

Marguerite DiBattista

From: Kerce, Whitley L. <Whitley.Kerce@dos.myflorida.com>
Sent: Wednesday, December 19, 2018 3:34 PM
To: Ordinances
Cc: County Ordinances
Subject: Hernando20181219_Ordinance2018_28_Ack.pdf
Attachments: Hernando20181219_Ordinance2018_28_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 19, 2018

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 362
Brooksville, Florida 34601

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2018-28, which was filed in this office on December 19, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2018-28

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA, RELATING TO RECLAIMED WATER; AMENDING SECTION 28-560 OF THE HERNANDO COUNTY CODE OF ORDINANCES TO SPECIFY AREAS WITHIN UNINCORPORATED HERNANDO COUNTY REQUIRING PROPOSED DEVELOPMENTS TO PROVIDE RECLAIMED WATER DISTRIBUTION SYSTEMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 26, 2014, the Board of County Commissioners of Hernando County adopted Ordinance No. 2014-18 relating to implementation of a reclaimed water use program, which is codified as Article XIII of Chapter 28 of the Hernando County Code of Ordinances; and

WHEREAS, Section 28-560 of the Hernando County Code of Ordinances requires property developers to provide reclaimed water distribution systems within developments located in unincorporated Hernando County; and

WHEREAS, a Reclaimed Water Master Plan Update has been prepared for the Hernando County Utilities Department to evaluate the existing reclaimed water supplies and management facilities, future demand projections, as well as potential alternatives for reuse system expansion and associated reclaimed water management needed to accommodate future excess reclaimed water; and

WHEREAS, the Reclaimed Water Master Plan Update points out that in some areas of the County, it is more advantageous and beneficial from a cost perspective and environmental benefit

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

to recharge reclaimed water into Aquifer Recharge Basins (ARBs); and

WHEREAS, the Reclaimed Water Master Plan Update recommends amendment of Section 28-560 of the Hernando County Code of Ordinances to allow for greater flexibility in utilizing reclaimed water for existing customers and future growth while continuing to recharge reclaimed water into the ARBs; and

WHEREAS, the amendment to Section 28-560 of the Hernando County Code of Ordinances proposed in the Reclaimed Water Master Plan Update specifies the areas within unincorporated Hernando County where proposed developments will be required to provide reclaimed water distribution systems; and

WHEREAS, the Board of County Commissioners of Hernando County has reviewed the Reclaimed Water Master Plan Update and determined that it is in the best interest of the County to amend Section 28-560 of the Hernando County Code of Ordinances by specifying the unincorporated areas where proposed developments will be required to provide reclaimed water distribution systems.

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

Section 1. Amendment of Section 28-560 of Hernando County Code of Ordinances. Section 28-560 of the Hernando County Code of Ordinances is hereby amended to read as follows:

Sec. 28-560. Property developers providing reclaimed water distribution systems.

Subject to review and determination by the Utilities Director, proposed Proposed developments in the planning stage, after the adoption of the amendment to this ordinance, within the following unincorporated areas of Hernando County shall; have a reclaimed water distribution

system designed and subsequently installed therein for the current or future irrigation of green areas including all residential, commercial, public and private landscape areas within the development:

- (1) Within the Ridge Manor service area located east of I-75, west of the Withlacoochee State Trail, north of the Hernando County line, and south of State Road 50; and
- (2) Within The Glen service area located north of the Hernando County line, south of Hexam Road, and within 0.50 miles east or west of US 19.

This section only applies where the development will be connected to district water and wastewater facilities.

Section 2. 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 3. Inclusion in the Code. It is the intention of the Board of County Commissioners 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 the word “ordinance” may be changed to “section,” “article,” or other appropriate designation.

Section 4. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. 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 OF HERNANDO COUNTY, FLORIDA, in Regular Session this 18th day of December, 2018.

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

Attest: Dulene M. Christensen By: [Signature]
for: Donald C. Barbee, Jr., Clerk Steve Champion, Chairman

Approved for Form and Legal Sufficiency:

Maurice S. Sikora
County Attorney's Office

