SUMTER COUNTY ORDINANCE 2004-25

AN ORDINANCE OF SUMTER COUNTY, FLORIDA, LEVYING AND IMPOSING A TOURIST DEVELOPMENT TAX SUBJECT TO APPROVAL OF THE ELECTORS OF SUMTER COUNTY IN A REFERENDUM ELECTION SCHEDULED FOR NOVEMBER 2, 2004; ADOPTING THE SUMTER COUNTY TOURIST DEVELOPMENT TAX PLAN CREATED BY THE SUMTER COUNTY TOURIST DEVELOPMENT COUNCIL; APPOINTING A PERMANENT SUMTER COUNTY TOURIST DEVELOPMENT COUNCIL; PROVIDING FOR USE OF TOURIST DEVELOPMENT TAX REVENUES; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the Board of County Commissioners of Sumter County created a Tourist Development Council on May 18, 2004, to prepare and submit to the Board a plan for tourist development, and

WHEREAS, the Tourist Development Council held several meetings and studied the issue and filed with the Board on August 17, 2004, a tourist development plan, and

WHEREAS, the next step in determining if there will be tourist development tax in Sumter County is the adoption of an ordinance levying the tax subject to referendum election and creating a permanent Tourist Development Council, and

WHEREAS, the board has determined that it is the best interest of the citizens and residents of Sumter County to allow this issue to go before the electors of Sumter County to decide the question,

FILED
2004 SEP 8 AM 10:45
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Sumter County, Florida, as follows:

1. DEFINITIONS: The definitions as set forth in Section 125.0104(2)(b) Fla. Stat. are incorporated into this ordinance by reference.

2. The Sumter County Tourist Development Tax Plan developed by the Sumter County Tourist Development Council submitted to the Board on August 17, 2004, is hereby adopted.

3. There is hereby levied and imposed within the entire area of Sumter County, Florida, a tourist development tax in the amount of 2% of each dollar and major fraction of each dollar of the total consideration charged for lease or rental of properties as set forth in Section 125.0104(3), Fla. Stat.

4. The levy and imposition of the tourist development tax as set forth above is subject to approval by the electors of Sumter County in a referendum election which is hereby scheduled for the General Election of 2004 which to be held on November 2, 2004. The following question shall be on said ballot:

_____FOR the Tourist Development Tax
_____AGAINST the Tourist Development Tax

5. There is hereby created a permanent Sumter County Tourist Development Council as set forth in Section 125.0104(4)(e), Fla. Stat.

6. All revenues derived from the tourist development tax, if approved, shall be utilized consistent with the provisions of Section 125.0104, Fla. Stat. and the Tourist Development Tax Plan adopted herein.

7. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Sumter County Code and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

8. This ordinance shall take effect as provided by law upon approval by the electors.

9. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not effect the validity of the remaining portion.

DONE AND ORDAINED this 31st day of August, 2004, at Bushnell, Sumter County, Florida.

ATTEST:
GLORIA HAYWARD
Clerk of Circuit Court

Kirk Patrick
DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS
OF SUMTER COUNTY, FLORIDA

By: Benny Strickland
Benny Strickland, Chair

STATE OF FLORIDA, COUNTY OF SUMTER
I HEREBY CERTIFY, that the above and foregoing is a true copy of the original.
Gloria R. Hayward, Clerk of Circuit Court
By: _____ Deputy Clerk
Dated: Sept 1, 2004