



City of Apopka CITY COUNCIL STAFF REPORT

Section: PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Item #: 7.

Meeting Date: July 2, 2025

Department: Mayor's Office

SUBJECT:

Ordinance No. 3115 - First Reading - Sunsetting of Article V. - Local Business Taxes (Business Tax Receipt)

ACTION ITEM INFORMATION:

REQUEST:

Approval of Ordinance No. 3115 at First Reading and hold it over for Second Reading and adoption on July 16, 2025.

SUMMARY:

Historically, the City of Apopka has required businesses operating within city limits to obtain a Business Tax Receipt (BTR) annually. This process helped to monitor business activity, provide a modest source of general revenue, and ensure compliance with zoning and safety regulations. In recent years, however, several factors have prompted a re-evaluation of the program:

Limited revenue generation: BTR revenue has remained flat or declined while administrative and enforcement costs have increased.

Redundancy with other regulatory functions: Business verification and compliance with zoning, fire safety, and building codes are already being handled effectively through permitting and inspections.

Administrative burden on small businesses: Many small business owners have expressed concerns regarding the annual renewal process and associated costs.

Trends across jurisdictions: Several Florida municipalities have eliminated or phased out their BTR programs in favor of streamlined permitting and economic development initiatives. Some local agencies who have ended their BTR program include Lake County, Volusia County, and the City of Clermont.

Staff recommend the sunsetting of the Business Tax Receipt program effective October 1, 2025, aligning with the start of the 2026 fiscal year. If the ordinance is approved, businesses will not be required to renew their BTR for the 2026 fiscal year and staff will initiate a public outreach campaign to notify existing BTR holders and the public of the upcoming change.

FUNDING SOURCE:

N/A

RECOMMENDED MOTION:

The recommended motion is to approve Ordinance No. 3115 at First Reading and hold over for Second Reading and adoption on July 16, 2025.

ATTACHMENTS:

1. Ord. No. 3115 Repealing Ch. 60 Art. V - Local Business Taxes
2. BTR Revenue Chart

ORDINANCE NO. 3115

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING A SUNSET DATE FOR ARTICLE V. OF CHAPTER 66 OF THE APOPKA CODE OF ORDINANCES PERTAINING TO LOCAL BUSINESS TAXES; PROVIDING FOR THE AUTOMATIC REPEAL OF THE REQUIREMENT FOR LOCAL BUSINESS TAX RECEIPTS AND ALL RELATED PROVISIONS OF THE APOPKA CODE OF ORDINANCES ON OCTOBER 1, 2025; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, as authorized by Fla. Stat. § 205.042, the City currently levies a local business tax for the privilege of engaging in or managing a business, profession, or occupation within the City's jurisdiction; and

WHEREAS, pursuant to Fla. Stat. § 205.0535(5), the City Council may by ordinance repeal any business tax authorized under Fla. Stat. Ch. 205; and

WHEREAS, the City Council has determined that it is in the best interest of the City and its residents to repeal Chapter 66, Article V, titled “Local Business Taxes,” of the Code of Ordinances of the City of Apopka, thereby eliminating the requirement for businesses to obtain a local business tax receipt and pay the associated charges starting October 1, 2025.

NOW, THEREFORE, be it enacted by the City Council of the City of Apopka, Florida, as follows:

SECTION I: The foregoing recitals are hereby adopted as the legislative findings of the City Council of the City of Apopka, Florida.

SECTION II: Effective October 1, 2025, Chapter 66, Article V., *Local Business Taxes*, of the Code of Ordinances of the City of Apopka shall be automatically repealed and cease to be in effect. No local business tax receipts issued pursuant to Fla. Stat. § 205.042 shall be required for any business, profession, or occupation operating within the jurisdiction of the City of Apopka.

SECTION III: The provisions of this Ordinance shall not affect any local business tax obligations, penalties, or interest accrued or owing prior to the sunset date of October 1, 2025. All such prior obligations shall remain due and collectible in accordance with the provisions of Chapter 66, Article V. as it existed prior to the sunset date.

SECTION IV: Business tax receipts that have been issued for the 2024/2025 Fiscal Year shall remain in full force and effect until they expire on September 30, 2025. Nothing in this Ordinance shall be construed to entitle any person or entity to a refund of any local business tax paid to the City of Apopka prior to the effective date of this Ordinance.

SECTION V: The provisions of this Ordinance shall be included and incorporated into the Code of Ordinances of the City of Apopka as additions or amendments thereto.

SECTION VI: Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION VII: All ordinances or parts thereof in conflict herewith are, to the extent of such conflict, repealed.

SECTION VIII: This Ordinance shall become effective immediately upon approval by the City Council and the Code provisions referenced herein shall stand repealed as set forth in Section II above.

PASSED UPON the first reading of the City Council, this _____ day of July 2025.

PASSED UPON the second and final reading of the City Council, this _____ day of July 2025.

Bryan Nelson, Mayor

ATTEST:

Susan M. Bone, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: _____, 2025.

_____, 2025.

	FY25*	FY24	FY23	FY22
BTRS Issued	1861	1257	1922	886
City Issued/Renewal Revenue	\$ 143,156.00	\$ 39,672.00	\$ 68,272.00	\$ 73,299.00
New Revenue Generated by E&CC	\$ 167,165.00	\$ 55,625.00	\$ 148,199.00	
E&CC Consultant Fee (25% of new revenue generated)	\$ (55,599.00)	\$ (3,991.00)		
TOTAL	\$ 254,722.00	\$ 91,306.00	\$ 216,471.00	\$ 73,299.00

*Year to date