

ORDINANCE NO. 2019-_____

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 113, "BUSINESS TAX RECEIPTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 113.28, "EXEMPTIONS," TO MODIFY PERSONS ENTITLED TO BUSINESS TAX RECEIPTS AND BY AMENDING SECTION 113.39, "BUSINESS TAX RECEIPT SCHEDULE," TO MODIFY FEES FOR SPECIAL EVENTS; 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 113.28, "Exemptions," of Chapter 113, "Business Tax Receipts," of the Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 113.28 EXEMPTIONS.

...

(D) Carnivals and similar amusements.

(1) When an organization which is exempt under subsection (C) above desires to use, conduct, or sponsor a circus, carnival, or similar type of amusement organization or professional amusement person, there shall be submitted to the business tax receipt inspector a copy of an executed contract between the applicant and the circus, carnival, or similar type of amusement

organization or professional amusement persons reflecting that no less than 20% of the gross proceeds will be paid to the applicant, or in lieu of such a copy, an affidavit to the same effect sworn to and signed by the applicant.

(2) The burden shall be on the organization to provide documentation supporting an exempt status.

(E) Any exemption as provided in § 205.055, Florida Statutes, as amended.

SECTION 2. That Section 113.39, "Business Tax Receipt Schedule," of Chapter 113, "Business Tax Receipts," of the Pompano Beach Code of Ordinances is hereby amended to read as follows:

§ 113.39 BUSINESS TAX RECEIPT SCHEDULE.

...

165-000 SOLICITORS	\$223.36
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For the purpose of this chapter, any business or occupation operating with a business tax receipt issued under any other subsection contained within this section shall be excluded from the assessment of this business tax receipt. A solicitor is defined as any individual attempting to sell goods, wares or merchandise from house to house or place to place, when delivery or delivery of the sale or item(s) are to be made in the future; however, this shall not apply to any individual who attempts to gain entry to the premises at the request of the owner or occupant thereof.

165-500 SPECIAL EVENT (as defined in § 132.27) Per day (City of Pompano Beach business tax receipt holders exempt)	57.42
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166-00 STORAGE WAREHOUSE	127.63
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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 _____, 2019.

PASSED SECOND READING this _____ day of _____, 2019.

REX HARDIN, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jmz:jrm
5/20/19
l:ord/ch113/2019-181