

**ORDINANCE NO.: 2005-21**

**AN ORDINANCE EXTENDING FOR TEN YEARS THE LOCAL OPTION MOTOR FUEL TAX FOR FUNDING A RESIDENTIAL ROAD RECONSTRUCTION PROGRAM; AMENDING THE CODE OF ORDINANCES TO CLARIFY STATUTORY AUTHORITY AND TO PROVIDE FOR A REVISED DATE OF DECEMBER 31, 2016, AS THE EXPIRATION DATE FOR THE LOCAL OPTION MOTOR FUEL TAX; PROVIDING FOR SEVERABILITY AND INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1. AMENDING SECTIONS 27-55 AND 27, ~~56~~, HERNANDO COUNTY CODE OF ORDINANCES BY ADDING UNDERLINED MATTER AND DELETING STRUCK-THROUGH MATTER, TO CLARIFY INTENT WITH RESPECT TO STATUTORY AUTHORITY.**

(A)

Sec. 27-55. Local option motor fuel tax imposed.

There is hereby imposed a two cent (\$0.02) fuel tax upon every gallon of motor fuel sold in Hernando County and taxed under the provision of part I of chapter 206 and as authorized by section 336.025(1)(b), Florida Statutes (~~1997~~) as amended from time to time.

(B)

Sec. 27-56. Ninth cent motor fuel tax imposed.

There is hereby imposed a one cent (\$0.01) per gallon gas tax upon every gallon of motor fuel or special fuel sold in Hernando County and taxed under the provision of section 336.021 and parts I and II of chapter 206, Florida Statutes (~~1997~~) as amended from time to time.

FILED  
NOV 23 11:14  
CLERK OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

**SECTION 2. AMENDING SECTION 27-57, HERNANDO COUNTY CODE OF ORDINANCES, EXTENDING THE EFFECTIVE PERIOD OF LOCAL OPTION MOTOR FUEL TAX LEVY THROUGH AND INCLUDING DECEMBER 31, 2016, BY ADDING UNDERLINED TEXT AND DELETING STRUCK-THROUGH TEXT.**

Sec. 27-57. Effective period.

(a) The local option motor fuel tax imposed pursuant to section 27-55 of this article shall be effective from January 1, 2001, through December 31, ~~2006~~ 2016, inclusive.

(b) The ninth cent motor fuel tax imposed pursuant to section 27-56 of this article shall be effective from January 1, 2001, until amended or repealed.

**SECTION 3. 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 4. 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 5. SEVERABILITY**

It is declared to be the intent of the board of county commissioners that if any section, subsection, clause, sentence, phrase, or provision 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 6. INCLUSION IN THE CODE.**

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, any section or subsection of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section, "article", or other appropriate designation.

**SECTION 7. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has been filed with said office.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY** by super-majority vote in Regular Session this <sup>15<sup>th</sup></sup>~~14<sup>th</sup>~~ day of November, 2005.

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

Attest:

*Jenine E. Wimer, Deputy*  
KAREN NICOLAI

Clerk

By:

*[Signature]*  
CHRISTOPHER A. KINGSLEY  
Second Vice-Chairman

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY *KLW* 11/15/05  
County Attorney's Office