

ORDINANCE NO. 327

AN ORDINANCE OF THE CITY OF WEST MIAMI, FLORIDA AMENDING ARTICLE II OF THE CODE OF THE CITY OF WEST MIAMI, FLORIDA TO IMPOSE UPON PURCHASERS OF FUEL OIL THE EXCISE TAX LEVIED BY SAID ARTICLE AND MAKING THE TERMS OF SAID ARTICLE APPLICABLE TO THE PURCHASE OF FUEL OIL; PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF, PROVIDING FOR SEPARABILITY OF THE PROVISIONS HEREOF AND PROVIDING EFFECTIVE DATE.

WHEREAS, the City Council of the City of West Miami, Florida has determined that the sale of fuel oil is competitive with the sale of electricity, metered gas, and bottled gas,

NOW, THEREFORE, BE IT ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST MIAMI, FLORIDA:

Section 1. That Section 22-10 of Article II of the Code of the City of West Miami, Florida is hereby amended by adding thereto as subparagraph (1) the following:

"(1) The terms 'fuel oil' shall mean and include all types of liquid petroleum products normally used for lighting, heating, cooking, power, or any other purpose, delivered to any purchaser thereof within the corporate limits of the city."

Section 2. That Article II of the City Code, Sections 22-10 inclusive be and is hereby amended by imposing upon each and every purchase of fuel oil delivered to any purchaser thereof within the corporate limits of the city the excise tax levied pursuant to the said Article II and by making all of the terms, provisions and conditions of said Article II applicable to each and every purchase of fuel oil within the city limits.

Section 3. That Article II of the City Code be and is hereby amended by changing the terms "electricity, metered gas, and bottled gas" wherever found in said Article to read as follows: "electricity, metered gas, bottled gas, and fuel oil."

Section 4. Should any section, clause, or provision of this ordinance be declared and adjudged by a court of competent

jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 5. Any person, firm or corporation who shall violate or fail to comply with any provisions of this ordinance shall be guilty of a misdemeanor and shall be fined by a fine of not more than Five Hundred (\$500.00) Dollars, or imprisoned for not more than sixty (60) days, or both, in the discretion of the Judge of the City Court. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 6. By reason of the content and nature of this ordinance it shall be included in and made a part of the City Code.

Section 7. This ordinance shall take effect September 1, 1972.

PASSED and ADOPTED this 16 day of August, 1972.

  
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President, City Council

Attest:

  
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City Clerk

APPROVED:

  
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MAYOR