

## ORDINANCE NO. 2025-\_\_\_\_\_

**AN ORDINANCE CREATING A MUNICIPAL SERVICE BENEFIT UNIT TO BE KNOWN AS THE "RAINBOW WOODS TRAFFIC CALMING MSBU"; PROVIDING FOR THE PURPOSE OF THE UNIT; PROVIDING FOR THE TRAFFIC CALMING IMPROVEMENT WITHIN 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 LEVY OF AN EQUITABLE PER PLATTED LOT/PARCEL ASSESSMENT; PROVIDING A METHOD OF LEVY, COLLECTION AND ENFORCEMENT OF AFORESAID ASSESSMENT; PROVIDING FOR INCLUSION IN THE COUNTY CODE; 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 traffic calming measures 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 benefit units as a fund-raising vehicle to grant 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 traffic calming measures 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 authorizing the installation of traffic calming within the area described herein, there is hereby created a Municipal Service Benefit Unit to be known as "**Rainbow Woods Traffic Calming MSBU**" 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.

The traffic calming measures to be constructed include the installation of three speed tables and associated signage and pavement marking improvements. The speed tables consist of 22-foot long, raised speed humps between 3 and 4 inches in height with a 10-foot flat section in the middle and 6-foot ramps on the ends. The speed tables will be located along the Augustine Road corridor between the intersections of Long Hill Ct/Emerald Ridge, Doxsey Hill Circle, and Rainbow Woods Loop/Silverwood Ct.

### **SECTION III. GOVERNING BODY**

The Governing Body of the "**Rainbow Woods Traffic Calming MSBU**" shall be the Board of County Commissioners of Hernando County, Florida.

### **SECTION IV. ADMINISTRATION**

- A. The "**Rainbow Woods Traffic Calming MSBU**" 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 "**Rainbow Woods Traffic Calming MSBU**" shall have the following duties:
  - 1. To construct or cause to be constructed certain traffic calming measures as is necessary to implement the purpose of this Ordinance.
  - 2. To provide traffic calming measures which will benefit both improved and unimproved property within the unit.
- C. The County Administrator shall be responsible for administering the "**Rainbow Woods Traffic Calming MSBU**" 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 improvements and 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 traffic calming measures.
  - 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, including but not limited to the acquisition of such interests in property as may be necessary to construct improvements to County standards in compliance with any applicable permitting requirements.
- D. The powers to be exercised by the "**Rainbow Woods Traffic Calming MSBU**" are specifically made subject to all applicable State and County laws.
- E. The County intends to use legally available non-ad valorem revenues from the Constitutional Gas Tax Fund to finance the project costs on an interim basis. The County intends to reimburse itself for the expenditure of such revenues from a draw upon the County's line of credit upon the completion of the project, which amount of such draw shall equal the cost of the project less any payments made by residents.

## **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 \_\_\_\_\_, 2025, A.D.

Attest:

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

\_\_\_\_\_  
DOUGLAS A. CHORVAT, JR.  
Clerk of Court

By: \_\_\_\_\_  
BRIAN HAWKINS, CHAIRMAN

Approved for Form and Legal Sufficiency

\_\_\_\_\_  
*Jon Jouben*  
County Attorney

## EXHIBIT "A"

### **LEGAL DESCRIPTION FOR RAINBOW WOODS TRAFFIC CALMING MSBU**

The following described parcels in Rainbow Woods, a subdivision of a portion of Section 17, Township 23 South, Range 18 East, Hernando County, Florida, being further described as follows:

BEGIN AT THE WEST 1/4 CORNER OF SAID SECTION 17; THENCE S00°17'52"W, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SAME ALSO BEING THE EASTERLY BOUNDARY LINE OF THE PLATS OF SPRING HILL UNIT 16 AND SPRING HILL UNIT 15, AS RECORDED IN PLAT BOOK 9, PAGES 18 THROUGH 30 AND PLAT BOOK 9, PAGES 10 THROUGH 15, RESPECTIVELY, OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, FOR 2665.30 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 17, SAME ALSO BEING THE NORTHWEST CORNER OF LOT 9, BLOCK 591, AS SHOWN IN THE PLAT OF SPRING HILL UNIT 9, AS RECORDED IN PLAT BOOK 8, PAGES 38 THROUGH 53 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA; THENCE S89°33'14"E, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SAME ALSO BEING THE NORTH BOUNDARY LINE OF SAID PLAT OF SPRING HILL UNIT 9, FOR 1329.08 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE N00°08'31"E, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17, FOR 1330.13 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE S89°26'39"E, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17, FOR 1325.48 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE N00°00'52"W, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SAME ALSO BEING THE WEST BOUNDARY LINE OF SPRING HILL UNIT 14, AS RECORDED IN PLAT BOOK 9, PAGES 7 THROUGH 9 OF THE PUBLIC RECORDS OF HERNANDO COUNTY, FLORIDA, FOR 1327.61 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE N89°20'02"W, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, SAME ALSO BEING THE SOUTH BOUNDARY LINE OF AFORESAID PLAT OF SPRING HILL UNIT 16 (BEARING BASIS), FOR 2643.76 FEET TO THE POINT OF BEGINNING, AND CONTAINING 121.40 ACRES, MORE OR LESS.

The **Rainbow Woods Traffic Calming MSBU** 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 **168** benefitting properties for the traffic calming measures is an equal per lot assessment as described in the plat recorded in public records, or as those lots have been split into a separate residential lot/parcel, as well as non-platted acreage parcels and corner lots/parcels. All government properties are exempt from being assessed.

