

ORDINANCE NO. 2017-_____

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 113, "LICENSES," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 113.39, "BUSINESS TAX RECEIPT SCHEDULE," TO EXTEND THE TIME PERIOD FOR A BUSINESS TAX RECEIPT FOR CHRISTMAS TEMPORARY HOLIDAY SALES VENDORS; BY AMENDING SECTION 113.40, "TEMPORARY HOLIDAY SALES VENDORS," TO PROVIDE ADDITIONAL TIME FOR THOSE CONDUCTING SALES UNDER A TEMPORARY HOLIDAY SALES VENDOR LICENSE FOR A SPECIFIC TIME PERIOD IN NOVEMBER THROUGH DECEMBER OF EACH YEAR; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 113.39, "Business Tax Receipt Schedule," of Chapter 113, "Business Tax Receipts," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 113.39 BUSINESS TAX RECEIPT SCHEDULE.

Business tax receipts shall be issued to cover only one location and only one of the occupations or business classifications hereinafter set out unless permitted

hereunder. The amounts assessed as business tax receipts against the various trades, businesses, and professions are hereby fixed as follows.

...

TEMPORARY HOLIDAY SALES VENDORS
(Flat Rate)

175-001	Independence Day, 10 days maximum	\$121.55
175-002	* Halloween, 30 days maximum	103.32
175-003	* Christmas, 30 <u>37</u> days maximum	121.55
175-004	Other, 10 days maximum	121.55
175-005	Note *: A joint Halloween and Christmas business tax receipt may be issued	121.55

...

SECTION 2. That Section 113.40, "Temporary Holiday Sales Vendors," of Chapter 113, "Business Tax Receipts," of the City of Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 113.40 TEMPORARY HOLIDAY SALES VENDORS.

It shall be unlawful in the city for any person, firm, corporation, business or enterprise to sell, dispense, offer for sale, or distribute any item or items from other than within an enclosed building except as permitted in commercial zoning districts and as follows:

...

(B) Any license issued for sales permitted under this section shall be valid only for a temporary period of time, as prescribed below:

- (1) A maximum of 10 days preceding the Fourth of July or New Year's Eve;
- (2) A maximum of 30 days preceding Halloween; and
- (3) From the Saturday preceding Thanksgiving Day through December 26th.

...

SECTION 3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2016.

PASSED SECOND READING this _____ day of _____, 2016.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
10/10/16
l:ord/ch113/2016-355