

**ORDINANCE NO.: 2025-\_\_\_\_**

AN ORDINANCE AMENDING HERNANDO COUNTY CODE OF ORDINANCES, CHAPTER 14, ARTICLE IV; DIVISION 2. THE NAME; SUBSECTION 14-102 DEFINITIONS; SUBSECTION 14-104 CREATION OF A UNIT AND THE LEGAL DESCRIPTION OF THE HERNANDO COUNTY SOLID WASTE COLLECTION MUNICIPAL SERVICES BENEFIT UNIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 22, 1992, the Board of County Commissioners (“the Board”), by enacting Ordinance 92-24, created the Southwest Hernando County Solid Waste Collection Municipal Services Benefit Unit (“the MSBU”); and,

WHEREAS, the MSBU allows the Board to levy special assessments to recover the cost of providing garbage collection services to properties in the “Universal Collection Area”; and,

WHEREAS, the Board expanded the Universal Collection Area size in 2013; and thereafter, on October 24, 2017, amended the MSBU boundary, by approving Ordinance 2017-39; and

WHEREAS, recent development in the area necessitates the need to update and amend the existing boundaries of the MSBU, for the purpose of including the expanded area and new subdivisions; and

WHEREAS, the Board further desires to update and amend the legal description of the boundaries of the MSBU.

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

**Section 1. Incorporation of Recitals.** The foregoing recitations are hereby incorporated by reference as if fully set forth herein.

**Section 2. Chapter 14, Article IV, Division 2 of the Hernando County Code of Ordinances.** Chapter 14, Article IV, Division 2, Section 14-102 (Definitions), Section 14-104 (Creation of Unit), Section 14-105 (Governing Body), and Section 14-106 (Administration) of the Hernando County Code

of Ordinances is hereby amended to read as follows, with underlined matter added and struck-through matter deleted:

**DIVISION 2. ~~SOUTHWEST~~ HERNANDO COUNTY SOLID WASTE  
COLLECTION**

**Section 14-102.- Definitions.**

For the purpose of this division, the definitions contained in this section shall apply unless otherwise specifically stated. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular, and words in the singular number include the plural. Words used herein and not otherwise defined shall have the meaning given to them in the act.

*Annual refuse collection assessment* means the annual assessment imposed upon a parcel of real property for the ~~disposal~~ curbside collection of refuse for the applicable year based upon the classification of use of such parcel of property as specified in the rate resolution.

*Annual refuse collection assessment roll* means the list prepared by the county and confirmed by the board each year containing a summary description of each parcel of real residential property within the unit, the name and address of the owner of each such parcel as indicated on the records maintained by the property appraiser, and the assessment authorized by this division against each parcel.

*Board* means the Board of County Commissioners of Hernando County, Florida, or the governing body by any other name in which the general legislative powers of the county are vested.

*Clerk* means the Clerk of the Circuit Court of Hernando County, Florida.

*County* means Hernando County, Florida.

*Curbside Collection* means service rendered whereby solid waste is picked up from a point within six (6) feet or as near to the curb or road surface of a paved, improved or unimproved road as is safely possible.

*Governmental agency* means any local, state or federal agency.

*Hazardous waste* means materials or combinations of material that require special management techniques because of their acute or chronic effects on air and water quality, on fish,

wildlife or other biota, and on the health and welfare of the public. These materials include, but are not limited to, volatile, biological, explosive, flammable, radioactive and toxic materials.

*Improved real property* means all real property located in the unit that generates refuse, and includes, but is not limited to, improved ~~commercial real property and~~ residential real property.

*Owner* means the person or persons owning an interest in improved real property located within the unit.

*Person* means an individual, partnership, corporation, joint venture, private or public service company or entity, however organized.

*Property appraiser* means the Property Appraiser of Hernando County, Florida.

*Rate resolution* means the resolution adopted under the provisions of this division incorporating a schedule of annual rates, charges and assessments to be imposed upon the owners of all improved real property in the unit.

*Solid waste, for the purpose of this MSBU*, means residential household garbage and trash, including, but not limited to, all putrescible and non-putrescible waste, ~~combustible and noncombustible waste~~, and generally all materials such as paper, cardboard, grass clippings, tree or shrubbery trimmings, ~~serap wood~~, bedding, crockery, ~~rubber tires, construction waste, industrial waste~~ and all other similar waste materials as determined by the county administrator or his/her designee to be suitable for the curbside collection program.

