

1 CITY OF MARGATE, FLORIDA

2
3 ORDINANCE NO. _____

4
5 AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA,
6 AMENDING CHAPTER 37 TAXATION; ARTICLE II
7 ELECTRICITY, GAS, WATER AND TELEPHONE; SECTION
8 37-23 EXEMPTIONS; PROVIDING FOR EDUCATIONAL AND
9 RELIGIOUS INSTITUTIONS; PROVIDING FOR REPEAL;
10 PROVIDING FOR SEVERABILITY; PROVIDING FOR
11 CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
12
13 _____

14
15 BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY
16 OF MARGATE, FLORIDA:

17 **SECTION 1:** That the Code of Ordinances of the
18 City of Margate, Florida, Chapter 37 Taxation, Article II
19 - Electricity, Gas, Water, and Telephone, Section 37-23 -
20 Exemptions, shall be amended to read as follows¹:

21 Sec. 37-23. - Exemptions.

22
23 (a) Definitions. The following definitions shall apply
24 to this article:

25 1. "Exclusive use" of property means use of property
26 solely for exempt purposes. Such purposes may include
27 more than one type of exempt use.

28 2. "Predominant use" of property means use of
29 property for exempt purposes in excess of 50 percent

30 ¹CODING: Words in ~~struck through~~ text are deletions from existing
31 text, words in underscored text are additions to existing text,
32 and **shaded** text are changes between First and Second Readings.
33

1 but less than exclusive.

2 3. "Educational institution" shall be as defined in
3 Section 196.012, Florida Statutes.

4 4. "Religious institution" shall be as defined in
5 Section 205.022, Florida Statutes.

6 (b) The United States of America, State of Florida, County
7 of Broward, City of Margate, and agencies, boards,
8 commissions and authorities thereof, are exempted from
9 payment of the tax imposed and levied by this article.
10 Said tax shall not apply to sale of bottled water.

11
12 (c) Property that has an exclusive or predominate use by an
13 educational institution or religious institution is
14 exempted from payment of the tax imposed and levied by
15 this article. Said tax shall not apply to the sale of
16 bottled water.

17
18 **SECTION 2:** All ordinances or parts of ordinances
19 in conflict herewith are and the same is hereby repealed
20 to the extent of such conflict.

21 **SECTION 3:** If any section, sentence, clause, or
22 phrase of this ordinance is held to be invalid or
23 unconstitutional by a court of competent jurisdiction,
24 then said holding shall in no way affect the validity of
25 the remaining portions of this ordinance.

26 **SECTION 4:** It is the intention of the City

1 Commission that the provisions of this ordinance shall
2 become and be made a part of the City of Margate Code, and
3 that the sections of this ordinance may be renumbered or
4 relettered and the word "ordinance" may be changed to
5 "section", "article" or such other appropriate word or
6 phrase in order to accomplish such intentions.

7 **SECTION 5:** This ordinance shall become effective
8 immediately upon adoption at its second reading.

9 PASSED ON FIRST READING THIS ____ day of _____,
10 2016.

11 PASSED ON SECOND READING THIS __ day of _____,
12 2016.

13
14 ATTEST:

15
16 _____
17 JOSEPH KAVANAGH
18 CITY CLERK

16 _____
17 MAYOR TOMMY RUZZANO

21 RECORD OF VOTE - 1ST READING

21 RECORD OF VOTE - 2ND READING

22 Simone _____
23 Peerman _____
24 Talerico _____
25 Bryan _____
26 Ruzzano _____

22 Simone _____
23 Peerman _____
24 Talerico _____
25 Bryan _____
26 Ruzzano _____