

ORDINANCE 97-09

FILED

MAY 28 12 59 PM '97

AN ORDINANCE IMPOSING THE NINTH CENT FUEL TAX ON MOTOR AND DIESEL FUEL SOLD IN HERNANDO COUNTY AND TAXED UNDER THE PROVISIONS OF §336.021 AND CHAPTER 206 OF THE FLORIDA STATUTES; PROVIDING FOR USES OF THE NINTH CENT FUEL TAX; PROVIDING FOR DISTRIBUTION; PROVIDING FOR AUTHORITY; PROVIDING FOR AN EFFECTIVE PERIOD; PROVIDING FOR USE AS COLLATERAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR NOTIFICATION; PROVIDING FOR AN EFFECTIVE DATE;

WHEREAS, Florida Statutes permit counties to levy a ninth cent fuel tax on motor fuel and diesel fuel; and

WHEREAS, Florida Statutes further provide that this fuel tax may be used for the purposes of paying the costs and expenses of establishing, operating, and maintaining a transportation system and related facilities and the costs of acquisitions, construction, reconstruction, and maintenance of roads and streets; and

WHEREAS, Board of County Commissioners of Hernando County have made a determination that certain roads and streets in the county are in need of maintence and reconstruction and that it is in the best interest of the citizens of Hernando County that this motor fuel tax be enacted.

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

**SECTION I INTENT**

The Board of County Commissioners shall utilize the funds generated by the imposition of the ninth cent fuel tax for the purposes of paying the costs and expenses of establishing, operating, and maintaining a transportation system and related facilities and the cost of acquisition, construction, reconstruction, and maintenance of roads and streets within the unincorporated areas of the County and for any other uses allowed by law during the period that this ordinance is in effect.

**SECTION II PROVISIONS**

The provisions of this ordinance are authorized by section 336.021 and Part I of Chapter 206 (Fla. Stat. 1996).

**SECTION III DISPOSITION OF PROCEEDS**

The entire proceeds of the tax collected hereby shall be distributed entirely to Hernando County and used for the construction, reconstruction, and maintenance of roads and streets in the unincorporated areas of the County as specified herein.

**SECTION IV. MOTOR FUEL TAX IMPOSED**

There is hereby imposed a one cent (\$.01) per gallon gas tax upon every gallon of motor fuel or special fuel sold in Hernando County and taxed under the provision of §336.021 and Parts I & II of Chapter 206 (Fla. Sta. 1996).

**SECTION V. EFFECTIVE PERIOD**

The tax hereby imposed by this ordinance shall be effective from January 1, 1998 through December 31,

2002 inclusive.

**SECTION VI. USE AS COLLATERAL**

Hernando County may wish to use the proceeds of the tax imposed herein for the purpose of collateral or pledge. For periods which do not exceed five years, this shall be done by simple resolution of the Board of County Commissioners. For periods which exceed five years this shall be done by resolution of the Board of County Commissioners, but only after a duly advertised public hearing.

**SECTION VII. ENACTMENT**

This ordinance shall be enacted upon the affirmative vote of not less than a majority-plus-one of the members of the Hernando County Board of County Commissioners.

**SECTION VIII. SEVERABILITY**

It is declared to be the intent of the Board of County Commissioners that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this Ordinance.

**SECTION IX. NOTIFICATION OF DEPARTMENT OF REVENUE**

Within ten (10) days after adoption of this ordinance, the clerk of the Board of County Commissioners shall notify the department of Revenue of such adoption and furnish a certified copy of the ordinance to the Department.

**SECTION X. EFFECTIVE DATE**


This ordinance shall take effect upon filing with the Department of State .

**ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS** by a vote of 5 to 0 in Regular Session this 20th day of May, 1997.

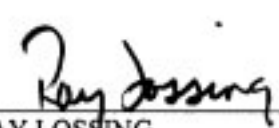
(SEAL)

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

Attest:

  
KAREN NICOLAI  
Clerk

By:

  
RAY LOSSING  
Chairman