

ORDINANCE NO. 73-11

An ordinance relating to exceptional hardship allocations of home heating fuels; designating a County Fuel Allocation Official and prescribing his duties with respect to household consumers and wholesale dealers; requiring wholesale dealers to make deliveries and requiring accurate records to be maintained; providing an effective date and providing further that orders for deliveries shall not be issued after March 31, 1974.

WHEREAS the federal Mandatory Middle Distillate Fuel Allocation Program has been in effect since November 1, 1973 under regulations promulgated pursuant to an amendment to the Economic Stabilization Act of 1970; and

WHEREAS the federal program, with which the State is cooperating, requires each supplier of middle distillate fuels to allocate and supply to his wholesale customers or dealers of record the volume delivered or sold them in the corresponding months of 1972 (or a proportional share if he has less available than in 1972), and requires each wholesale dealer to treat all consumers (end-users of fuel) fairly and equitably; and

WHEREAS shortages in middle distillate fuels, including home heating fuels, threaten emergency conditions and this County has a duty and responsibility to cooperate with the federal and state governments to alleviate to the extent possible all exceptional hardships which the citizens of this County may suffer; and

WHEREAS many household consumers who purchase small quantities of home heating fuels periodically may have unusual difficulty in finding and purchasing the fuel needed for home heating during severe cold weather periods during the current winter; and

WHEREAS the Governor of the State of Florida has urged each County to identify and empower a county fuel allocation official or unit to assist local consumers of small quantities of home heating fuel to obtain a minimum necessary supply of fuel on a fair and equitable basis and thereby alleviate unnecessary suffering and hardships:

NOW THEREFORE, Be it ordained by the Board of County Commissioners of Hernando County, Florida:

Section 1. The County Fuel Allocation Official for Hernando County shall be the Clerk of Circuit Court of Hernando County, who shall perform the following functions within the County:

(a) Identify all wholesale dealers in the County who supply or sell to household consumers middle distillate fuels used for household heating (kerosene and number 1 and 2 burner oils), and identify any reserves of such fuels in the County that may be available in an emergency.

(b) Provide assistance to household consumers who purchase and store home heating fuels and who have been otherwise unable to get a wholesale dealer to voluntarily supply their minimum fuel needs.

(c) To require wholesale dealers in the County on an equitable rotation basis (or within designated service areas of the County) to allocate and deliver the necessary fuel

to designated household consumers as determined by the County Fuel Allocation Official.

(d) To keep such records and to prescribe the records to be kept by the wholesale dealers, using the forms prescribed by the State Allocation Official which will accurately reflect the monthly quantities of household heating fuel allocated pursuant to his operations.

(e) To certify monthly to the State Allocation Official, in support of the request of a wholesale dealer for a temporary additional allocation from the State reserve, the quantity of household heating fuel delivered pursuant to his order.

(f) To advertise, publicize and otherwise make known to the general public that his services are available for this purpose.

(g) To cooperate with other Counties and County Fuel Allocation Officials to the maximum extent to carry out the purposes of this ordinance.

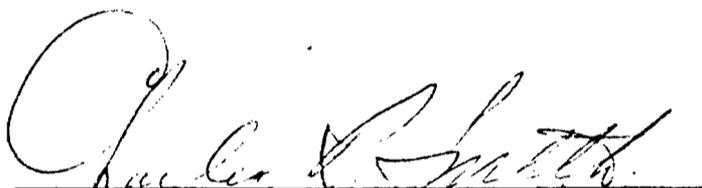
Section 2. The meanings of terms contained in this ordinance, all interpretations of it and all actions taken pursuant to it shall be consistent with the Federal Mandatory Allocation Program for middle distillate fuels (EPC Reg. 1, Federal Register, Tuesday, October 16, 1973, Vol. 38, No. 199, p. 3), the designation of the State Allocation Official for Florida under Executive Order Number 73-69, and the actions of the State Allocation Official pursuant thereto and pursuant to State law.

Section 3. This ordinance shall be immediately certified by the Clerk of the Board to the Department of State and

shall take effect upon receipt of official acknowledgment from that office that it has been filed, or, if adopted as an emergency enactment, upon its mailing by Special Delivery and Registered Mail to the Department of State.

No delivery or orders for deliver shall be required under authority of this ordinance after March 31, 1974.

Adopted on this 11th day of December, 1973, as an emergency enactment with the concurring vote of all five members of the Board.



CHAIRMAN

Attest: Shirley William Brown
Clerk