

From: [County Ordinances](#)
To: [Ordinances](#); [County Ordinances](#)
Cc: [Heidi Kurppe](#); [Patricia Tapia](#); [Paige Jefferys](#)
Subject: RE: Hernando County Ordinance No. 2024-15 - Adopted on October 22, 2024
Date: Wednesday, October 23, 2024 2:15:02 PM
Attachments: [Hernando20241023_Ordinance2024_15_Ack.pdf](#)

Good afternoon,

Attached is the acknowledgement letter for Hernando County Ordinance No. 2024-15.

Best,

Alexandra Leijon

Administrative Code and Register Director
Office of General Counsel
Department of State
Room 701 The Capitol | Tallahassee, FL
P: (850)245-6270

From: Ordinances <ord@hernandoclerk.org>
Sent: Wednesday, October 23, 2024 12:58 PM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Heidi Kurppe <hkurppe@hernandoclerk.org>; Patricia Tapia <ptapia@hernandoclerk.org>; Paige Jefferys <pjefferys@hernandoclerk.org>
Subject: Hernando County Ordinance No. 2024-15 - Adopted on October 22, 2024

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Heidi Kurppe
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2024-15

Thank You,

Heidi Kurppe
Administrative Services | Administrative Services Supervisor
Office of Doug Chorvat Jr., Clerk of Circuit Court and Comptroller
Phone: (352)754-4201 | Email: hkurppe@hernandoclerk.org
20 N Main Street, Brooksville, FL 34601

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FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 23, 2024

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

Dear Honorable Doug Chorvat Jr.,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2024-15, which was filed in this office on October 23, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL

ORDINANCE NO.: 2024-15

1 AN EMERGENCY ORDINANCE PERTAINING TO THE PLACEMENT OF
2 TEMPORARY SHELTERS ON RESIDENTIAL PROPERTY FOLLOWING A
3 DECLARED STATE OF EMERGENCY; INCORPORATING RECITALS;
4 ALLOWING TEMPORARY SHELTERS ON RESIDENTIAL PROPERTIES
5 FOLLOWING A DECLARED STATE OF EMERGENCY; AUTHORIZING THE
6 ADMINISTRATIVE OFFICIAL TO GRANT CONDITIONAL USE PERMITS
7 ALLOWING FOR TEMPORARY SHELTERS ON RESIDENTIAL PROPERTIES
8 FOLLOWING A DECLARED STATE OF EMERGENCY; PROVIDING FOR
9 SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING
10 FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR
11 AN EFFECTIVE DATE.
12

13 WHEREAS, Hurricane Helene made landfall in Florida on Thursday, September 26, 2024;
14 and,

15 WHEREAS, Hurricane Helene caused extensive damage to hundreds of residences in
16 Hernando County, and as a result, many Hernando County residents will be in need of temporary
17 shelter for extended periods; and,

18 WHEREAS, pursuant to Chapter 2023-304, Laws of Florida, as codified at Fla. Stat. §
19 125.023, when a permanent residential structure is damaged and rendered uninhabitable, a county
20 may not prohibit the placement of a temporary shelter on the residential property for up to 36 months

1 following the declaration of a state of emergency issued by the Governor for a natural emergency as
2 defined in Fla. Stat. § 252.34(8), if certain conditions are met; and,

3 WHEREAS, the Board of County Commissioners (the “Board”) finds that to ensure that
4 Hernando County’s residents who are in need of temporary shelter can obtain it, it needs to update
5 the Hernando County Code to ensure its consistency with Fla. Stat. § 125.023; and,

6 WHEREAS, the Board finds that, pursuant to Fla. Stat. §§ 125.66(3)(c)1 and 125.66(3)(c)5,
7 this Ordinance is exempt from the requirement to provide an estimate of the direct economic impact
8 of this Ordinance on private, for-profit businesses in the County pursuant to Fla. Stat. § 125.66(3)(a)
9 because this Ordinance is an emergency ordinance that is necessary for compliance with state law;
10 and,

11 WHEREAS, there does not exist sufficient time to advertise an ordinance for ten days
12 pursuant to Fla. Stat. § 125.66; and,

13 WHEREAS, the Board has determined it to be in the health, welfare, and best interest of the
14 citizens of Hernando County to implement Fla. Stat. § 125.66(4), which allows for the emergency
15 enactment of ordinances; and,

16 WHEREAS, by a supermajority vote, the Board declares this an emergency and hereby
17 waives the notice requirements of Fla. Stat. § 125.66(2) on the basis that the immediate enactment
18 of this ordinance is necessary.

