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HAROLD WM. BROWN, CLERK  
HERNANDO COUNTY, FLA.

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ORDINANCE NO. 86-19

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

030909

AN ORDINANCE CREATING A MUNICIPAL SERVICE TAXING UNIT TO BE KNOWN AS THE "HERNANDO BEACH SOUTH, UNIT 13 BLOCKS 133, 134 AND 135, AND UNIT 13C MUNICIPAL STREET LIGHTING SERVICE UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTENANCE, AND OPERATION OF STREET LIGHTING SYSTEM WITHIN SAID UNITS; PROVIDING FOR THE BOUNDARIES OF SAID UNIT; PROVIDING FOR THE LEVY AND COLLECTION OF A PER LOT SERVICE CHARGE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR ADMINISTRATION; PROVIDING FOR THE ADOPTION OF OPERATIONAL RULES AND REGULATIONS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Hernando County, Florida, as follows:

Aug 22 2 58 PM '86  
SECRETARY OF STATE

FILED

**SECTION I. 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) (g), 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. CREATION OF UNIT**

For the purpose of creating, establishing, maintaining and operating a street lighting system within the area described herein, there is hereby created a Municipal Service Taxing Unit to be known as the "HERNANDO BEACH SOUTH UNIT 13B BLOCKS 133, 134, 135, AND UNIT 13C 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. GOVERNING BODY**

O.R. 626 PG 0400  
O.R. 626 PG 0881

The Governing Body of the HERNANDO BEACH SOUTH UNIT 13B BLOCKS 133, 134, 135, AND UNIT 13C MUNICIPAL STREET LIGHTING SERVICE UNIT shall be the Board of County Commissioners of Hernando County, Florida.

**SECTION IV. ADMINISTRATION**

- A. The HERNANDO BEACH SOUTH UNIT 13B, BLOCKS 133, 134, 135 AND UNIT 13C MUNICIPAL STREET LIGHTING 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 HERNANDO BEACH SOUTH UNIT 13B, BLOCKS 133, 134, 135, AND UNIT 13C MUNICIPAL STREET LIGHTING SERVICE UNIT shall have the following duties:
1. To establish, maintain and operate such street lighting as is necessary to implement the purposes of this Ordinance.
  2. To provide street lighting service to improved and unimproved property within the benefited area.
- C. The County Administrator shall be responsible for administering HERNANDO BEACH SOUTH UNIT 13B, BLOCKS 133, 134, 135 AND UNIT 13C MUNICIPAL STREET LIGHTING SERVICE UNIT and shall be responsible for the following to the extent necessary to implement the purpose of this Ordinance:
1. Negotiate and recommend to the Board of County Commissioners contracts for installing and providing street lighting.
  2. Negotiate and recommend to the Board of County Commissioners contracts for purchase of such capital equipment as necessary.
  3. Establish rules and regulations for the administration of the unit, not inconsistent with County policy or administrative rule.
  4. Negotiate contracts with power companies for the purpose of providing street lighting.
  5. Hire such personnel as are necessary to implement the purposes of this Ordinance.
  6. 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 HERNANDO BEACH SOUTH UNIT 13B, BLOCKS 133, 134, 135 AND UNIT 13C MUNICIPAL STREET LIGHTING 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.

**SECTION VI. REPEAL**

Hernando County Ordinance No. 86-13 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 VII. 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 VIII. 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 thereof shall not affect the validity of the remaining portions of this Ordinance.

**SECTION IX. 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 of October 1, 1986, inclusive.

ADOPTED THIS 19<sup>th</sup> day of August 1986, A.D.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By: William K...  
WILLIAM KOEHLER, CHAIRMAN

Attest: Harold W...  
HAROLD WILLIAM BROWN, CLERK

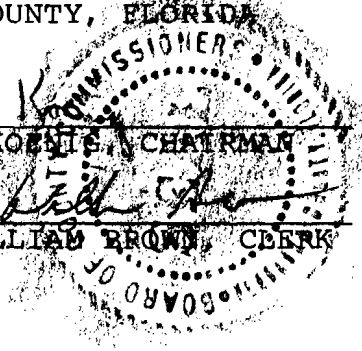


EXHIBIT "A"

Hernando Beach Unit 13B, blocks 133, 134, and 135 and Unit 13C as recorded in Plat Book 17, pages 70-73 inclusive and Plat Book 18, pages 9-10 inclusive in the Public Records of Hernando County, Florida.

O. R. 626 PG 0884

O. R. ~~626~~ PG 0403