*Special wastes* means any wastes that require extraordinary management. They include, but are not limited to, abandoned automobiles, inoperative and discarded refrigerators, ranges, washers, water heaters and other similar domestic and commercial appliances, used tires, waste oil, sludge, dead animals, septic tank pumping's and infectious and hazardous waste.

*Tax collector* means the Tax Collector of Hernando County, Florida.

*Year* means the calendar year.

#### **Section 14-104. - Creation of Unit.**

For the purpose of creating, establishing, maintaining, and operating a solid waste collection within the area described herein, there is hereby created a municipal service benefit unit



to be known as the "~~Southwest~~ Hernando County Solid Waste Collection Municipal Service Benefit Unit", which shall be all the residential property located in Hernando County, Florida, within the boundaries described in Exhibit A attached to Ordinance No. 92-24 and made a part hereof by reference.

**Section 14-105 (Amending MSBU Boundaries)**

The MSBU boundary as contained in Hernando County Code of Ordinance No.: 92-24, Exhibit A, as amended by Ordinance No.: 2017-39, is hereby amended as described in Exhibit "A", attached hereto and incorporated therein, effective January 1, 2026.

**Sec. 14-~~105~~106. - Governing body.**

The governing body of the ~~Southwest~~ Hernando County Solid Waste Collection Municipal Service Benefit Unit shall be the Board of County Commissioners of the county. Hernando County, Florida.

**Sec. 14-~~106~~107. - Administration.**

- (a) The ~~Southwest~~ Hernando County Solid Waste Collection Municipal Service Benefit Unit shall be administered in accordance with the policies and procedures adopted by the ~~board~~ Board of county County commissioners ~~Commissioners~~ for the administration of all county departments, divisions and operations.
- (b) The ~~Southwest~~ Hernando County Solid Waste Collection Municipal Service Benefit Unit shall have the following duties:
  - (1) To establish, maintain and operate a solid waste collection system as is necessary to implement the purpose of this division.
  - (2) To provide for solid waste collection for improved residential property within the benefitted area.
- (c) The county administrator shall be responsible for administering the ~~Southwest~~ Hernando County Solid Waste Collection Municipal Service Benefit Unit for the following to the extent necessary to implement the purpose of this division:

- (1) Negotiate and recommend to the Board of County Commissioners contracts for providing specific services.
- (2) Negotiate and recommend to the Board of County Commissioners contracts for 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 with private companies for the purpose of providing a solid waste collection system.
- (5) Hire such personnel as are necessary to implement the purposes of this division.
- (6) Perform such other acts as are necessary to implement the purposes of this division to the extent consistent herewith.

(d) The powers to be exercised by the ~~Southwest~~ Hernando County Solid Waste Collection Municipal Service Benefit Unit are specifically made subject to all applicable state and county laws.

**Section 3. 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. 4. 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 relettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or any other appropriate designation.

**Section 5. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 6. 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.

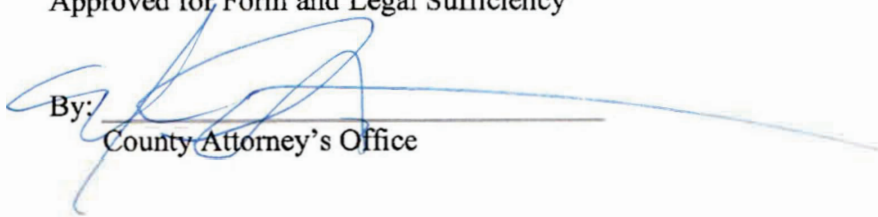
ADOPTED AND ENACTED by the Board of County Commissioners of Hernando County, Florida, in Regular Session, with a quorum present and voting, this \_\_\_\_ day of \_\_\_\_\_, 2025.

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

Attest: \_\_\_\_\_  
Douglas A. Chorvat, Jr.  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Brian Hawkins  
Chairman

Approved for Form and Legal Sufficiency

By:  \_\_\_\_\_  
County Attorney's Office

HERNANDO COUNTY SOLID WASTE COLLECTION  
MUNICIPAL SERVICES BENEFIT UNIT  
BOUNDARY AREA  
EXHIBIT "A"