

ORDINANCE NO. 76-12

AN ORDINANCE TO CREATE THE ISTACHATTA-NOBLETON RECREATION AND COMMUNITY HALL DISTRICT; ESTABLISHING BOUNDARIES FOR SAID DISTRICT; PROVIDING FOR A GOVERNING BOARD; PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF SAID BOARD; PROVIDING FOR DISMISSAL OF MEMBERS OF SAID BOARD; PRESCRIBING THE JURISDICTION, POWERS, AND DUTIES; DEFINING THE POWERS AND DUTIES OF SAID BOARD; PROVIDING FOR THE PREPARATION OF AN ANNUAL BUDGET, FISCAL YEAR, AND AUDIT OF RECORDS OF SAID BOARD; PROVIDING FOR INSTALLATION, OPERATION, AND MAINTENANCE OF A RECREATION AND COMMUNITY HALL DISTRICT WITHIN THE BOUNDARIES OF SAID DISTRICT; REQUIRING A REFERENDUM TO BE HELD WITHIN THE BOUNDARIES OF THE DISTRICT TO DETERMINE IF THE DISTRICT SHALL BE CREATED AND TO DETERMINE IF THE DISTRICT SHALL HAVE THE POWER TO LEVY AD VALOREM TAXATION NOT TO EXCEED .4 MILL; PROVIDING A SEVERANCE PROVISION; PROVIDING FOR AN EFFECTIVE DATE; DECLARATION OF EMERGENCY ADOPTION

BE IT ORDAINED BY THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS:

SECTION 1. The Hernando County Board of County Commissioners is hereby authorized to create and there is hereby created a special taxing district to be known as the Istachatta-Nobleton Recreation District. The District shall consist of all property within the following described area:

All that section of Hernando County east and north of a line described as follows: Start at a point where Highway S.R. 45 enters Hernando County from the north and proceed southwest along said Highway to where S.R. 45 crosses the south boundary line of TWP 21S, then east along said line to the southeast corner of Section 36, TWP 21S, Range 20E, thence south along the western boundary of Section 6 of TWP 22S, Range 21E, to the southwest corner of Section 7, then east along the southern boundary, Sections 7 and 8 to where I-75 and the Withlacoochee River intersect.

SECTION 2. The Istachatta-Nobleton Recreation District shall be governed by a Board of District Supervisors (hereinafter called the "Board") which shall consist of five members who shall be qualified electors within the District, and who shall serve for two-year terms. Appointments to the Board shall be made by the Hernando County Board of County Commissioners, and the members'

terms shall run from January 1 to December 31.

Should there at any time be a vacancy in the Board of the District, the Hernando County Board of County Commissioners shall appoint a member to fill the balance of the term of office of such member. The Hernando County Board of County Commissioners shall have the power to remove a member for nonfeasance, misfeasance, or malfeasance, and change of residence from within the District. Members shall post bond as required and set by the Hernando County Board of County Commissioners.

SECTION 3. Duties of the Board of District Supervisors: The Board shall perform all duties necessary for the establishment, operation, maintenance, and control of a recreational facilities and programs system within the District.

SECTION 4. The Board of said District is authorized and empowered:

- (a) To make rules and regulations for its own government and proceedings and to adopt an official seal for the District.
- (b) To employ engineers, attorneys, accountants, financial and other experts and such other agents and employees as said Board may require or deem necessary to effectuate the purposes of this Ordinance or to contract for any such services authorized by this Ordinance.
- (c) To acquire in the name of the District by purchase, lease, gift, or the exercise of the right of eminent domain such lands and rights and interest therein, as it may deem necessary in connection with the furnishing of services authorized by this Ordinance and to hold and dispose of all real and personal property under its control; provided, however, nothing herein contained shall authorize the power of eminent domain to be exercised beyond the limits of the District.

- (d) To designate the official address of the District and where the records and seal shall be kept.
- (e) To designate the bank or proper institution for the deposit and care of any funds and negotiable documents of the District not required to be deposited with the County Treasurer.
- (f) To sue and be sued in its own name, plead and be impleaded.
- (g) To acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate the recreational facilities and programs, including a community hall.
- (h) To determine the rate of tax, fees, and other charges for operation of the system and/or for the use of the recreational facilities and programs, including a community hall.
- (i) To acquire in the name of the District by gift or purchase of any lands or rights in land, and to acquire such personal property as it may deem necessary in connection with the acquisition, construction, reconstruction, improvement, extension, enlargement, or operation of recreational facilities and programs, including a community hall within the District and to hold and dispose of all real property under its control.
- (j) To accept grants of money or materials or property of any kind for the District 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.
- (k) To do all acts and things necessary or convenient to carry out the powers and duties hereby granted by this Ordinance.
- (l) To determine and to advise and assist the County Property

Appraiser as to which properties are to be subject to the ad valorem tax authorized and imposed by this Ordinance.

SECTION 5. The Board shall prepare an annual budget for the cost and expenses of operations each year, same to be submitted to the County Commissioners of the County, at the same time and in the same manner as other County officers' budgets are submitted, and the County Commissioners shall have the same authority over such budgets as over the budgets of County officers. The fiscal year of the District shall commence October 1, and end September 30, in each year. The budget shall include the statutory fees of the County Property Appraiser and Tax Collector and collecting the ad valorem tax herein authorized.

SECTION 6. Meetings: The Board of the District shall hold meetings monthly which shall be open to the public.

SECTION 7. Salary of the Board: The members of the Board shall receive no salary for service of said Board.

SECTION 8. Recreational and Community Hall Facilities and Programs: It shall be the Board's duty to determine the need and utilization of community halls and recreational facilities and programs.

SECTION 9: The Hernando County Board of County Commissioners, upon annual request of the District Board and upon submittal for approval of the District's budget, is hereby authorized and empowered to make an annual appropriation of monies for the operation of the Istachatta-Nobleton Recreation District, and to levy a tax up to .4 mill upon each dollar of valuation of taxable property in the District for such purposes. The assessment for the ad valorem tax herein authorized, shall be made as of the 1st of January of each year.

SECTION 10. It is the intent of this legislation that, should any portion of this act be held invalid, the remainder hereof shall not be affected.

SECTION 11. The Board of County Commissioners of Hernando County is authorized and directed to provide for and hold a referendum

election of such District on or before the 7th day of November, 1976, shall be qualified to vote in such election. The election will be held to determine if such a District, as herein authorized, shall be created, and whether there will be authorized the levy of ad valorem tax up to .4 mill on each dollar of valuation of taxable property in the District for recreational and community hall purposes. If a majority of those voting in said election vote against the creation of the District, and upon certification of such results, then this act shall be void.

If the majority of the electors voting at such election vote for the creation of a District, and upon certification of such results by the County Canvassing Board, this act shall immediately become a law.

The question or matter to be determined by said electors at such election shall be stated on the ballot used in said election as follows:

A. For creation of a recreation and community hall District with power of taxation up to .4 mill.


B. Against creation of a recreation and community hall District with power of taxation up to .4 mill.

SECTION 13. Subject to the referendum herein required, this Ordinance shall become effective as provided by law.

SECTION 14. This Ordinance is adopted as an Emergency Ordinance in order to meet statutory deadlines for placing the referendum herein called for on the general election ballot.

ADOPTED this 21st day of September, 1976, as an emergency enactment with the concurring vote of all five Members of the Board.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

BY 
ADRIAN W. BELL, JR., CHAIRMAN

Attest 
HAROLD WILLIAM BROWN, CLERK