

ORDINANCE NO. 76-11

AN ORDINANCE TO CREATE THE RIDGE MANOR LIGHTING DISTRICT; ESTABLISHING BOUNDARIES FOR SAID DISTRICT; PROVIDING FOR A GOVERNING BOARD; PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF SAID BOARD; PROVIDING FOR THE DISMISSAL OF MEMBERS OF SAID BOARD; PRESCRIBING THE JURISDICTION, POWERS, AND DUTIES; DEFINING THE POWERS AND DUTIES OF SAID BOARD; PROVIDING FOR THE PREPARATION OF AN ANNUAL BUDGET, FISCAL YEAR, AND AUDIT OF RECORDS OF SAID BOARD; PROVIDING FOR INSTALLATION, OPERATION, AND MAINTENANCE OF A STREET LIGHTING SYSTEM WITHIN THE BOUNDARIES OF SAID DISTRICT; PROVIDING THE BOARD POWER AND AUTHORITY TO CONTRACT WITH PUBLIC SERVICES; REQUIRING A REFERENDUM TO BE HELD WITHIN THE BOUNDARIES OF THE DISTRICT TO DETERMINE IF THE DISTRICT SHALL BE CREATED AND TO DETERMINE IF THE DISTRICT SHALL HAVE THE POWER TO LEVY AD VALOREM TAXATION NOT TO EXCEED AUTHORIZED MILLAGE; PROVIDING A SEVERANCE PROVISION; PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS:

SECTION 1. The Hernando County Board of County Commissioners is hereby authorized to create and there is hereby created a special taxing district to be known as the Ridge Manor Lighting District. The District shall consist of all property within the following described area:

SEE ATTACHED SCHEDULE "A"

SECTION 2. The Ridge Manor Lighting District shall be governed by a Board of Lighting District Commissioners (hereinafter called the "Board") which shall consist of five members who shall be qualified electors within the District, and who shall serve for two-year terms. Appointments to the Board shall be made by the Hernando County Board of County Commissioners, and the members' shall run from January 1 to December 31.

Should there be at any time a vacancy in the Board of the District, the Hernando County Board of County Commissioners shall appoint a member to fill the balance of the term of office of such member. The Hernando County Board of County Commissioners shall have the power to remove a member for nonfeasance, misfeasance, or malfeasance, and change of residence from within the District. Members

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shall post bond as required and set by the Hernando County Board of County Commissioners.

SECTION 3. Duties of the Board of Lighting District Commissioners: The Board shall perform all duties necessary for the establishment, operation, maintenance, and control of a street lighting system within the District.

SECTION 4. The Board of said District is authorized and empowered:

(a) To make rules and regulations for its own government and proceedings, and to adopt an official seal for the District.

(b) To employ engineers, attorneys, accountants, financial and other experts and such other agents and employees as said Board may require or deem necessary to effectuate the purposes of this Ordinance or to contract for any such services authorized by this Ordinance.

(c) To acquire in the name of the District by purchase, lease, gift, or the exercise of the right of eminent domain, such lands and rights and interest therein, as it may deem necessary in connection with the furnishing of services authorized by this Ordinance and to hold and dispose of all real and personal property under its control; provided, however, nothing herein contained shall authorize the power of eminent domain to be exercised beyond the limits of the District.

(d) To designate the official address of the District and where the records and seal shall be kept.

(e) To designate the bank or proper institution for the deposit and care of any funds and negotiable documents of the District not required to be deposited with the County Treasurer.

(f) To sue and be sued in its own name, plead and be impleaded.

(g) To acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate the street lighting system within the jurisdiction of the District.

(h) To determine the rate of tax, fees, and other charges

for operation of the system and/or for the use of the lighting services.

(i) To acquire in the name of the District by gift or purchase of any lands or rights in land, and to acquire such personal property as it may deem necessary in connection with the acquisition, construction, reconstruction, improvement, extension, enlargement, or operation of a street lighting system within the District, and to hold and dispose of all real and personal property under its control.

(j) To accept grants of money or materials or property of any kind for the District from any Federal or State agency, political subdivision, or other public body or from any private agency or individual, upon such terms and conditions as may be imposed.

(k) To do all acts and things necessary or convenient to carry out the powers and duties granted by this Ordinance.

(l) To determine which areas shall receive the benefits of the street lighting hereby authorized.

(m) To determine and to advise and assist the County Property Appraiser as to which properties within the District are to be subject to the ad valorem tax authorized and imposed by this Ordinance.

(n) To be subject to the provisions of Chapter 125 of Florida Statutes pertaining to the power and authority of the Board of County Commissioners over special taxing districts.

SECTION 5. The Board shall prepare an annual budget for the cost and expenses of operations each year, same to be submitted to the County Commissioners of the County, at the same time and in the same manner as other County officers' budgets are submitted, and the County Commissioners shall have the same authority over such budgets as over the budgets of County officers. The fiscal year of the District shall commence October 1, and end September 30, in each year. The budget shall include the statutory fees of the County Property Appraiser and County Tax Collector assessing and collecting the ad valorem tax herein authorized.

SECTION 6. Meetings: The Board of the Lighting District

shall hold meetings monthly which shall be open to the public.

SECTION 7. Salary of the Board: The members of the Board shall receive no salary for service of said Board.

SECTION 8. Street Lighting: It shall be the Board's duty to determine areas to receive street lighting, type of lighting, quantity, quality, etc.

SECTION 9. The Board is vested with the power to contract with Withlacoochee River Rural Electric Associates (or other power company) for the providing of the equipment, materials, and service for the lighting district.

