

ORDINANCE NO. 15-3

AN ORDINANCE EXTENDING THE NINTH CENT FUEL TAX ON MOTOR FUEL SOLD IN THE COUNTY PURSUANT TO SECTION 336.021, FLORIDA STATUTES; PROVIDING FOR AN EXTRAORDINARY VOTE OF THE MEMBERSHIP OF THE HOLMES COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING AUTHORITY FOR THE ENACTMENT OF SAID TAX; PROVIDING FOR DISTRIBUTION OF THE TAX MONIES COLLECTED UNDER THIS ORDINANCE; PROVIDING FOR THE USE OF SAID TAX MONIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Holmes County, Florida, as follows:

SECTION 1: Authorization for Tax

This Ordinance is enacted pursuant to the provisions of Section 336.021, Florida Statutes.

SECTION 2: Legislative Intent

It has been determined by the Board of County Commissioners of Holmes County, Florida, that the levy of fuel tax on every gallon of motor fuel sold in Holmes County and taxed under the provisions of Chapter 206, Florida Statutes, is necessary to fund major transportation facilities and improvements and to repair and maintain existing transportation facilities and for related transportation expenditures as defined in Section 336.025(7), Florida Statutes. The tax monies may also be used for joint transportation projects with the State or Federal Government.

SECTION 3: Imposition of Fuel Tax

Pursuant to Section 336.021 the existing Ninth Cent Fuel tax, adopted in Holmes County Ordinance 05-06, shall be fully extended and implemented upon every gallon of motor fuel sold in Holmes County and taxed under the provisions of Chapter 206, Florida Statutes.

SECTION 4: Distribution of Tax

The tax monies collected pursuant to this Ordinance may be shared with municipalities located within Holmes County by Interlocal Agreement(s), but Holmes County is not required to share the proceeds with any such municipalities.

SECTION 5: Effective Date

This Ordinance shall become effective upon adoption hereof. Within ten (10) days after the 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 6: Extraordinary Vote

This Ordinance shall be effective upon the affirmative vote of at least four (4) members of the Board of County Commissioners of Holmes County.

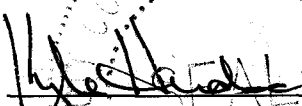
SECTION 7: Conflicting Provisions

Special acts of the Florida Legislature applicable only to unincorporated areas of Holmes County, County Ordinances and County Resolutions, or parts thereof, in conflict with this Ordinance are hereby superseded by this Ordinance to the extent of such conflict.

SECTION 8: Severability

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

DULY PASSED AND ADOPTED THIS 15TH DAY OF SEPTEMBER, 2015.



ATTEST, CLERK OF COURT
HOLMES COUNTY, FLORIDA



CHAIRMAN, HOLMES COUNTY
BOARD OF COUNTY COMMISSIONERS

