

CALHOUN COUNTY

ORDINANCE NO. 2009-02

DEPARTMENT OF
TALLAHASSEE

2009 JUN 18 PM 2:13

FILED

AN ORDINANCE RELATING TO THE REASSESSMENT OF A SIX-CENT PER GALLON GASOLINE AND FUELS TAX, TO BE KNOWN AS THE "LOCAL OPTION GAS TAX"; PROVIDING FOR AND EFFECTIVE DATE AND TERM; PROVIDING FOR DISTRIBUTION OF A PORTION OF PROCEEDS TO MUNICIPALITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, by Florida Statutes Section 336.025, the Legislature of the State of Florida, granted authority to the Board of County Commissioners of Calhoun County, Florida, to levy a six-cent per gallon local option motor fuel and special fuel tax; and

WHEREAS, it is in the best interest of the residents and taxpayers of Calhoun County, Florida, that the burden and expense of constructing and maintaining the county road system be placed upon those making use of that system, in the form of a gasoline and motor fuel tax;

WHEREAS, Calhoun County has previously adopted a Calhoun County Ordinance in 1990 and 2000, assessing the six cent (6¢) per gallon gasoline and fuel tax and Florida Statutes Section 336.025 allows the contribution of said assessment; and

WHEREAS, the current tax expires, pursuant to Calhoun County Ordinance 2000-02, on December 31, 2009.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, that:

1. There is and shall be imposed, a continuation six-cent gas tax on every gallon of motor fuel and special fuel sold in Calhoun County, and taxed under the provisions of Florida Statutes Chapter 206. Said tax shall be used exclusively for transportation expenditures (as defined in Florida Statutes Section 336.025(7) within Calhoun County, Florida.

2. Said tax shall be and remain in effect for a period of 10 Years, commencing January 1, 2010.

3. In the absence of any written agreement reached before July 1, 2009, between the Board of County Commissioners and the governing bodies of any municipalities within Calhoun County, constituting a majority of the population within the incorporated areas within the county, relating to a distribution of the proceeds of this tax, the proceeds shall be distributed in accordance with the formula provided for in Florida Statutes Section 336.025(4). Said distribution percentages shall be as set forth in Calhoun County Ordinance 2000-02 and shown on Exhibit "A" annexed hereto.

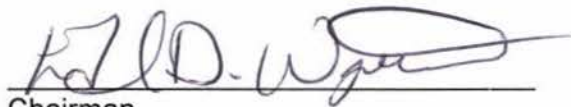
4. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is held for any reason, to be unconstitutional, void or invalid, the validity of the remaining portion of the ordinance shall not be affected thereby.

5. This Ordinance shall take effect upon receipt of official acknowledgments from the Office of the Secretary of State of the State of Florida.

ADOPTED, AT THE REGULAR MEETING, THIS 16th DAY OF June, 2009, BY A VOTE OF 5 TO 0, AFTER DUE NOTICE AND PUBLICATION.

BOARD OF COUNTY COMMISSIONERS
CALHOUN COUNTY, FLORIDA

BY:


Chairman

ATTEST:


Ruth W. Attaway, Clerk

EXHIBIT "A"

Distribution Percentages for: Calhoun County

Calhoun County	73.90%
Blountstown	25.60%
Altha	0.50%
	<u>100.00%</u>