

ORDINANCE NO.: 2026 - __

AN ORDINANCE AMENDING THE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES CAPITAL FACILITIES IMPACT FEES ORDINANCE; AMENDING HERNANDO COUNTY CODE SECTION 23-44, DEFINITIONS, TO BRING IT INTO COMPLIANCE WITH THE FLORIDA IMPACT FEE ACT, FLA. STAT. § 163.31801, PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature, by enacting Chapter 2021-63, amended the definitions section of the Florida Impact Fee Act, Fla. Stat. § 163.31801(3); and,

WHEREAS, the Board of County Commissioners finds that it needs to make corresponding amendments to the definitions section of the Fire Protection and Emergency Medical Services Capital Facilities Impact Fees Ordinance, Hernando County Code Ch. 23, Art. III, Div. 1, to bring it into compliance with the amended statute.

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

Section 1. Amending Hernando County Code § 23-44, Definitions, to Bring it into Compliance with the Florida Impact Fee Act, Fla. Stat. § 163.31801. Hernando County Code § 23-44, Definitions, is hereby amended to read as follows:

Sec. 23-44. Definitions.

1 The definitions provided for terms “infrastructure” and “public facilities” in Fla. Stat.
2 § 163.31801(3), as they may be amended, are hereby incorporated herein. The
3 following definitions shall apply to this division:

4 *Building permit* means an official document or official certification which
5 authorizes the construction, alteration, enlargement, conversion, reconstruction,
6 remodeling, rehabilitation, erection, demolition, moving or repair of a building or
7 structure. In the case of a change in use or occupancy of an existing building or
8 structure, the term shall specifically include Certificates of Occupancy, Certificates
9 of Completion, and Occupancy Permits, as those terms are defined by the Hernando
10 County land development regulations. The terms "building permit" and "certificate
11 of occupancy permit" also mean those municipal permits which are equivalent to
12 these County permits, regardless of the names by which they are called within a
13 municipality. Building permits shall include those permits which allow the
14 installation or location of a mobile home or recreational vehicle on a site or lot.

15 *Capital equipment* ~~is equipment with an expected use life of three (3) years~~
16 ~~or more~~ includes infrastructure and public facilities.

17 *Certificate of use* means a certificate, required by appropriate authority under
18 the provisions of the zoning ordinance, which authorizes the occupancy of a structure
19 or premises and is required prior to the occupancy, change in use and under other
20 specific conditions as outlined in the zoning ordinance.

1 *County administrator* means the county administrator and/or the county
2 officials he or she may designate to administer the various provisions of this division.

3 *Fee payer* is a person commencing a land development activity by applying
4 for the issuance of a building permit or certificate of use.

5 *Fire protection and emergency medical services capital facilities* are
6 ~~buildings, building sites, motor vehicles, communications capital equipment and~~
7 ~~other~~ capital equipment related to the provision of fire protection and emergency
8 medical ~~facilities~~ services.

9 *Independent fee calculation study* means the impact documentation prepared
10 by a fee payer to allow the determination of the impact fee other than by the use of
11 the table in subsection 23-46(a) of this division.

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

16 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners
17 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
18 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
19 sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that
20 the word “ordinance” may be changed to “section,” “article,” or any other appropriate designation.

Section 4. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. 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.

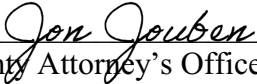
BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY in Regular Session this _____ day of _____ 2026.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest: _____
DOUG CHORVAT, JR.
Clerk

By: _____
JERRY CAMPBELL
Chairman

Approved for Form and Legal Sufficiency



County Attorney's Office