The playground shall be located on the child care facility premises. A minimum play area shall be provided for at least one-half (1/2) of the licensed capacity.

(18) Section 10M-12.003(4)(h), F.A.C., is amended to add the following:

Natural bathing area used by children in attendance at any child care center must be approved, permitted areas. All water hazards such as pools, fish ponds, creeks and swales, shall be adequately fenced to prevent access by children.

(19) Section 10M-12.003(5), F.A.C., is amended to add:

Bedding for children age one (1) year and older shall consist of at least a one inch (1") thick sanitizable mat or pad. All bedding shall be maintained in a safe, sanitary condition and stored in a designated area. Linens, when provided by the child care center, shall be laundered between each use and stored in a sanitary manner. When linens are provided by parents, they shall be individually labelled and shall be either laundered daily by the parent or may be laundered weekly, provided there is a separate, designated sanitary storage area for each child's linen.

(20) Section 10M-12.003(6), F.A.C., is amended to add the following:

Access to all toilets and hand sinks used by children shall not be through infant-occupied areas.

(21) Section 10M-12.003(10), F.A.C., is amended to add the following:

Children capable of being seated at a table shall be provided with chairs, benches, tables or desks of an appropriate size.

(22) Section 10M-12.006(1), F.A.C., is amended to add the following:

(a) Every infant and/or child in a part day program (4 and up to 8 hours) shall receive a quantity of food in meals and snacks which provide at least one-third (1/3) to one-half (1/2) of daily nutritional needs with consideration for meeting any special needs.

(b) Every infant or child in a full day (8 or more hours) shall receive a quantity of food in meals and snacks

which provide at least two-third (2/3) to three-fourth (3/4) of daily nutritional needs with consideration for meeting any of their special needs.

(c) The following foods or beverages are prohibited in all child care centers:

(1) vitamin fortified or modified dessert type syrups or flavor enhancers. (i.e. chocolate or strawberry flavoring.)

(2) high sodium (salt) content foods.

(3) high refined sugar content food or drink.

(4) all artificial sweeteners.

(d) All juices offered must be full strength.

(e) Breads, including tortillas, corn bread, rolls, bagels, fruit bread, flat bread, etc., must be made from whole grain or enriched flours. Whole grain bread and cereal is preferred.

(23) Section 10M-12.006(6), F.A.C., is amended to add the following:

(a) Infants under one (1) year of age shall not be allowed to nurse from a "propped" bottle.

(b) Infants under one (1) year of age shall not be placed in "high chairs" unless they re constantly supervised.

(c) Sufficient time shall be allowed for each infant to complete his feeding without disruptive hurry.

(24) Section 10M-12.006(1), F.A.C., is amended to add the following:

(a) Adequate time shall elapse between meals and snacks to assure an even distribution of nourishment throughout the day. No less than two and one-half (2 1/2) hours may elapse between meals. No less than one and one-half (1 1/2) hours may elapse between a meal and a snack. At no time, however, may more than three (3) hours elapse between any two (2) nourishments. Meals and snacks shall be served at safe, palatable temperatures and in time periods of sufficient length as to permit all children to eat comfortably and to finish the nourishment.

(b) An operator shall be held responsible for nutritional guidance. The parent will provide a lunch that closely resembles the meal pattern suggested by the RDA. The lunch shall be sent in appropriate containers, properly labelled with name and date and refrigerated when applicable.

(c) A file of tested standardized recipes for young children shall be used for preparing food. Recipes should be appropriate to the number of children and adults to be served.

(25) Section 10M-12.007(7), F.A.C., is amended to add the following:

(a) All meals shall be served on or in approved utensils.

(b) Disposable, single service utensils shall be re-used.

(26) Section 10M-12.007(15), F.A.C., is amended to add the following:

(a) Foods shall be prepared as close to serving time as possible to preserve nutrients, flavor and color.

(b) Foods shall be prepared in a form that is easy for young children to manage. Bite size pieces and finger foods are suitable for small hands. Meat should be cut into bite size chunks, vegetables into strips and fruits into sections to make them easy for children to handle.

(27) Section 10M-008(1)(a), F.A.C., is amended to add the following:

The written certificate of medical examination shall be obtained prior to attendance at any child care facility.

