

ORDINANCE NO. 79-8

AN ORDINANCE TO CREATE A PARKS AND RECREATION BOARD OF TRUSTEES; REPEALING ORDINANCE NOS. 74-1, 77-1 and 77-10; ESTABLISHING THE TERMS OF OFFICE, QUALIFICATIONS, AND APPOINTMENT OF A BOARD OF TRUSTEES; PROVIDING FOR THE DISMISSAL OF MEMBERS OF SAID BOARD; PROVIDING FOR AND LIMITING THE LEVY OF AN AD VALOREM TAX FOR PARK AND RECREATIONAL PURPOSES; ESTABLISHING THE POWER, AUTHORITY AND DUTIES OF THE BOARD OF TRUSTEES; AUTHORIZING THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS TO ACQUIRE LAND FOR PUBLIC PARKS, PLAYGROUNDS AND RECREATIONAL CENTERS; REQUIRING THE ORGANIZATION OF THE BOARD OF TRUSTEES; PROVIDING FOR EXPENDITURES BY SAID BOARD; AUTHORIZING A SERVICE CHARGE TO BE IMPOSED ON PARKS, PLAYGROUNDS AND RECREATIONAL CENTERS; REQUIRING THE SUBMITTAL OF A BUDGET BY SAID BOARD; PROVIDING FOR A QUORUM; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE

BE IT HEREBY ORDAINED BY THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. Hernando County Ordinance Nos. 74-1, 77-1 and 77-10 are hereby repealed.

SECTION 2. The Hernando County Board of County Commissioners are hereby authorized to create and there is hereby created a Parks and Recreation Board of Trustees. This Board of Trustees shall succeed the Playground and Recreational Board of Trustees created pursuant to Ordinance No. 74-1.

SECTION 3. The Parks and Recreation Board of Trustees shall consist of five members, to be appointed by the Hernando County Board of County Commissioners, which said Trustees shall be residents of Hernando County, Florida, and shall serve without pay. One member of the Board of Trustees shall be appointed from each County Commissioner's district. The terms of office of such members of such Board shall be for four (4) years or until their successors are appointed and qualified; except that the initial members of such Board shall be appointed for such terms as follows: Those members of the pre-existing Playground and Recreational Board of Trustees shall automatically become the members of the Parks and Recreation Board of Trustees, and their terms of office shall expire at the same time as their terms of office were to have expired as members of said pre-existing Board.

The Hernando County Board of County Commissioners shall have the power to remove a member of the Board of Trustees for nonfeasance, malfeasance or change of residence from within the County. Vacancies created by the resignation, death or removal from said Board of Trustees shall be filled by the Hernando County Board of County Commissioners.

SECTION 4. The Board of County Commissioners of Hernando County is hereby authorized to levy a tax not exceeding one-half (1/2) mill on the dollar on the assessed valuation of the real and personal property subject to taxation in the County of Hernando, for the purpose of carrying out the provisions of this Ordinance, subject to Constitutional, Statutory, and Budgetary limitations.

SECTION 5. Such Board of Trustees shall have the authority to maintain, equip, and operate all public parks and recreational areas within the County, and such Board of Trustees may, for the purposes of carrying out the provisions of this Ordinance employ play-leaders, playground directors, supervisors, recreational superintendents, or such other officers or employees as they deem proper; provided, however, that the employment and termination of the individual to hold the position of Hernando County Parks and Recreation Director shall be done by the Hernando County Board of County Commissioners.

Said Board of Trustees may erect such buildings or other improvements as it may deem necessary for the carrying out of the intent and purposes of this Ordinance, but any contracts therefore shall be governed by the general laws relating to contracts and expenditures of public money by public officials.

Said Board of Trustees shall have the power and authority to establish and conduct a system of supervised recreation and to contract or enter into cooperative arrangements for such purposes with other counties, with municipalities, with public school systems, or with agencies of the State of Florida or of the United States.

SECTION 6. Duties of the Board of Trustees. The Board of Trustees is authorized and empowered to:

(a) make rules and regulations for its own government and proceedings

(b) employ engineers, attorneys, accountants, financial and other experts and such other agents and employees as said Board of Trustees may require or deem necessary to effectuate the purposes of this Ordinance or to contract for any such services authorized by this Ordinance.

(c) designate the official address of the Board of Trustees and where the records and seal shall be kept

(d) acquire, lease as lessee or lessor, construct, reconstruct, improve, enlarge, equip, repair, maintain and operate park and recreational areas, equipment, and programs

(e) accept grants of money or materials or property of any kind for the County for park or recreational purposes from any Federal or State agency, political subdivision, or other public body or from any private agency or individual, upon such terms and conditions as may be imposed

(f) to do all acts and things necessary or convenient to carry out the powers and duties granted by this Ordinance

(g) to work with the Hernando County Parks and Recreation Director to promote and develop parks and recreational facilities and activities within Hernando County

SECTION 7. The Board of Trustees shall perform all duties necessary for the establishment, operation, maintenance, and control of parks, playgrounds, recreational centers and equipment, along with recreational programs and systems.

SECTION 8. The Hernando County Board of County Commissioners is hereby authorized and empowered to purchase, or acquire by gift, purchase or eminent domain, land for public parks, playgrounds, and recreational centers within the limits of Hernando County as the Board shall determine, and the Hernando County Board of County Commissioners is hereby authorized to pay the purchase price for such land and the necessary improvements thereof, to render it serviceable for the purpose for which acquired, and said Board of County Commissioners is hereby authorized to enter into the necessary contracts for such purchase and improvements.

SECTION 9. The Board of Trustees shall immediately meet and organize after their appointment and elect one of the members as Chairman, one member as Vice-Chairman, and one member as Secretary-Treasurer. The Board of Trustees shall hold meetings at least monthly which said meetings shall be open to the public.

SECTION 10. Expenditures made by the said Board of Trustees shall first be authorized and approved by said Board of Trustees and shall be submitted to the Hernando County Board of County Commissioners for approval. Warrants shall be issued and signed as regular County Warrants.

SECTION 11. The Board of Trustees are hereby authorized to impose a reasonable service charge on any of the public parks, playgrounds or recreational centers for the use of such facilities; provided, however, that said Board of Trustees shall have first obtained the approval from the Hernando County Board of County Commissioners for the imposition of such a service charge and the amount to be so imposed which such approval shall be evidenced by a proper Resolution of said Board of County Commissioners. Any moneys collected as such service charge shall be utilized for the providing, maintaining, and operating of playgrounds, parks, recreational centers and equipment for such along with the conducting of recreational programs as herein authorized.

SECTION 12. Prior to June 30th of each year, the Board of Trustees shall adopt and submit to the Hernando County Board of County Commissioners for their approval, a budget for the ensuing fiscal year which said budget shall be in such form as required by the County Auditor.

SECTION 13. A quorum of the Board of Trustees shall constitute a majority of those members of the Board of Trustees.

SECTION 14. Severability. If any section, or part of any section, of this Ordinance is proved to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity or force or effect of any other section or part of section hereof, unless it appears that the other section or part of a section is greatly or necessarily dependent upon a section or part of a section so held to be unconstitutional and invalid.

SECTION 15. Repeals. All ordinances and special acts of the legislature in conflict herewith are hereby repealed to the extent of such inconsistency.

SECTION 16. This Ordinance shall become effective as provided by law.

ADOPTED in Regular Session this 18th day of September, 1979, A.D.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA.

BY

Marvin E. Hunt  
MARVIN E. HUNT, CHAIRMAN

Attest

H. B. ...