

ORDINANCE 86-26

AN ORDINANCE OF MANATEE COUNTY, FLORIDA,
 AMENDING ORDINANCE 80-3, THE TOURIST
 DEVELOPMENT ORDINANCE AS PREVIOUSLY AMENDED;
 PROVIDING FOR THE IMPOSITION OF AN ADDITIONAL
 ONE PERCENT TAX ON EACH DOLLAR AND MAJOR
 FRACTION OF EACH DOLLAR OF THE TOTAL
 CONSIDERATION CHARGED PERSONS WHO RENT,
 LEASE OR LET FOR CONSIDERATION LIVING
 QUARTERS OR ACCOMODATIONS IN ANY HOTEL,
 APARTMENT HOTEL, MOTEL, RESORT MOTEL,
 APARTMENT, APARTMENT MOTEL, ROOMING HOUSE,
 TOURIST OR TRAILER CAMP, OR CONDOMINIUM FOR A
 TERM OF SIX MONTHS OR LESS; DELETING CERTAIN
 PORTIONS OF SECTION 4 OF ORDINANCE 80-3 WHICH
 PROVIDES FOR THE COMPOSITION OF THE TOURIST
 DEVELOPMENT COUNCIL AND AMENDING SECTION 4;
 AMENDING SECTION 8 TO CLARIFY THE EFFECT
 OF A REFERENDUM TO REPEAL THIS ORDINANCE;
 AND AMENDING SECTION 3 PROVIDING A TOURIST
 DEVELOPMENT PLAN FOR MANATEE COUNTY AND
 PROVIDING FOR THE ALLOCATION OF FUNDS COLLECTED
 BY THE TOURIST DEVELOPMENT TAX TO THE CIVIC CENTER,
 TOURIST INFORMATION CENTER, McKECHNIE FIELD,
 BRADENTON MUNICIPAL AUDITORIUM, GREEN BRIDGE
 FISHING PIER, HISTORICAL PARK TOURIST
 INFORMATION CENTER, ADVERTISING AND ADMINISTRATION
 AND SUPPLIES, BEACH IMPROVEMENTS AND MAINTENANCE,
 INCLUDING RENOURISHMENT, RESTORATION AND EROSION
 CONTROL AND SPECIFIC BEACH IMPROVEMENTS IN THE
 CITY OF ANNA MARIA, THE CITY OF HOLMES BEACH,
 THE CITY OF BRADENTON BEACH, THE TOWN OF
 LONGBOAT KEY, AND THE COUNTY OF MANATEE, AND
 PROVIDING A CONTINGENCY FUND; PROVIDING FOR
 THE ESTABLISHMENT OF A BEACH EROSION CONTROL TRUST
 FUND; AND PROVIDING AN EFFECTIVE DATE.

SECRETARY OF STATE

SEP 0 11 46 AM '86

FILED

WHEREAS, on October 2, 1980, the Manatee County Board of
 County Commissioners passed and duly adopted Manatee County
 Ordinance 80-3 implementing the "Local Option Tourist Development
 Act" codified as Section 125.0104, Florida Statutes; and

WHEREAS, Chapter 86-4, Laws of Florida, amended certain
 provisions of Section 125.0104, Florida Statutes, to provide for
 the imposition of an additional one percent (1%) tourist
 development tax and to provide for certain amendments to the
 composition of the Tourist Development Council; and

WHEREAS, the Tourist Development Council has recommended
 that Ordinance 80-3 be amended to impose an additional one
 percent (1%) tax; and

WHEREAS, certain other amendments are necessary to correct
 Ordinance 80-3 and bring it into compliance with Section

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125.0104, Florida Statutes, as amended by Chapter 86-4, Laws of Florida; and

WHEREAS, the Tourist Development Council (TDC) has made certain recommendations to the Board of County Commissioners concerning the effective operation of the projects or uses set out in Manatee County's Tourist Development Plan (TDP), as adopted by Section 3 of Ordinance 80-3; and

WHEREAS, Section 3 of Manatee County Ordinance 80-3 established the original Tourist Development Plan and Manatee County Ordinances 82-08, 82-26, 83-18, 83-23, 83-34, 84-17 and 85-29, have extended and amended the Tourist Development Plan; and

WHEREAS, Section 8 of Ordinance 80-3 provides that the Tourist Development Plan shall not be substantially amended except by an ordinance of Manatee County enacted by an affirmative vote of a majority plus one (1) additional member of the Board of County Commissioners of Manatee County; and

WHEREAS, Section 125.0104(3)(d), Florida Statutes, as amended by Chapter 86-4, Laws of Florida, requires an extraordinary majority of the membership of the Board of County Commissioners to levy, impose and set the additional one percent (1%) tax provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, as follows:

Section 1.