(28) Section 10M-12.008(5)(c), F.A.C., is amended to add the following:

At the time of licensure, a sample 4 week-cycle menu shall be submitted to the Hernando County Health Department Nutritionist for review and approval. Sample menus and a Menu Planning Form may be obtained from the Health Department. Use of menu cycles are helpful in formulating balanced and varied menus.



(29) Section 10M-12.009(2)(d), F.A.C., is amended to add the following:

Bedding shall have at least a two inch (2") thick mattress that is sanitizable or fitted with a sanitizable slip cover. The bed shall have separate, sanitary linen. Pillows, if used, shall also be sanitizable.

(30) Section 10M-12.009(2)(e), F.A.C., is amended to add the following:

Sleeping quarters shall be near enough to those of a responsible adult to facilitate supervision of the children.

(31) Section 10M-12.009(2)(f), F.A.C., is amended to add the following:

Children over the age of two (2) years shall not sleep in the same room with two (2) or more adults.

(32) Section 10M-12.010(3), F.A.C., is amended in its entirety to read as follows:

(a) All child care facilities, while transporting children in a passenger car, station wagon, van or any vehicle with a capacity of less than twenty-four (24) persons shall, if the child is four (4) years of age or younger, provide for protection of the child by properly using a crash-tested, federally approved child restraint device. For infants through two (2) years of age, such restraint device must be a separate carrier. For children three (3) through four (4) years of age, a separate child restraint carrier is preferable but the use of seat belts is acceptable. Two (2) children may not be restrained in one (1) seat belt. However, three (3) children may be restrained with two (2) seat belts by crisscrossing the rear seat belts to serve three (3) children in two (2) belts. The largest child shall be in the center.

(b) An annual inspection of the child care facility's vehicles used to transport children will be conducted by the licensing agency for the maximum seating capacity, the number of seat belts installed in the vehicle, and the number of child restraints available for installation. The maximum seating

capacity of the vehicle is based on a minimum of thirteen (13) inches of seating space, or the manufacturer's designated seating capacity for children with the seats facing forward. Seats which do not face forward are acceptable if factory installed. When the maximum seating capacity is determined during the inspection, a written statement of the seating capacity will be provided by the licensing counselor and the statement must be maintained in the vehicle. The child care facility must not transport children in excess of the maximum seating capacity determined during the annual inspection.

(c) Volunteers of a child care facility using their vehicles or any other vehicles to transport the children must comply with the seat belt and child restraint requirements of this section. The mechanical inspection of vans, buses and private automobiles used to transport children in care should be conducted by the Florida Highway Patrol in accordance with the State Uniform Traffic Control, §316.015, F.S. In the event that such an inspection is not possible by the Florida Highway Patrol, the County Public Health Unit shall have the authority to require an annual signed inspection of such vehicles performed by a professional mechanic certifying the following systems function properly and safely:

- (1) braking,
- (2) front end alignment,
- (3) all lights,
- (4) windshield wipers,
- (5) doors closure and locks, and
- (6) exhaust system.

#### SECTION IX PENALTIES AND ENFORCEMENT.

(1) Every person who violates any of the provisions of this Ordinance governing the operation of child care centers in Hernando County, or who operates without obtaining a license, or who operates after revocation or a refusal to renew license, or who intentionally makes any false statements or reports to the

County Public Health Unit in connection with said child care center shall, upon conviction thereof, be deemed guilty of a misdemeanor of the second degree and shall be punished as provided for by law. Each day of operation in violation of the provisions of this section constitute a separate offense.

SECTION X 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.

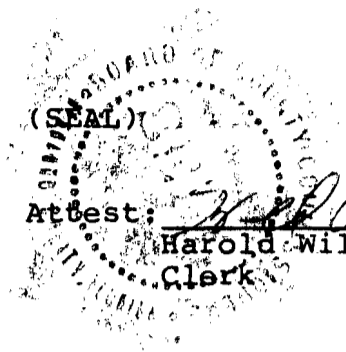
SECTION XI SEVERABILITY. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence, phrase or provision of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

SECTION XII REPEAL. Hernando County Ordinance No. 84-13, is hereby repealed in its entirety. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION XIII EFFECTIVE DATE. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this Ordinance has been filed with said office.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular  
Session this 10th day of June, 1986.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA.



Attest: Harold William Brown  
Harold William Brown  
Clerk

By: William T. Koenig III  
William T. Koenig III  
Chairman