SECTION 10. The Hernando County Board of County Commissioners, upon annual request of the District Board, and upon submittal for approval of the District's budget, is hereby authorized and empowered to make an annual appropriation of monies for the operation of the Ridge Manor Lighting District and to levy a tax not to exceed the mill limitation set by the herein authorized referendum. The levy shall be upon each dollar of valuation of taxable property in the District for such purposes. The assessment for the ad valorem tax herein authorized shall be made as of the 1st of January of each year.

SECTION 11. It is the intent of this legislation that, should any portion of this act be held invalid, the remainder hereof shall not be affected.

SECTION 12. The Board of County Commissioners of Hernando County is authorized and directed to provide for and hold a referendum election of such District on or before the 2nd day of November, 1976. Only those persons who are qualified electors and residents in said District on the day of such election, and who were so qualified in 1976, shall be qualified to vote in such election. The election will be held to determine if such a District, as herein authorized, shall be created and whether there will be authorized the levy of ad valorem tax upon each dollar of valuation of taxable property in the District, up to the amount of millage approved by said referendum. If a majority of those voting in said election vote against the creation of the lighting district,

and upon certification of such results, then this Ordinance shall be void. If the majority of the electors voting at such election vote for the creation of a lighting district, and upon certification of such results by the County Canvassing Board, this Ordinance shall immediately become a law.

There shall be two questions to be determined by said electors at such election.

Question 1 to be determined by said electors at such election shall be stated on the ballot used in said election as follows:

- A. For creation of a lighting district.
- B. Against creation of a lighting district.

Question 2 to be determined by said electors at such election shall be stated on the ballot used in said election as follows:

- A. For power of taxation up to 1 mill if lighting district created.
- B. For power of taxation up to 2 mills if lighting district created.

If the majority of the electors voting at such election vote for the creation of a lighting district, then the maximum authorized approved millage of such lighting district shall be the millage amount approved by a majority of the electors voting on Question 2 on the ballot.

All electors shall be entitled to vote on Question 2 on the ballot regardless of whether or not the elector voted for or against the creation of the District. The ballot shall spell out that all electors should vote on both questions on the ballot.

SECTION 13. Subject to the referendum herein required, this Ordinance shall become effective as provided by law.

ADOPTED this 28th day of September, 1976, A.D.,
Brooksville, Hernando County, Florida.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

Attest Harold William Brown
By: Dennis Clerk, P.C.
HAROLD WILLIAM BROWN, CLERK

BY John W. Rice
JOHN W. RICE, VICE CHAIRMAN

SCHEDULE "A"
LEGAL DESCRIPTION

All lots in RIDGE MANOR PARK SQUARE, as per Plat thereof recorded in Plat Book 6, Page 73, Public Records of Hernando County;

All lots in UNIT #1 of LAKEWOOD, as per Plat thereof recorded in Plat Book 5, Page 85, Public Records of Hernando County;

All lots in UNIT #2 of LAKEWOOD, as per Plat thereof recorded in Plat Book 5, Page 94, Public Records of Hernando County;

All lots in UNIT #2, REPLAT OF LAKEWOOD, as per Plat thereof recorded in Plat Book 6, Page 55, Public Records of Hernando County;

All lots in UNIT #3, REPLAT OF LAKEWOOD, as per Plat thereof recorded in Plat Book 6, Page 14, Public Records of Hernando County;

All lots in UNIT #4, REPLAT OF LAKEWOOD, as per Plat thereof recorded in Plat Book 6, Page 31, Public Records of Hernando County;

All lots in UNIT #1 of KNOLLWOOD, as per Plat thereof recorded in Plat Book 6, Page 97, Public Records of Hernando County;

All lots in UNIT #1 of RIDGE MANOR LEISURE HOMES, as per Plat thereof recorded in Plat Book 6, Page 29, Public Records of Hernando County;

All lots in UNIT #1 of RIDGE MANOR COMMERCIAL, as per Plat thereof recorded in Plat Book 6, Page 16, Public Records of Hernando County;

All lots in RIDGE MANOR COUNTRY CLUB ESTATES, as per Plat thereof recorded in Plat Book 5, Page 70A, Public Records of Hernando County;

All lots in UNIT #2 of RIDGE MANOR COUNTRY CLUB ESTATES, as Per Plat thereof recorded in Plat Book 6, Page 18, Public Records of Hernando County;

All lots in UNIT #1 of RIDGE MANOR FARMS, as per Plat thereof recorded in Plat Book 5, Page 38, Public Records of Hernando County;

All lots in UNIT #2 of RIDGE MANOR FARMS, as per Plat thereof recorded in Plat Book 5, Page 47, Public Records of Hernando County;

All lots in UNIT #2, REPLAT 1A of RIDGE MANOR FARMS, as per Plat thereof recorded in Plat Book 5, Page 72, Public Records of Hernando County;

All lots in UNIT #2, REPLAT 1B of RIDGE MANOR FARMS, as per Plat thereof recorded in Plat Book 5, Page 73, Public Records of Hernando County;

All lots in UNIT #2, REPLAT 2 OF RIDGE MANOR FARMS, as per Plat thereof recorded in Plat Book 6, Page 11, Public Records of Hernando County;

The unrecorded subdivision lots described by metes and bounds in Section 2, Township 23S, Range 21E and known

as COUNTRY CLUB lots designated as the followint lots:
CCA, CCB, CCC, CCE, CCF, CCG, CCH, CCI, CCK, and the lot
owned by William Jeffries as a residence.