

ORDINANCE NO.: 96-03

AN ORDINANCE OF HERNANDO COUNTY, FLORIDA IMPOSING THE LOCAL GOVERNMENT INFRASTRUCTURE SALES SURTAX IN HERNANDO COUNTY; PROVIDING FOR APPROVAL OF THE LEVY BY VOTERS IN A SPECIAL REFERENDUM; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE FOR A PERIOD OF A TOTAL OF FIFTEEN (15) YEARS BEGINNING JUNE 1, 1996; PROVIDING FOR DISTRIBUTION PURSUANT TO INTERLOCAL AGREEMENT; DIRECTING SUPERVISOR OF ELECTIONS TO HOLD A REFERENDUM ELECTION ON MARCH 12, 1996; PROVIDING BALLOT LANGUAGE; PROVIDING THAT THE SURTAX BE USED TO RECONSTRUCT AND DESIGN ROADS AND FOR CONSTRUCTION OF A PUBLIC WORKS COMPLEX; DIRECTING THE CLERK OF THE CIRCUIT COURT TO ADVERTISE A REFERENDUM ELECTION IN ACCORDANCE WITH LAW; PROVIDING NOTIFICATION TO THE DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE, PROVIDING FOR THE REPEAL OF ORDINANCE 95-10; PROVIDING FOR AN EFFECTIVE DATE.

JAN 26 10 30 AM '96

FILED

RECITALS

WHEREAS, Section 212.055 of the Florida Statutes, (the local sales tax law authorizes Hernando County to impose a one (1%) percent local option infrastructure sales surtax upon taxable transactions occurring within Hernando County as provided in Section 212.054; and

WHEREAS, a one (1%) percent local sales tax would result in a one-cent sales surtax on each one dollar; and

WHEREAS, the surtax proceeds and any interest accrued thereto of the local sales tax are required by the local sales tax law to be used by Hernando County to finance, plan and construct needed infrastructure to benefit the citizens of Hernando County; and

WHEREAS, proceeds from the sales surtax will be used to plan, fund, design, reconstruct, roads and a public works complex, and thereafter for the repair and reconstruction of roads.

WHEREAS, the revenue of the local sales tax shall be distributed, pursuant to Interlocal Agreement; and

WHEREAS, Hernando County needs the proceeds from the sales tax to fund the reconstruction, design and planning of roads, and a public works complex, and thereafter for the repair and reconstruction of roads.

WHEREAS, the local sales tax law requires voter approval and a referendum election prior to imposition of the local sales tax.

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

SECTION 1. IMPOSITION OF LOCAL SALES TAX

Pursuant to the authorization granted by the local sales tax and other applicable laws, there is hereby imposed a one (1%) percent, local sales tax upon taxable transactions occurring within Hernando County.

SECTION 2. SPECIAL REFERENDUM ELECTION

Local sales tax imposed in Section 1 of this ordinance shall not take effect unless and until the local sales tax is approved by the majority of the electors of Hernando County voting in a special referendum election on the local sales tax to be held in conjunction with the March 12, 1996 Presidential Preference Primary as required by this ordinance.

SECTION 3. LENGTH OF IMPOSITION OF LOCAL SALES TAX

For the first five (5) years a one (1%) percent sales tax shall be imposed effective the first day of June, 1996 and ending May 31, 2001 and thereafter half (0.5%) percent sales tax shall be imposed effective the first day of June, 2001 and

all sales tax collections will end on May 31, 2011 unless an extension or new imposition of sales tax is approved by the electors of Hernando County.

SECTION 4. DISTRIBUTION OF REVENUES OF THE LOCAL SALES TAX

All sales tax revenues collected shall be distributed pursuant to Interlocal Agreement and any sales tax revenues accruing to Hernando County shall be used solely for the purposes set forth in this ordinance.

SECTION 5. HOLDING THE SPECIAL REFERENDUM ELECTION

The Supervisor of Elections of Hernando County is hereby directed to hold a special referendum election on March 12, 1996 in conjunction with the Presidential Preference Primary.

SECTION 6. BALLOT QUESTION

The Supervisor of Elections of Hernando County shall cause the following question to be placed on the ballot of the referendum election held as required by this ordinance:

COUNTY SALES TAX FOR REPAIR AND RECONSTRUCTION OF LOCAL ROADS AND A PUBLIC WORKS COMPLEX

Shall Hernando County levy a one (1%) percent sales tax for five (5) years commencing June 1, 1996, for the repair and reconstruction of local roads and a public works complex; and, thereafter, a half (0.5%) percent sales tax for ten (10) years commencing June 1, 2001, for the repair and reconstruction of local roads.

_____ FOR THE SALES TAX
_____ AGAINST THE SALES TAX

SECTION 7. ADVERTISEMENT

The Clerk of the Circuit Court shall ensure that Notice of the Special Election required by this ordinance shall be advertised in accordance with Section 100.342 and any other applicable provisions of the Florida Statutes.

SECTION 8. USE OF REVENUES

Hernando County's share of revenues collected from the imposition of the sales surtax shall be used for all allowable costs related to the planning, design, and reconstruction of roads and public works complex and thereafter for the repair and reconstruction of roads.

SECTION 9. LOCAL OPTION SALES TAX

The County Administrator is authorized to use any available County funds or to seek private donations to disseminate information to the citizenry of the County concerning the local option sales tax. The Board of County Commissioners of Hernando County finds that the expenditure of such funds or donations is for a public purpose and is an authorized expenditure. The County Administrator is directed to prepare a budget for providing information regarding the local option sales tax subject to the approval of the Board of County Commissioners.

SECTION 10. NOTIFICATION BY CLERK

The Clerk of Circuit Court is directed to notify the Hernando county Supervisor of Elections and the Florida Department of Revenue immediately of the adoption of this ordinance and the Clerk is directed to notify the Department of Revenue within ten (10) days of the approval by referendum of the ordinance levying the sales surtax and of the time period during which the sales surtax shall be levied in accordance with

Section 212.054(6), Florida Statutes.

SECTION 12. SEVERABILITY

If any subsection, sentence, clause phrase or portion of these sections is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of the chapter.

SECTION 13. INCLUSION

It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, Hernando County, Florida, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 14. REPEAL OF PRIOR ORDINANCE

Ordinance 95-10 is hereby repealed in its entirety .

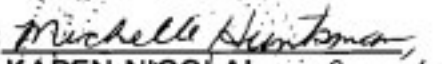
SECTION 15. EFFECTIVE DATE

This ordinance shall take effect upon receipt of the acknowledgement of its filing in the Office of the Secretary of State, State of Florida.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS in Regular Session
this 16th day of January, 1996 A.D.

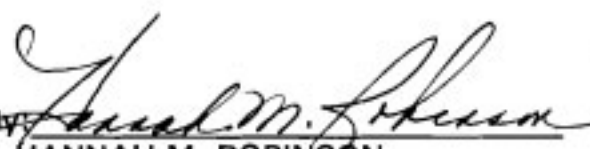
**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

Attest:


KAREN-NICOLAI
Clerk

Deputy Clerk

By:


HANNAH M. ROBINSON
Chairwoman