

Marguerite Linke

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Thursday, July 30, 2015 1:24 PM
To: Marguerite Linke
Cc: County Ordinances
Attachments: Hernando20150730_Ordinance2015_14_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 30, 2015

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 3621
Brooksville, Florida 34601

Attention: Marguerite Linke

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2015-14, which was filed in this office on July 30, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO.: 2015 - 14

AN ORDINANCE AMENDING HERNANDO COUNTY CODE CHAPTER 27 CLARIFYING THE EFFECTIVE DATES FOR THE IMPOSITION OF LOCAL OPTION GAS TAXES; PROVIDING FOR NOTICE TO BE GIVEN TO THE FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 23, 2015, the Board of County Commissioners (“the Board”) enacted Ordinance 2015-10, which re-adopts and modifies Hernando County’s imposition of its local option gas tax levies; and,

WHEREAS, after enacting Ordinance 2015-10, the Clerk of the Board forwarded a certified copy of the ordinance to the Florida Department of Revenue; and,

WHEREAS, the Florida Department of Revenue has now requested that the Board make three additional, minor changes to Chapter 27 of the Hernando County Code, to wit:

A. That Hernando County Code § 27-16(b) be amended to state that Hernando County’s levy of the “Four-Cent Local Option Gas Tax” will expire on December 31, 2044; and,

B. That Hernando County Code § 27-17(b) be amended to state that Hernando County’s levy of the “Fifth- and Sixth-Cent Local Option Gas Tax” will expire on December 31, 2044; and,

1 C. That Hernando County Code § 27-18(c) be amended to state that Hernando County
2 will begin levying the “Second Local Option Gas Tax” at the increased rate of five cents per gallon
3 on January 1, 2016.

4 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
5 COMMISSIONERS OF HERNANDO COUNTY:

6 **Section 1. Amending Expiration Date of “Four-Cent Local Option Gas Tax.”** Hernando
7 County Code § 27-16(b) is amended to read as follows:

8 (b) Effective Period. The tax imposition made by this section shall be effective
9 from September 1, 2015 to ~~August~~ December 31, 2044, both inclusive.

10 **Section 2. Amending Expiration Date of “Fifth- and Sixth-Cent Local Option Gas
11 Tax.”** Hernando County Code § 27-17(b) is amended to read as follows:

12 (b) Effective Period. The fifth and sixth cent local option gas tax imposition
13 hereby made shall be effective from September 1, 2015 to ~~August~~ December
14 31, 2044, both inclusive.

15 **Section 3. Amending Effective Dates of “Second Local Option Gas Tax.”** Hernando
16 County Code § 27-18(c) is amended to read as follows:

17 (c) The tax imposition hereby made, at the increased rate provided for in subpart
18 (a) supra, shall be effective from January 1, ~~2001~~ 2016, until amended or
19 repealed.

1 **Section 4. Notice.** Within ten days of the adoption of this ordinance, the Clerk of the Board
2 of County Commissioners shall provide notice of the adoption of this ordinance to the Florida
3 Department of Revenue by sending a certified copy of said ordinance to the Florida Department of
4 Revenue.

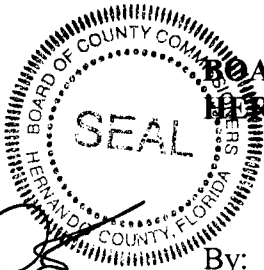
5 **Section 5. Severability.** It is declared to be the intent of the Board of County
6 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
7 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
8 validity of the remaining portions of this ordinance.

9 **Section 6. Inclusion in the Code.** It is the intention of the Board of County Commissioners
10 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
11 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
12 section of this Ordinance may be renumbered or relettered to accomplish such intention, and that the
13 word “ordinance” may be changed to “section, “article,” or other appropriate designation.

14 **Section 7. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
15 conflict with the provisions of this ordinance are hereby repealed.

16 **Section 8. Effective Date.** This ordinance shall take effect immediately upon receipt of
17 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
18 been filed with said office.

1 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
2 **HERNANDO COUNTY** in Regular Session this 28th day of July 2015



BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

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9 Attest:
10 Donald C. Barbee, Jr.
11 Clerk

By:
Nicholas W. Nicholson
Chairman

12
13 Approved for Form and Legal Sufficiency

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17 Deputy County Attorney