



KENAI PENINSULA BOROUGH

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BOROUGH ASSEMBLY

MEMORANDUM

TO: Pete Sprague, Assembly President
Members, Kenai Peninsula Borough Assembly

Agenda Item M.7.

FROM: Bill Smith, Assembly Member *BS*

Committee Finance

DATE: December 1, 2009

Page Number 61

SUBJECT: Amendment Memo for Ordinance 2009-50, An ordinance requiring retail sellers of liquid petroleum products to file a monthly report with the Kenai Peninsula Borough concerning the quantity of such products sold

An amendment to Ordinance 2009-50 is recommended to change the reporting requirements from monthly reporting for a period of two years to one annual report detailing monthly sales in 2009. The Amendment will require the following changes to the ordinance:

- Change the title as follows:

AN ORDINANCE REQUIRING RETAIL SELLERS OF LIQUID PETROLEUM PRODUCTS TO FILE AN ANNUAL REPORT WITH THE KENAI PENINSULA BOROUGH CONCERNING THE QUANTITY OF SUCH PRODUCTS SOLD IN 2009

- Change Section 1 as follows:

SECTION 1. That sellers of liquid petroleum products at the retail level, including automobile fuel, aviation fuel, diesel fuel and home heating oil, shall provide [MONTHLY] a report[S] on a form provided by the Kenai Peninsula Borough stating the quantity of such fuel sold in [THE PREVIOUS MONTH] 2009 on a monthly basis. The report[S] shall only include retail sales occurring within the boundaries of the Kenai Peninsula Borough **and shall be due on February 28, 2010.**

- Delete Section 2:

[SECTION 2. SUCH REPORTS SHALL BE DUE ON THE 15TH DAY OF THE MONTH FOLLOWING THE REPORTED MONTH TO THE KENAI PENINSULA BOROUGH FINANCE DEPARTMENT.]

- Renumber Section 3 to Section 2:

SECTION [3]2. The information contained in all such reports shall be confidential and privileged information due to the proprietary nature of the information contained and the relatively small size of the industry in the Kenai Peninsula Borough.

- Renumber Section 4 to Section 3:

SECTION [4]3. Failure to provide such information on or before the due date shall result in a fine of \$300.00 if not reported within two weeks of the deadline. Thereafter, the fine shall be an additional \$20 per day for each day that the report is not filed.

- Renumber Section 5 to Section 4 and change as follows:

SECTION [5]4. That this ordinance shall take effect **immediately** [JANUARY 1, 2010,] and **except for the provisions of Section 2 and 3 above,** shall expire **March 15, 2010,** [DECEMBER 31, 2012], unless the expiration date is extended by assembly ordinance.

Your consideration is appreciated.