

ORDINANCE 13-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA, AMENDING ORDINANCE 05-08, PROVIDING FOR THE CONTINUATION OF THE ONE-CENT (1¢) DISCRETIONARY SMALL COUNTY SALES SURTAX ENACTED BY ORDINANCE 95-04, AND EXTENDED BY ORDINANCE 98-03 AND 05-08, FOR AN ADDITIONAL FIFTEEN (15) YEARS; PROVIDING AUTHORITY FOR ENACTMENT OF THIS ORDINANCE; PROVIDING FOR AN EXTRAORDINARY VOTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has enacted Florida Statutes §212.055(3), authorizing the levy by local county government (in counties having a population of 50,000 or less as of April 1, 1992) a discretionary sales surtax, the proceeds of which may be used for infrastructure and/or operational expenses, subject to enactment by a supermajority of the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Holmes County has previously adopted its Ordinance numbered 95-04, providing for a local sales surtax of one cent pursuant to said statute; and

WHEREAS, the local sales surtax of one cent has previously been extended by Ordinance numbered 98-03 and 05-08 (which amended 05-04); and

WHEREAS, the Board of County Commissioners of Holmes County has determined that it is in the best interest of the citizens and residents of Holmes County that the one cent sales surtax be enacted for an additional fifteen (15) years, said tax to be used for the purposes set forth in section 212.055(3); and

WHEREAS, all public notices required by law have been provided.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY, FLORIDA:

1. This Ordinance is enacted pursuant to the provisions of Florida Statutes §212.055(3).

2. The Board of County Commissioners hereby levies a one-cent sales surtax for the purposes expressed herein, for a term of fifteen (15) years, said

tax to commence on January 1, 2014, and said tax to run through December 31, 2028.

3. The one-cent sales surtax previously levied by County Ordinance 95-04, 98-03 and 05-04 is hereby extended as indicated herein. All other provisions of Ordinance 98-03, not amended by this Ordinance, shall remain in full force and effect.

4. In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, phrase, sentence or paragraph hereof.

5. This Ordinance, when enacted by the Board of County Commissioners of Holmes County, Florida, shall be filed with the Secretary of the State of Florida and any provision herein may be renumbered for inclusion in the Holmes County Code.

ENACTED by extraordinary vote of the members of the Board of County Commissioners of Holmes County, Florida, this 8 day of October, 2013.

**BOARD OF COUNTY COMMISSIONERS
OF HOLMES COUNTY, FLORIDA**

Kenneth M. Williams

CHAIRMAN

ATTEST:

[Signature]

CLERK OF COURT, HOLMES COUNTY