

ORDINANCE NO. 2022-\_\_\_\_\_

AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "HOLLAND SPRING INDUSTRIAL PARK STREET LIGHTING MUNICIPAL SERVICE BENEFIT UNIT"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE CREATION, MAINTENANCE, AND OPERATION OF A STREET LIGHTING SYSTEM; PROVIDING FOR THE BOUNDARIES OF SAID UNIT; PROVIDING THAT SAID UNIT SHALL BE UNDER THE CONTROL OF THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY; PROVIDING FOR THE ADMINISTRATION OF SAID UNIT; PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE OPERATION OF SAID UNIT; PROVIDING FOR THE LEVY OF AN EQUITABLE PER LOT ASSESSMENT; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF AFORESAID ASSESSMENT; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR INCLUSION IN THE COUNTY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, 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 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)(q), Florida Statutes, provided for the creation of municipal service benefit units as a fund-raising vehicle granting to all counties the financing flexibility to levy special assessments within the limits fixed for municipal purposes for the furnishing of municipal services within those areas receiving the benefit of such municipal services. It is the purpose of this Ordinance to create a County Municipal Service Benefit Unit for the purpose of providing a street lighting system within the boundaries of said unit, described in Exhibit "A" attached hereto and made a part hereof.

**SECTION II. CREATION OF UNIT**

For the purpose of creating, establishing, maintaining, and operating a street lighting system within the area described herein and for any other purpose allowed by law there is hereby created a Municipal Service Benefit Unit to be known as the "**Holland Spring Industrial Park Street Lighting Municipal Service Benefit 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, as such property currently exists or as it may be split, subdivided, re-platted or otherwise re-designated by the Hernando County Property Appraiser subsequent to the effective date of this ordinance.

**SECTION III. GOVERNING BODY**

The Governing Body of the "**Holland Spring Industrial Park Street Lighting Municipal Service Benefit Unit**" shall be the Board of County Commissioners of Hernando County, Florida.

#### **SECTION IV. ADMINISTRATION**

- A. The "**Holland Spring Industrial Park Street Lighting Municipal Service Benefit 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 "**Holland Spring Industrial Park Street Lighting Municipal Service Benefit Unit**" shall have the following duties:
1. To establish, maintain, and operate such street lighting system as is necessary to implement the purpose of this Ordinance.
  2. To provide a lighting system which will benefit both improved and unimproved property within the unit.
- C. The County Administrator shall be responsible for administering the "**Holland Spring Industrial Park Street Lighting Municipal Service Benefit Unit**" 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 providing specific maintenance services.
  2. Negotiate and recommend to the Board of County Commissioners contracts for the 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 for the purpose of providing a lighting system.
  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 purpose of this Ordinance to the extent consistent herewith.
- D. The powers to be exercised by the "**Holland Spring Industrial Park Street Lighting Municipal Service Benefit 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 platted lots, parcels, tracts, cooperative parcels and condominium parcels within the Unit, the County Commission is hereby authorized to levy an annual assessment against each platted lot, parcel, tract, cooperative parcel and condominium parcel within the unit for the purposes set forth herein. The assessment imposed hereunder shall constitute a lien on all real property of the unit as of the date ad valorem taxes become liens. Unless fully paid and discharged or barred by law, said annual assessment shall remain liens equal in rank and dignity with the lien of County ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved. If the annual assessment levied on a parcel is not paid, a Tax Certificate pertaining to the parcel will be sold by the Tax Collector as set forth in Chapter 197, Florida Statutes.

**SECTION VI. REPEAL**

All ordinances or parts of ordinance 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 re-lettered 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.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022, A.D.

Attest:

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By: \_\_\_\_\_  
DOUGLAS A. CHORVAT, JR.  
CLERK OF COURT

By: \_\_\_\_\_  
STEVE CHAMPION  
CHAIRPERSON

Approved for Form and Legal Sufficiency

  
\_\_\_\_\_  
County Attorney

**EXHIBIT  
"A"**

**LEGAL DESCRIPTION FOR  
HOLLAND SPRING INDUSTRIAL PARK STREET LIGHTING MUNICIPAL  
SERVICE BENEFIT UNIT**

The following described parcels in Hernando County, Florida as identified below:

Holland Spring Industrial Park Unit 1, Township 23 South, Range 18 East, as recorded in Plat Book 19, Page 50, Official Records of Hernando County, Florida; AND

The following described acreage parcels:

Key #	PARCEL
1059874	R22 223 18 2586 0001 0011
1059883	R22 223 18 2586 0001 0020
1059892	R22 223 18 2586 0001 0030
1059909	R22 223 18 2586 0001 0040
1059954	R22 223 18 2586 0002 0050
1059963	R22 223 18 2586 0003 0010
1059972	R22 223 18 2586 0004 0010
1059981	R22 223 18 2586 0004 0020
1059990	R22 223 18 2586 0004 0030
1060005	R22 223 18 2586 0004 0040
1409023	R22 223 18 3591 0000 0010
1452902	R22 223 18 3591 0000 0020
1452911	R22 223 18 3591 0000 0030

Key #	PARCEL
1452920	R22 223 18 3591 0000 0040
1059918	R22 223 18 4800 0000 0010
1059927	R22 223 18 4800 0000 0020
1430400	R22 223 18 4800 0000 0030
1752507	R22 223 18 4800 0000 00A0
1752516	R22 223 18 4800 0000 00B0
1754569	R22 223 18 4801 0000 0060
1752491	R22 223 18 4801 0000 0050
1752482	R22 223 18 4801 0000 0040
1059936	R22 223 18 4802 0000 0010
1059945	R22 223 18 4802 0000 0020
1760614	R22 223 18 4802 0000 0030
1760632	R22 223 18 4802 0000 00B0

The **Holland Spring Industrial Park Street Lighting Municipal Service Benefit Unit** shall include all of the foregoing parcels as presently constituted, as well as any additional or re-designated parcels that may come into existence at a future date by parcel split, subdivision, re-plat, transfer of ownership, or any other process or means occurring on or after the effective date of this ordinance.

The recommended method for assessing the **26** benefitting properties for the street lighting is an equal per lot assessment as described in the plat recorded in public records. All government properties are exempt from being assessed.