

ORDINANCE NO. 22-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 22, ARTICLE II, BUSINESS TAX, SECTION 22-32 - TAX, TO PROVIDE FOR **A 5% INCREASE IN BUSINESS TAX FEES** FOR BUSINESSES, PROFESSIONS, OR OCCUPATIONS AS CONTAINED IN RESOLUTION 22-R23; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Section 205.042 allows the governing body of an incorporated municipality to levy by resolution or ordinance, a business tax for the privilege of engaging in or managing any business, profession, or occupation within its jurisdiction; and

WHEREAS, under Florida Statutes Section 205.0535, by October 1, 2008 a municipality that has adopted by ordinance a local business tax after October 1, 1995, may reclassify and may establish new rate structures for businesses, professions, and occupations provided certain conditions are met under said statute; and

WHEREAS, an Equity Study Commission, as required by Florida Statutes Section 205.0535(2) was established by the City Commission; and the Equity Study Commission met on July 1, 2008, and by motion recommended a 10% initial increase in the business tax fee and then a 5% increase every 2 years thereafter; and

WHEREAS, pursuant to Florida Statutes Section 205.0535(4) municipalities and counties may, every other year thereafter, increase or decrease by ordinance business tax fees by up to 5 %. However, an increase must be enacted by at least a majority plus one vote of the governing body; and

WHEREAS, at the City Commission Conference Agenda meeting of April 11, 2022, the consensus of the Mayor and City Commission was to move forward with setting business tax fees at the pre-pandemic level; thus resulting in a fee increase of 5% which was the amount of the fee decrease passed in 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 22, Article II, Business Tax, Section 22-32 - Tax, is hereby amended as follows:

The amount which shall be paid by the several persons engaging in or managing their respective businesses, professions or occupations shall be in the amount established by resolution. Resolution 22-R23 is attached hereto and incorporated herein as Exhibit A.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. This Ordinance is and the same shall become effective July 1, 2022.

APPROVED AS TO FORM
& CORRECTNESS:

Tanya M. Earley, Esq.
City Attorney

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 22-014 was duly advertised by title only in the St. Lucie News Tribune on May 27, 2022; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on June 6, 2022; and was duly introduced, read by title only, and passed on second and final reading June 21, 2022 by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 21st day of June, 2022.

Linda Hudson
Mayor Commissioner

Linda W. Cox
City Clerk

(CITY SEAL)