

**ORDINANCE NO. 789**

**AN ORDINANCE OF THE CITY OF BROOKSVILLE, FLORIDA, CONSENTING TO THE INCLUSION OF ALL OF THE CITY OF BROOKSVILLE WITHIN A MUNICIPAL SERVICE BENEFIT OR TAXING UNIT OR OTHER SPECIFIC GEOGRAPHIC AREA DESIGNATED BY HERNANDO COUNTY TO PROVIDE ADVANCED LIFE SUPPORT AND TRANSPORT SERVICES; PROVIDING DEFINITIONS; PROVIDING FOR ANNUAL REPORTING; PROVIDING FOR ANNUAL RENEWAL OF SUCH CONSENT; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AS FOLLOWS:**

**SECTION 1. FINDINGS.**

It is hereby ascertained, determined and declared that:

(A) The Board of County Commissioners of Hernando County, Florida (“the County”), has enacted ordinances authorizing the County to create or identify a municipal service taxing or benefit unit or other specific geographic area within which the County imposes and collects uniform assessments for Advanced Life Support and Transport Services, hereafter referred to as “Emergency Medical Services”, within incorporated and unincorporated areas of the County.

(B) The Brooksville City Council has determined that the inclusion of the incorporated area of the city within such municipal service benefit or taxing unit or other specific geographic area by the County for the purpose of providing Emergency Medical Service is in the best interests of the owners of property within the corporate limits of the city.

**SECTION 2. DEFINITIONS.**

(A.) Advanced Life Support shall mean the treatment of life-threatening medical emergencies through the use of techniques such as endotracheal intubation, the administration of drugs or intravenous fluids, telemetry, cardiac monitoring, and cardiac defibrillation by a qualified person.

(B.) Transport Services shall mean any emergency medical transport or nontransport service which uses advanced life support techniques; furthermore, Transport Services shall also mean that at least one advanced life support transport service unit (ambulance) will be stationed, present and ready for immediate use, within the municipal boundaries of the City. In the event that a transport unit will be out of the City limits for more than thirty (30) minutes another transport unit will be moved into the City limits without delay.

### **SECTION 3. CONSENT OF CITY.**

The Brooksville City Council hereby consents to the inclusion of all of the incorporated area of Brooksville, Florida, within an identified municipal service taxing or benefit unit or specific geographic area created or identified by the County to provide Emergency Medical Services, facilities and programs and to the imposition of a special assessment by the County to fund such services, facilities and programs; provided, however, that such consent shall automatically be revoked for a municipal service taxing unit if the millage levied therefore exceeds .67. Such consent shall become effective upon adoption of this Ordinance for the upcoming fiscal year. The City Council finds that the provision of Emergency Medical Services is an essential municipal purpose.

### **SECTION 4. ANNUAL RENEWAL OF CONSENT.**

Consent of the Brooksville City Council given to the County by this Ordinance shall be deemed given in advance for each fiscal year hereafter and shall be automatically renewed for each succeeding fiscal year unless such consent is subsequently withdrawn as provided herein. Consent shall be irrevocable for any fiscal year in which the subject Emergency Medical Services assessments are levied by the County within the incorporated area. The City Council may only withdraw such consent for any subsequent fiscal year by adopting an ordinance abandoning its consent and providing a certified copy of such ordinance to the County prior to May 1 preceding the fiscal year for which consent is being withdrawn.

### **SECTION 5. ANNUAL REPORTING.**

The County shall provide a written report to the Brooksville City Council, on or before January 1 each year for the preceding fiscal year (October through September) conveying an accounting of all services provided under this Ordinance. The report shall include, but is not limited to, the following information:

- (A.) Identify the millage rate as adopted for the fiscal year that is being reported;
- (B.) All revenues generated from calls for service in the City of Brooksville (Zone 61);
- (C.) Number of total medical calls for service in the City of Brooksville (Zone 61);
- (D.) Number of total transports in the City of Brooksville;
- (E.) Number of total transports from City stationed transport unit (Rescue 24);
- (F.) Number of total transports by Rescue 24 done in the City of Brooksville (Zone 61);
- (G.) Percentage of calls that a transport unit is on-scene within eight minutes; and,
- (H.) Average response time to calls within the City of Brooksville (Zone 61).

### **SECTION 6. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

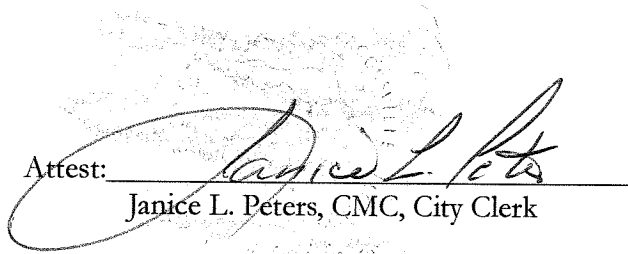
**SECTION 7. CONFLICT AND REPEALER.**

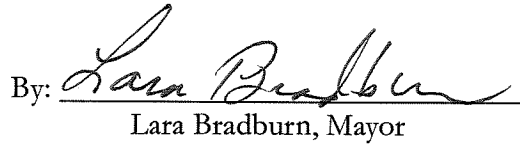
All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 8. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon its adoption by the Brooksville City Council.

**CITY OF BROOKSVILLE**

Attest:   
Janice L. Peters, CMC, City Clerk

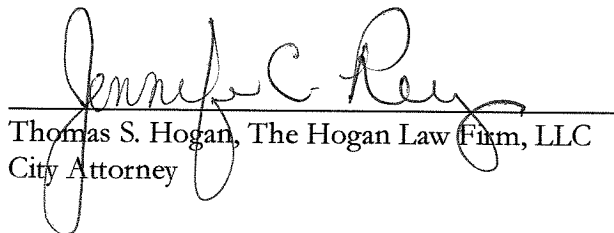
By:   
Lara Bradburn, Mayor

PASSED on First Reading April 19, 2010  
NOTICE Published on April 23, 2010  
PASSED on Second & Final Reading May 3, 2010

Approved as to form for the reliance  
of the City of Brooksville only:

**VOTE OF COUNCIL:**

Bernardini	<u>ABS</u>
Bradburn	<u>AYE</u>
Burnett	<u>AYE</u>
Johnston	<u>AYE</u>
Lewis	<u>AYE</u>

  
Thomas S. Hogan, The Hogan Law Firm, LLC  
City Attorney