



ORDINANCE NO. 2001-

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA AMENDING CHAPTER 30, TAXATION, BY GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO _____; SPECIFYING THE ITEMS EXEMPTED; PROVIDING AN EXPIRATION DATE FOR THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF F.S. 196.012; PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; PROVIDING A REQUIREMENT FOR AN ANNUAL REPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.

WHEREAS, economic development and the creation of jobs are priorities of the City Council of the City of Melbourne; and

WHEREAS, the citizens of Melbourne voted to provide economic incentives to new and expanding businesses in the November 2000 general election; and

WHEREAS, _____, Inc. has requested that the City of Melbourne exempt ad valorem taxes for its new facility and equipment to be located at _____, in Melbourne; and

WHEREAS, the Property Appraiser has provided the City of Melbourne with its report as required by Chapter 196.1995(8) F.S.; and

WHEREAS, it has been determined that _____ meets the requirements of Chapter 196.012 F.S., a new business planning to locate in Melbourne.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That the City Code of Melbourne, Florida, Chapter 30, Article V, is hereby amended by adding a new section, to be numbered 30-__, which said section reads as follows:

Sec. 30-__.

(a) An Economic Development Ad Valorem Tax Exemption is hereby granted to _____, considering locating to Melbourne, Florida for a new facility and tangible personal property purchased as equipment.

(b) The total amount of revenue available to the City of Melbourne from ad valorem tax sources for the current fiscal year is \$_____. \$_____ is lost to the City of Melbourne for the current fiscal year by virtue of exemptions currently in effect from previous years.

(c) The tax exemption hereby granted shall be for a term of _____ years, commencing with the first year the new improvements and personal property are added to the assessment roll, and lasting _____ years thereafter, for _____ percent of City ad valorem taxes.

(d) In accordance with the findings of the Melbourne City Council and the Property Appraiser, the property hereby exempted from ad valorem tax exemption meets the definition of a new business, as defined by Chapter 196.012, Florida Statutes.

(e) _____ shall submit to the City of Melbourne an annual report providing evidence of continued compliance with the definition of a new business or an expansion of an existing business for each of the _____ years during which _____ is eligible to receive ad valorem tax exemption. The annual report shall be submitted to the City Manager by January 15 of each year. If the annual report is not received, or if the annual report indicates that _____, Inc. no longer meets the criteria of Chapter 196.012 F.S., the City Manager shall make a report to the City Council for consideration of revocation of this ordinance granting the tax exemption.

SECTION 2. Severability. It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. That this ordinance shall become effective immediately upon its adoption in accordance with the Charter of the City of Melbourne.

SECTION 5. That this ordinance was passed on first reading at a regular meeting of the City Council on the ____ day of _____, 2001, and adopted on the second and final reading at a regular meeting of the City Council on the ____ day of _____, 2001.

BY: _____
John A. Buckley, Mayor

ATTEST:

Cathleen A. Wysor, City Clerk

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