

SUMTER COUNTY ORDINANCE 2020- ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, AMENDING CHAPTER 14 "LICENSES, TAXATION, MISCELLANEOUS BUSINESS REGULATIONS", ARTICLE I "IN GENERAL" OF THE SUMTER COUNTY CODE OF ORDINANCES REPEALING SECTION 14-7 "TOURIST DEVELOPMENT TAX"; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Sumter County ("Board") has adopted the Sumter County Code of Ordinances, which serve as the laws and regulations of Sumter County; and

WHEREAS, the Sumter County Code of Ordinances has been amended and revised from time to time, as necessary, to serve the needs of the citizens of Sumter County, Florida; and

WHEREAS, the Board has determined that amending Chapter 14, Article I through the repeal of Section 14-7 of the current Code of Ordinances, to revise and eliminate certain obsolete language is appropriate; and

WHEREAS, the Board desires to amend Chapter 14, Article I by repealing in its entirety, the provisions of Section 14-7 "Tourist Development Tax"; and

WHEREAS, the Board, after the appropriate publication of notice of its intention to consider this Ordinance, has determined that in consideration of the health, safety and welfare of its citizens, it is in the best interests of Sumter County, Florida to approve this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY the Board of County Commissioners of Sumter County, Florida, as follows:

SECTION 1. PURPOSE

The purpose of this Ordinance is to Amend the Sumter County Code of Ordinances: Chapter 14 *Licenses, Taxation, Miscellaneous Business Regulations*, Article I – *In General* repealing, Section 14-7 "Tourist Development Tax" for the reasons set forth in the above Whereas clauses, which are incorporated herein, *in haec verba*.

SECTION 2. AUTHORITY

Pursuant to Article VIII, Section I of the Florida Constitution and Sections 125.01 and 125.66 of the Florida Statutes, the Sumter County Board of County Commissioners has all powers of local self-government to perform county functions and render county services and facilities except when prohibited by law, including the authority to amend its Code of Ordinances.

SECTION 3. AMENDMENT OF CODE OF ORDINANCES

The Sumter County Board of County Commissioners hereby amends Chapter 14 of the Sumter County Code of Ordinances, *Licenses, Taxation, Miscellaneous Business Regulations*, Article I – *In General* by the repeal of Section 14-7 to read as follows:

~~Sec. 14-7. – Tourist development tax.~~

- ~~(a) *Definitions.* The definitions as set forth in F.S. § 125.0104(2)(b) are incorporated into this section by reference.~~
- ~~(b) The original county tourist development tax plan developed by the county tourist development council and submitted to the board of county commissioners on August 17, 2004, was hereby adopted. The exhibit A to the county tourist development tax plan under Ordinance 2013-08 shall be amended to read as stated in "Exhibit A" attached hereto and incorporated as if stated fully herein. This amendment shall take effect upon recording with the Secretary of State by the Sumter County Clerk, on a date no later than October 1, 2018.~~
- ~~(c) There is hereby levied and imposed within the entire area of the county, a tourist development tax in the amount of two (2) percent of each dollar and major fraction of each dollar of the total consideration charged for lease or rental of properties as set forth in F.S. § 125.0104(3).~~
- ~~(d) There is hereby created a permanent county tourist development council as set forth in F.S. § 125.0104(4)(c).~~
- ~~(e) All revenues derived from the tourist development tax, if approved, shall be utilized consistent with the provisions of F.S. § 125.0104 and the tourist development tax plan adopted herein.~~

SECTION 4. CODIFICATION

It is the intention of the Sumter County Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be reflected and made a part of the Code of Ordinances of Sumter County, Florida, with the exception of Sections 1, 2, 4, 5, and 6. The word "Ordinance" or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention. The Code codifier is granted liberal authority to rescind those sections of the Code declared null and void as set forth herein.

SECTION 5. CONFLICTS AND REPEALER

This Ordinance shall be cumulative of all provisions of the Ordinances of Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or part thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE

Once adopted by the Sumter County Board of County Commissioners, this Ordinance shall become effective September 30, 2020.

PASSED AND ADOPTED at a duly called session of the Sumter County Board of County Commissioners this 13th Day of October, 2020.

**GLORIA HAYWARD
SUMTER COUNTY CLERK**

**BOARD OF COUNTY COMMISSIONERS
SUMTER COUNTY, FLORIDA**

ATTEST:

Deputy Clerk

By: Steve Printz, Chairman

Approved as to form for the
reliance of The Sumter County
Board of County Commissioners, only:

Jennifer Rey
The Hogan Law Firm, County Attorney