DRAFT DOCUMENT: F:\1 COUNTY ATTORNEY'S OFFICE\MAT\P&Z\24-283-1\ORDINANCE AMENDMENT - FENCE.wpd, July 2, 2024 (11:45am) NOTE: <u>additions</u> = language proposed for addition/deletion to existing Code provisions.

1	ORDINANCE NO.: 2024	
2	AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III (FENCE CODE),	
3	SECTION 10-54 (PERMIT REQUIRED PRIOR TO CONSTRUCTION), OF THE	
4	HERNANDO COUNTY CODE; PROVIDING FOR FENCE AND WALL HEIGHT	
5	THRESHOLD BEYOND WHICH A PERMIT IS REQUIRED PRIOR TO	
6	CONSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR	
7	INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF	
8	CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.	
9	WHEREAS, the Board of County Commissioners of Hernando County (the County) desires	
10	to amend Chapter 10, Article III (Fence Code), Section 10-54 (Permit required prior to construction),	
11	to provide for a fence and wall height threshold beyond which a permit is required prior to	
12	construction; and	
13	WHEREAS, it is in the best interests of the County to amend the Hernando County	
14	Procurement Ordinance and the Hernando County Procurement Manual as shown herein; and	
15	WHEREAS, notice of the public hearing on the matter of amending this ordinance was	
16	properly and timely published; and	
17	WHEREAS, the County has considered the record of the public hearing.	
18	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY	
19	COMMISSIONERS OF HERNANDO COUNTY:	
20	Section 1. Chapter 10, Article III (Fence Code), Section 10-54 (Permit required prior to	

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1	construction), of the Hernando County Code is hereby amended as follows:		
2	Sec. 10-54 Permit required prior to construction.		
3	Prior to construction, all fences and walls that meet or exceed 7 feet in height shall		
4	receiverequire a permit in accordance with these regulations and the permitting		
5	requirements in effect at that time. Applications for a permit shall be accompanied by a		
6	fee, as set by the board of county commissioners. The county shall not inspect or approve		
7	the location of a fence in regard to property boundary issues and is not liable for the legal		
8	location of the fence.		
9	Section 2. Severability. It is declared to be the intent of the Board of County		
10	Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this		
11	ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect		
12	the validity of the remaining portions of this ordinance.		
13	Section 3. Inclusion in the Code. It is the intention of the Board of County		
14	Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of		
15	this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,		
16	Florida. To this end, the sections of this Ordinance may be renumbered or relettered to		
17	accomplish such intention, and that the word "ordinance" may be changed to "section," "article,"		
18	or any other appropriate designation.		

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1	Section 4. Conflicting Provisions	Repealed. All ordinances or parts of ordinances in	
2	conflict with the provisions of this ordinance are hereby repealed.		
3	Section 5. Effective Date. This or	dinance shall take effect immediately upon receipt of	
4	official acknowledgment from the office of the Secretary of State of Florida that this ordinance		
5	has been filed with said office.		
6	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF		
7	HERNANDO COUNTY in Regular Session	on this day of 2024.	
8			
9		BOARD OF COUNTY COMMISSIONERS	
10 11		HERNANDO COUNTY, FLORIDA	
12			
13	Attest:		
14	DOUGLAS CHORVAT, JR.		
15 16	Clerk and Comptroller	Chair	
17	Approved for Form and Legal Sufficiency		
18 19	Melissa Tartaglia		
20	County Attorney		