

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA,  
AMENDING CHAPTER 37 TAXATION; ARTICLE II  
ELECTRICITY, GAS, WATER AND TELEPHONE; SECTION  
37-23 EXEMPTIONS; PROVIDING FOR EDUCATIONAL AND  
RELIGIOUS INSTITUTIONS; PROVIDING FOR REPEAL;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR  
CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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

**SECTION 1:** That the Code of Ordinances of the  
City of Margate, Florida, Chapter 37 Taxation, Article II  
- Electricity, Gas, Water, and Telephone, Section 37-23 -  
Exemptions, shall be amended to read as follows<sup>1</sup>:

Sec. 37-23. - Exemptions.

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

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

2. "Predominant use" of property means use of  
property for exempt purposes in excess of 50 percent  
but less than exclusive.

<sup>1</sup>CODING: Words in ~~struck through type~~ are deletions from existing  
text, words in underscored type are additions.

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

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

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

10  
11           (c) Property that has an exclusive or predominate use by an  
12           educational institution or religious institution is  
13           exempted from payment of the tax imposed and levied by  
14           this article. Said tax shall not apply to the sale of  
15           bottled water.

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18           in conflict herewith are and the same is hereby repealed  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

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

25           **SECTION 4:**       It is the intention of the City  
26           Commission that the provisions of this ordinance shall

become and be made a part of the City of Margate Code, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

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

PASSED ON FIRST READING THIS \_\_\_\_ day of \_\_\_\_\_, 2016.

PASSED ON SECOND READING THIS \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
JOSEPH KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR TOMMY RUZZANO

RECORD OF VOTE - 1ST READING

RECORD OF VOTE - 2ND READING

Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
Talerico \_\_\_\_\_  
Bryan \_\_\_\_\_  
Ruzzano \_\_\_\_\_

Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
Talerico \_\_\_\_\_  
Bryan \_\_\_\_\_  
Ruzzano \_\_\_\_\_