

INTRODUCED BY:

COUNCILOR WILEY



ORDINANCE NO. 2020-09

A BILL TO BE ENTITLED

AN ORDINANCE CREATING SECTION 21-26 REGARDING VOTING REQUIREMENTS FOR CERTAIN MILLAGE RATE INCREASES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 200, Florida Statutes, regulates the determination of millage rates for ad valorem taxation; and

WHEREAS, Fla. Stat. §200.001(2) establishes four separate categories of municipal millage rates; and

WHEREAS, the City recognizes that increases in millage rates significantly impact real property owners within the City; and

WHEREAS, the City desires to require a super-majority vote of the City Council to authorize increases in all millage rates over a certain threshold; and

WHEREAS, the City Council for the City of Neptune Beach, Florida finds and declares that this ordinance is in the best interest of the public health, safety and welfare of the citizens and residents of the City, that it advances a significant and important governmental interest, and that it furthers the City's performance of municipal functions and rendering of municipal services.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, THAT:

Section 1. Creating Section 21-26 of the City of Neptune Beach Code of Ordinances. Section 21-26 of the City of Neptune Beach Code of Ordinances is hereby created to read as follows:

Sec. 21-26. – Voting Requirements for Certain Millage Rate Increases.

For any millage rate authorized to be charged by the city under Florida law, such rate may only be increased over the rate established for the prior year by an amount greater than one-half (0.5) mill if approved by the affirmative vote of no less than eighty percent (80%) of a quorum of the city council present at the meeting at which the vote is taken.

Section 2. Severability. If any section, sentence, clause, phrase, or word of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of

this Ordinance, and it shall be construed to be the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein.

Section 3. Effective Date. This Ordinance shall become immediately upon passage by the City Council.

VOTE RESULTS OF FIRST READING:

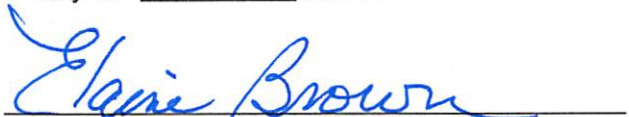
Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Josh Messinger	ABSENT
Councilor Scott Wiley	YES

Passed on First Reading this 5th day of October, 2020.


VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Josh Messinger	YES
Councilor Scott Wiley	YES

Passed on Second and Final Reading this 2nd day of November, 2020.

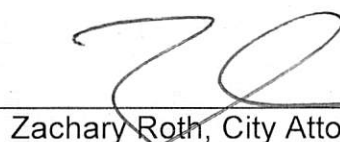

Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC, City Clerk



Approved as to form and
correctness:


Zachary Roth, City Attorney