



## CITY COUNCIL AGENDA ITEM

# #8

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DISCUSS/TAKE ACTION ON ORDINANCE NO. 1114, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH CITY CODE OF ORDINANCES SECTION 58-93(A) (LOCAL BUSINESS TAX RECEIPT REQUIRED) AND 58-96(A) (SALE; DELINQUENCY; PENALTY FOR DOING BUSINESS WITHOUT LOCAL BUSINESS TAX RECEIPT) TO AMEND THE DEPARTMENTAL RESPONSIBILITY FOR LOCAL BUSINESS TAX RECEIPT PROCESS; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (SECOND READING)

To: City Manager Courtney Barker  
From: Building Official John Stone  
Meeting Date: 12/2/2015  
Department: Building & Zoning

**Recommended Action:** Motion to adopt Ordinance No. 1114 on second reading.

**Summary:** The Business Tax Receipt (BTR) program at City Hall is currently a function of the Clerk's Office. Several of the sub components of this activity are a function of the Building Department. Staff is recommending the BTR activity with associated staffing and duties be transferred to the Building Department for the purpose of streamlining the administration of the BTR program.

As a matter of housekeeping, City Code Sections 58-93(a) and 58-96(a) will need to be amended replacing "City Clerk" with "City Manager or Designee" as the person responsible for administering the BTR program.

**Budget Impacts:** None

**Attachments:** Ordinance No. 1114

#8

12-2-15

ORDINANCE NO. 1114

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING SATELLITE BEACH CITY CODE OF ORDINANCES SECTION 58-93(a) (LOCAL BUSINESS TAX RECEIPT REQUIRED) AND 58-96(a) (SALE; DELINQUENCY; PENALTY FOR DOING BUSINESS WITHOUT LOCAL BUSINESS TAX RECEIPT) TO AMEND THE DEPARTMENTAL RESPONSIBILITY FOR LOCAL BUSINESS TAX RECEIPT PROCESS; PROVIDING FOR SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (SECOND READING)

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA as follows:

SECTION 1. Section 58-93(a) and (58-96(a), Satellite Beach City Code, are amended to read as follows:

**Sec. 58-93. - Local business tax receipt required.**

- (a) No person shall engage in or manage any business, occupation, or profession in the city for which a local business tax receipt is required by this article unless a local business tax receipt shall have been procured from the ~~city clerk~~ city manager or designee. Such receipt shall be issued to each person upon payment of the local business tax provided in this article and upon full compliance with all requirements or conditions specified under the classification required.

\* \* \* \* \*

**Sec. 58-96. - Sale; delinquency; penalty for doing business without local business tax receipt.**

- (a) All local business tax receipts shall be sold by the ~~city clerk~~ city manager or designee beginning on July 1 of each year, and shall be due and payable no later than September 30 of each year, and shall expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Those receipts not renewed by September 30 shall be considered delinquent and subject to a delinquent penalty of ten percent for the month of October, plus an additional five percent for each month of delinquency thereafter until paid; provided, that the total delinquency penalty shall not exceed 25 percent of the business tax for the delinquent establishment.

\* \* \* \* \*

**SECTION 2: SEVERABILITY CLAUSE.** In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

**SECTION 3: REPEAL OF INCONSISTENT PROVISIONS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4: EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its adoption.

**SECTION 5:** This Ordinance was duly passed on first reading at a regular meeting of the City Council on the 18th day November, 2015, and adopted on the second and final reading at a regular meeting of the City Council on the \_\_\_ day \_\_\_\_\_, 2015.

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FRANK P. CATINO, MAYOR

**ATTEST:**

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LEONOR OLEXA, CMC, CITY CLERK