

ORDINANCE NO. 2010-026

AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, EXEMPTING PRIVATE EDUCATIONAL INSTITUTIONS AS DEFINED BY SECTION 196.012(5) FLORIDA STATUTES, THAT ARE EXEMPT FROM AD VALOREM TAXATION, BY THE BROWARD COUNTY PROPERTY APPRAISER'S OFFICE, FROM THE FIRE PROTECTION ASSESSMENT ORDINANCE ESTABLISHED BY ORDINANCE NO. 2000-21, AS AMENDED BY ORDINANCE NO. 2007-020, FOR THE 2010 TAX YEAR AND SUBSEQUENT TAX YEARS, AND FISCAL YEAR 2011 AND SUBSEQUENT FISCAL YEARS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Ordinance No. 2000-21 as amended by Ordinance No. 2007-020, provided for an assessment for fire protection services for private educational institutions but exempted public educational institutions; and

WHEREAS, Section 196.192 and Section 196.198, Florida Statutes, exempts all educational institutions as defined by Section 196.012(5), Florida Statutes from ad valorem taxation; and

WHEREAS, the City Commission finds and determines that such dichotomy between public and private educational institutions in the assessment for fire protection services is not in the best interest of the City:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That assessment for fire protection services as established by Ordinance No. 2000-21 as amended by Ordinance No. 2007-020, is hereby amended by exempting private educational institutions as defined by 196.012(5) that are not subject to ad-valorem taxation, by the Broward County Property

Appraiser's Office, located on a parcel of Institutional Property whose Building uses are designated as private educational institutions and colleges and are wholly or partially exempt from ad valorem taxation under Florida law from the provisions of said Ordinances for the 2010 tax year, and subsequent tax years, and the 2011 fiscal year and subsequent fiscal years. Only the portions of such Buildings that are subject to ad valorem taxation under Florida law and determined as such by the Property Appraiser shall be subject to the Fire Protection Services required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived by the Fire Protection Assessment.

Section 2: That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

Section 3: That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

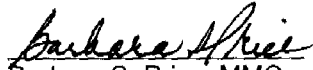
Section 4: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED ON FIRST READING THIS 18th DAY OF November, 2010.

PASSED AND ADOPTED ON SECOND READING THIS 9th DAY OF December, 2010.


Lisa K. Aronson, Mayor

Attest:


Barbara S. Price, MMC
City Clerk

	1st	2nd
Aronson	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Gerber	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>