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

1 **Section 1. Incorporation of Recitals.** The above-stated recitals are true and correct and are
2 hereby incorporated by reference.

3 **Section 2. Allowing Temporary Shelters on Residential Properties Following a Declared**
4 **State of Emergency.** A new subpart (6) of Hernando County Code, Appendix A, Article III, Section
5 3(E), Recreational Vehicles, is created to read as follows:

6 E. Recreation vehicles: The following provisions shall apply to both recreation
7 vehicles and travel trailer usage.

8 * * *

9 6. Following the declaration of a state of emergency issued by the
10 Governor for a natural emergency, as defined in Fla. Stat. § 252.34, as it may be
11 amended, during which a permanent residential structure, legally existing on the
12 residential property, was damaged and rendered uninhabitable, one temporary shelter,
13 as defined in Fla. Stat. § 125.023, as it may be amended, may be placed on the
14 residential property for up to 36 months after the date of the declaration or until a
15 certificate of occupancy is issued on the permanent residential structure on the
16 property, whichever occurs first, if all of the following conditions are satisfied:

17 (a) The resident makes a good faith effort to rebuild or renovate
18 the damaged permanent residential structure, including, but not limited to, applying
19 for a building permit, submitting a plan or design to the county, or obtaining a
20 construction loan.

1 (b) The temporary shelter is connected to water and wastewater
2 utilities (either central sewer or a septic system) and electric utilities, and does not
3 present a threat to health and human safety.

4 (c) The resident lives in the temporary shelter.

5 (d) The property owner must submit an application for a
6 conditional use with the administrative official that demonstrates the property
7 owner's conformity with the above-stated conditions, for review and approval by the
8 administrative official.

9 **Section 3. Authorizing the Administrative Official to Grant Conditional Use Permits**

10 **Allowing for Temporary Shelters on Residential Properties Following a Declared State of**

11 **Emergency.** A new subpart (5) of Hernando County Code, Appendix A, Article V, Section 4(C),

12 Conditional Use Permits Allowable with Administrative Official Approval, is created to read as

13 follows:

14 C. Conditional use permits allowable with administrative official approval:

15 * * *

16 (5) The administrative official may approve the placement of temporary
17 shelters on residential properties following a declared state of emergency in the
18 manner provided therefore in Hernando County Code, Appendix A, Article III,
19 Section 3(E)(6), as it may be amended.

1 **Section 3. Severability.** It is declared to be the intent of the Board of County
2 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
3 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
4 validity of the remaining portions of this ordinance.

5 **Section 4. Inclusion in the Code.** It is the intention of the Board of County Commissioners
6 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
7 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
8 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that
9 the word “ordinance” may be changed to “section,” “article,” or any other appropriate designation.

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

12 **Section 6. Effective Date.** This ordinance shall take effect immediately upon receipt of
13 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
14 been filed with said office.

15 **(The Remainder of this Page Has Been Intentionally Left Blank)**

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
2 HERNANDO COUNTY in Regular Session this 22nd day of October 2024.

3 BOARD OF COUNTY COMMISSIONERS
4 HERNANDO COUNTY, FLORIDA

5
6 Attest: Heidi Kuyper, Deputy Clerk By: Elizabeth Narverud
7 DOUGLAS CHORVAT, JR. ELIZABETH NARVERUD
8 Clerk and Comptroller Chair
9

10 Approved for Form and Legal Sufficiency

11 Jon Jouben
12 County Attorney
13
14

