

ORDINANCE NO. 2020-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AMENDING SECTION 1100.13 (SUNSET DATE) OF CHAPTER 1100 (ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION) OF THE CODE OF INDIAN RIVER COUNTY, FLORIDA EXTENDING THE SUNSET DATE; PROVIDING FOR REFERENDUM FOR ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION; AND PROVIDING FOR CODIFICATION, SEVERABILITY, REPEAL OF CONFLICTING PROVISIONS AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA THAT:

Section 1. Enactment Authority.

Article VIII, section 1 of the Florida Constitution and chapter 125, Florida Statutes vest broad home rule powers in counties to enact ordinances, not inconsistent with general or special law, for the purpose of protecting the public health, safety and welfare of the residents of the county. The Indian River County Board of County Commissioners specifically determines that the enactment of this ordinance is necessary to protect the health, safety and welfare of the residents of Indian River County.

Section 2. Amendment of Section 1100.13 (Sunset Date) of Chapter 1100 (Economic Development Ad Valorem Tax Exemption) of the Code of Indian River County, Florida.

New language indicated by underline, and deleted language indicated by ~~strikethrough~~.

Section 1100.13 (Sunset Date) of Chapter 1100 (Economic Development Ad Valorem Tax Exemption) of the Code of Indian River County, Florida is hereby amended to read as follows:

CHAPTER 1100. ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION.

* * *

Section 1100.13. Sunset Date.

Pursuant to F.S. § 196.1995, this title shall expire on November ~~23, 2020~~ 2030, ten (10) years after the date such authority to grant exemptions was submitted to the electors of the county voting in a referendum. The expiration of the title shall not affect the continued existence of any exemption granted prior to November ~~23, 2020~~ 2030.

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Section 3. Codification. It is the intention of the Board of County Commissioners that the provision of this ordinance shall become and be made part of the Indian River County Code, and that the sections of this ordinance may be renumbered or re-lettered and the word ordinance may be changed to section, article or such other appropriate word or phrase in order to accomplish such intention.

Section 4. Severability. If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall remain in full force and effect.

Section 5. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Referendum Approval. A question shall be placed on the ballot at the November 3, 2020 election to be held in Indian River County for referendum approval by the electors of Indian River County to be worded substantially as follows:

“Shall the board of county commissioners of this county be authorized to grant, pursuant to s. 3, Art. VII of the State Constitution, property tax exemptions to new businesses and expansions of existing businesses that are expected to create new, full-time jobs in the county?”

Yes—For authority to grant exemptions.

No—Against authority to grant exemptions.

Section 7. Effective Date.

This ordinance shall become effective on November 3, 2020 only if a majority vote “yes” in favor of the extension of the economic development ad valorem tax exemption, at the referendum scheduled for November 3, 2020. If a majority vote “no” against such authority, this ordinance shall be null and void.

This ordinance was advertised in the Indian River Press Journal on the 2nd day of July, 2020, for a public hearing to be held on the 14th day of July, 2020, at which time it was moved for adoption by Commissioner _____, seconded by Commissioner _____, and adopted by the following vote:

Chairman Susan Adams	_____
Vice-Chairman Joseph E. Flescher	_____
Commissioner Tim Zorc	_____
Commissioner Peter D. O’Bryan	_____
Commissioner Bob Solari	_____

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The Chairman thereupon declared the ordinance duly passed and adopted this 14th day of July, 2020.

**BOARD OF COUNTY
COMMISSIONERS OF INDIAN RIVER
COUNTY, FLORIDA**

By: _____
Susan Adams, Chairman

**ATTEST: Jeffrey R. Smith, Clerk
and Comptroller**

By: _____
Deputy Clerk

This Ordinance was filed with the Department of State on the ____ day of _____, 2020.