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SECRETARY OF STATE

ORDINANCE NO. 86-24

AN ORDINANCE CREATING A MUNICIPAL SERVICE TAXING UNIT TO BE KNOWN AS THE "HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTENANCE, AND OPERATION OF FIRE HYDRANTS 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:

**SECTION I. FINDINGS OF FACT AND PURPOSE**

It is hereby found by the Board of County Commissioners of Hernando County, Florida, that fire hydrants 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 fire hydrant 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 lighting system within the area described herein, there is hereby created a Municipal Service Taxing Unit to be known as the "HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT", (STREET LIGHTING) 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**

The Governing Body of the HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT (STREET LIGHTING) shall be the Board of County Commissioners of Hernando County, Florida.

**SECTION IV. ADMINISTRATION**

- A. The HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT (STREET LIGHTING) 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 HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT (STREET LIGHTING) 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 to improved and unimproved property within the benefited area.
- C. The County Administrator shall be responsible for administering HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT (STREET LIGHTING) 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 HORIZON NORTH PHASE I MUNICIPAL SERVICE TAXING UNIT (STREET LIGHTING) 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. The service charge imposed hereunder shall constitute a lien on all real property of the unit as of January 1 of each year.

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 28, 1986, inclusive.

ADOPTED THIS 28th day of October 1986, A.D.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By: William Koenig  
WILLIAM KOENIG, CHAIRMAN

Attest: Harold William Brown  
HAROLD WILLIAM BROWN, CLERK

FILED FOR RECORD  
HAROLD WM. BROWN, CLERK  
HERNANDO COUNTY, FLORIDA  
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## EXHIBIT "A"

COMMENCING at the Southeast corner of SECTION 24, TOWNSHIP 23 South, RANGE 17 East, HERNANDO County, Florida, run thence along the South line of SECTION 24 N89°38'44"W, a distance of 1825.36 feet to a POINT OF BEGINNING, thence CONTINUE along said section line N89°38'44"W, a distance of 819.36 feet, thence run N16°52'35"W, 171.95 feet to a P.C. of a curve to the left run thence along the arc of said curve a distance of 28.73 feet, said curve having a central angle of 65°50'29", a radius of 25.00 feet and a chord length of 27.19 feet, thence run N64°49'54"W a distance of 61.75 feet, thence run S38°50'00"W a distance of 101.29 to a P.C. of a curve to the left, thence run along the arc of said curve a distance of 65.10 feet, said curve having a central angle of 10°12'19", a radius of 365.47 feet, and a chord length of 65.01 feet, thence run N61°11'19"W a distance of 175.00 feet, thence run N77°45'39"W a distance of 88.23 feet, thence run N12°14'21"E a distance of 860.80 feet, thence run S77°45'39"E a distance of 275.00 feet, thence run N12°14'21"E a distance of 45.00 feet, thence run S77°45'39"E a distance of 620.00 feet, thence run N12°14'21"E a distance of 15.00 feet, thence run S77°45'39"E a distance of 313.47 feet, thence run S01°20'00"E a distance of 38.15 feet, thence run N89°38'44"W a distance of 80.00 feet, thence run S00°22'03"W a distance of 763.00 feet to the POINT OF BEGINNING all lying and being a portion of SECTION 24, TOWNSHIP 23 South, RANGE 17 East, HERNANDO County, Florida.