

RESCINDED
6-29-79

ORDINANCE NO. 79-6

AN ORDINANCE REGULATING THE SALE OF GASOLINE IN HERNANDO COUNTY; PROVIDING FOR A FINDING OF FACTS; RESTRICTING THE SALE OF GASOLINE TO VEHICLES WITH A TANK 1/2 EMPTY OR LESS; ESTABLISHING A COLORED FLAG SYSTEM TO IDENTIFY A GASOLINE STATION'S STATUS; ESTABLISHING AN EVEN-ODD SYSTEM FOR THE SALE AND PURCHASE OF GASOLINE IN HERNANDO COUNTY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR AN EFFECTIVE AREA; ESTABLISHING A SEVERALABILITY CLAUSE; PROVIDING FOR A PENALTY; ESTABLISHING AN EFFECTIVE DATE.

SECTION 1. FINDINGS. The Hernando County Board of County Commission hereby makes the following findings:

- a) There exists in Hernando County a critical shortage of gasoline supply.
- b) The shortage of gasoline supply is detrimental to the health, safety and welfare of the citizens of Hernando County.
- c) There is an immediate need to implement and enforce regulations concerning the purchase of gasoline.

SECTION 2. MINIMUM FUEL PURCHASE REQUIREMENTS. Gasoline sales in Hernando County shall be made only to those individuals whose vehicles have fuel tanks one-half or more empty. Gasoline station owners, operators, and attendants shall be responsible for viewing each vehicle's fuel gauge to insure that it registers one-half or more empty. In the event a vehicle's fuel gauge does not register one-half or more empty or in the event the operator of the vehicle refuses to allow a view of the fuel gauge, the gasoline station owner, operator, or attendant shall not sell any gasoline to the individual for such vehicle.

SECTION 3. All retail gasoline outlets shall post flags, banners or signs at least 18" by 18" visible to the motoring public signifying, according to its color, as follows:

- a. A red flag, banner or sign shall be posted when no gasoline is available.
- b. A yellow flag, banner or sign shall be posted when the station is open for service only.
- c. A green flag, banner or sign shall be posted when gasoline is available to the motoring public. If a retail gasoline outlet is out of a type of gasoline, but otherwise has gasoline available, a sign shall be posted next to the flag, banner, or sign and

visible to the motoring public that indicates the type(s) of gasoline not available.

Each retail outlet shall place a red flag, banner or sign atop or behind the last car in any line of automobiles waiting for gasoline when it is determined that the supply of gasoline is not sufficient to service any vehicles getting into line after the placing of the red flag, banner or sign as herein provided.

SECTION 4. Gasoline sales in Hernando County on any date of the month which is an even numbered calendar day shall be made only to those individuals whose vehicle has a license tag the last number on the tag of which is an even number or a zero.

Gasoline sales in Hernando County on any date of the month which is an odd numbered calendar day shall be made only to those individuals whose vehicle has a license tag the last number on the tag of which is an odd number.

Those individuals who have vehicles whose license tag does not contain a number shall be entitled to purchase gasoline on even numbered calendar days.

On the 31st day of any month all vehicles shall be entitled to have gasoline sold to its operator regardless of this even-odd system herein otherwise provided for.

The sale or purchase of gasoline by any individual for an automobile on a day in violation of this schedule is hereby prohibited.

SECTION 5. Section 4 of this ordinance shall not apply to any emergency vehicle.

SECTION 6. This ordinance shall apply to all of Hernando County unless a municipality within Hernando County should enact a municipal ordinance pertaining to the same subject matter in which event this ordinance would not apply to such incorporated area.

SECTION 7. SEVERABILITY. In the event any Section, clause or sentence of this ordinance should be declared illegal or unconstitutional the remainder shall remain in full force and effect.

SECTION 8. PENALTY. Violation of this ordinance shall constitute a misdemeanor and shall be punishable as provided by general law for violation of county ordinances.

SECTION 9. EFFECTIVE DATE. This ordinance is adopted as an emergency ordinance pursuant to the provisions of Section 125.66(3), Florida Statutes and shall become effective on Monday, June 25, 1979, at 12:01 A.M. and shall terminate as provided by law.

ADOPTED in Special Session as an emergency measure with five Commissioners voting to enact this ordinance as an emergency ordinance on the 23rd day of June, 1979, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By Marvin E. Hunt
MARVIN E. HUNT, CHAIRMAN

Attest Harold William Brown
HAROLD WILLIAM BROWN, CLERK

