

ORDINANCE NO. 67

AN ORDINANCE OF THE VILLAGE OF GOLF, FLORIDA
RELATING TO INCREASING THE LOCAL COMMUNICATIONS
SERVICE TAX RATE; PROVIDING FOR INTENT;
PROVIDING FOR INCREASING LOCAL COMMUNICATIONS
SERVICES TAX RATE; PROVIDING FOR NOTICE TO THE
DEPARTMENT OF REVENUE; PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
DATE.

WHEREAS, during the 2000 Regular Session, the Florida Legislature passed the "Communications Services Tax Simplification Law", creating Chapter 202, Florida Statutes (2000); and

WHEREAS, section 202.19(2), Florida Statutes (2001), states municipalities may impose a local communications services tax at a rate of up to 5.1% for municipalities that have not chosen to levy permit fees, and at a rate of up to 4.98% for municipalities that have chosen to levy permit fees. These maximums rates do not include the add-ons of up to 0.12% authorized pursuant to section 337.401, Florida Statutes, for municipalities that choose not to levy permit fees, nor do the rates supersede conversion or emergency rates authorized by section 202.20, Florida Statutes, which may be in excess of these maximum rates; and

WHEREAS, the Village of Golf desires not to require and collect permit fees from any provider of communications services that uses or occupies municipal roads or rights-of-way for the provision of communications services.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GOLF, FLORIDA AS FOLLOWS:

SECTION 1. Intent

It is the intent of the Village of Golf to increase its local communications services tax rate as provided in section 202.19, Florida Statutes and since the Village of Golf is not requiring or collecting permit fees from any provider of communications services, it is also the intent to increase the local communications services tax under section 337.401 Florida Statutes, as amended, for the Village of Golf by an amount not to exceed a rate of 0.12%.

SECTION 2. Increased Local Communications Services Tax Rate

The local communications service tax conversion rate established under section 202.20(1)(b), Florida Statutes, for the Village of Golf is 0.60%, which is less than the maximum rate of 5.1%. In addition, since the Village of Golf has elected not to require permit fees from any providers of communications services, the total rate for the local communications services tax as computed under section 202.20(1) and (2), Florida Statutes amended, for the Village may be increased by ordinance by an amount not to exceed a rate of 0.12%. Therefore, the local communications services tax for the Village of Golf is increased to 5.22%. This increased rate is to be effective January 1, 2005.

SECTION 3. Notice to the Florida Department of Revenue.

The Village of Golf directs that notice of the increased local communications services tax rate be provided to the Florida Department of Revenue on the appropriate DOR form on or before September 1, 2004, and that a copy of this Ordinance accompany the form.

SECTION 4. Severability.

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Effective Date.

The effective date of this Ordinance shall be immediately upon its passage by the Village of Golf Village Council.

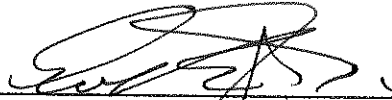
FIRST READING THIS 30TH DAY OF JUNE, 2004.

SECOND AND FINAL READING THIS 28th DAY OF JULY, 2004.

VILLAGE OF GOLF



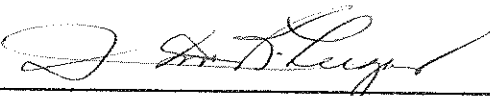
Mayor Michael E. Botos



Vice Mayor Erik E. Joh

Treasurer William Rodwawig

Councilmember Cynthia Ottaway

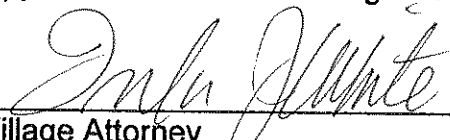


Councilmember William Lugar

ATTEST: 

Village Clerk

Approved as to form and legal sufficiency.



Village Attorney

THE PALM BEACH POST

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West Palm Beach, Palm Beach County, Florida

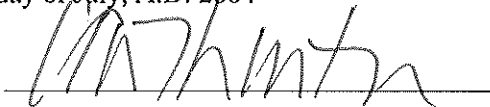
PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

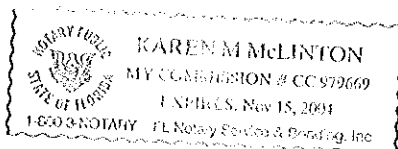
Before the undersigned authority personally appeared **Tracey Diglio**, who on oath says that she is **Telephone Sales Supervisor** of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being **Notice** in the matter of **Ordinance 67** was published in said newspaper in the issues of **July 16, 2004**. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before this 16th day of July, A.D. 2004



Personally known XX or Produced Identification _____
Type of Identification Produced _____



NO. 1290730
Legal Notice
Ordinance No. 67
The Village Council of the Village of Golf, Florida will hold a Public Hearing to consider the following proposed Ordinance on second and final reading, Wednesday, July 28, 2004, at 9:00 a.m., at the Village Administration Building at 21 Country Road, Village of Golf, Florida.
AN ORDINANCE OF THE VILLAGE OF GOLF, FLORIDA RELATING TO INCREASING THE LOCAL COMMUNICATIONS SERVICES TAX RATE; PROVIDING FOR NOTICE TO THE DEPARTMENT OF REVENUE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
All interested parties are invited to appear at the meeting, and as it may be continued from time to time, and be heard with respect to the proposed Ordinance.
A copy of the proposed Ordinance is on file at the Village Clerk's Office, located at 21 Country Road, Village of Golf, FL 33436 for inspection by the public from 8:00 a.m. to 4:00 p.m. Monday through Friday.
If a person decides to appeal and decision made by the Village Council with respect to any matter considered at subject meeting, he will need a record of the proceedings and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
PUB: The Palm Beach Post
July 16, 2004