Section 1 of Ordinance 80-3 is amended to add Paragraph F. as follows:

F. Effective October 1, 1986, in addition to the two percent (2%) tax imposed under Paragraph A, there is hereby levied, imposed and set, an additional one percent (1%) of each dollar above the tax rate set under Paragraph A. Revenues raised by the additional tax authorized by this Paragraph shall not be used except as provided in Section 125.0104, Florida Statutes, and as may be further limited pursuant to the Tourist Development Plan provided under Section 3 of this Ordinance. The provisions of

Section 10 shall not apply to the additional one percent (1%) tax.

Section 2.

Section 4 of Ordinance 80-3 is deleted and replaced with the following:

Section 4.

There is hereby established the "Manatee County Tourist Development Council" pursuant to the Local Option Tourist Development Act, presently codified as Section 125.0104, Florida Statutes. The Tourist Development Council shall be composed of members appointed by the Board of County Commissioners in accordance with the Tourist Development Act. The Tourist Development Council shall conduct meetings and perform those duties prescribed by Florida law and such other duties as may be prescribed by County ordinance or resolution.

Section 3.

Section 3 of Ordinance 80-3, as amended, is deleted and replaced with the following:

Section 3.

The tax revenues and funds received by Manatee County pursuant to this Ordinance shall be expended according to the County's Tourist Development Plan, which is hereby adopted and set forth as follows:

A. It is estimated that Tourist Development tax revenues from the two percent (2%) tax imposed under Paragraph a, Section I, will be between Six Hundred Thousand (\$600,000.00) Dollars and Seven Hundred Thousand (\$700,000.00) Dollars per year. It is estimated that tourist development tax revenues from the additional one percent (1%) tax imposed under Paragraph F, Section 1, will be between Three Hundred Thousand (\$300,000.00) Dollars and Three Hundred Fifty Thousand (\$350,000.00) Dollars per year.

B. The allocation, in order of priority, of the tourist development tax revenue (less administrative or

State costs for collection and administration as authorized by Section 125.0104, Florida Statutes, as amended) for the fiscal year commencing October 1, 1986, and for each of the four (4) succeeding fiscal years, shall be authorized as follows:

I. ADVERTISING:

At least thirty percent (30%), but not more than fifty percent (50%) of the tourist development tax revenues in any fiscal year shall be allocated to advertising which shall be used for print and broadcast advertising, direct mail, publicity, special promotions and administration and supplies.

II. CIVIC CENTER:

At least fifteen percent (15%), but no more than twenty-five percent (25%) of the tourist development tax revenues in any fiscal year shall be used for promotion, administration and operation expenses of the Manatee County Civil Center.

III. TOURIST INFORMATION CENTER:

At least five percent (5%), but no more than fifteen percent (15%) of the tourist development tax revenues in any fiscal year shall be used for construction, maintenance, equipment and operation expenses of the Manatee County Tourist Information Center.

IV. OTHER CIVIC ENTERPRISES:

No more than ten percent (10%) of the tourist development tax revenues in any fiscal year may be used for maintenance, promotion and/or operation of enterprises qualified under Section 125.0104, Florida Statutes, or any other applicable law, and may include, but not be limited to, McKechnie Field, Bradenton Municipal Auditorium, Green Bridge Fishing Pier and the Historical Park Tourist Information Center.

V. CONTINGENCY:

At least two percent (2%), but no more than ten percent (10%) of the tourist development tax revenues in any fiscal year shall be designated as Contingency and may be disbursed only for one (1) of the purposes authorized under this Section, by resolution of the Board of County Commissioners adopted at any time during the fiscal year.

VI. Thirty-three and one-third percent (33-1/3%) of the tourist development tax revenue collected in any fiscal year shall be devoted exclusively to beach improvement, maintenance, renourishment restoration and erosion control of Manatee County beaches, including the establishment of and contributions to the Beach Erosion Control Trust Fund and allocations to the Cities of Anna Maria, Holmes Beach, Bradenton Beach, the Town of Longboat Key and the County of Manatee, for specific beach maintenance and improvement projects as are from time to time deemed necessary and provided for in the Tourist Development Council Budget, as approved by the Board of County Commissioners.

C. The specific allocation of funds within the authorized ranges established by this Ordinance shall be made by resolution of the Board of County Commissioners of Manatee County prior to the commencement of each fiscal year to which this Section applies and changes in such budget allocation shall be approved by resolution of the Board of County Commissioners. The allocation of tourist development tax revenues established under this Ordinance or any such resolution shall not constitute a right, entitlement or benefit to any individual or entity but remains subject to the authority of the Board of County Commissioners to amend this Ordinance. Funding authorized under this Ordinance shall be disbursed in accordance with

such rules, procedures and agreements as may be adopted and authorized by the Board of County Commissioners.

Section 4.

Section 8 of Ordinance 80-3 shall be deleted and replaced with the following:

The Tourist Development Plan set forth in Section 3 of this Ordinance shall not be substantially amended except by an ordinance of Manatee County enacted by an affirmative vote of a majority plus one (1) additional member of the Board of County Commissioners of said County. Furthermore, upon petition of fifteen percent (15%) or more of the electors of Manatee County, the Board of County Commissioners of said County shall cause an election or referendum to be held for the repeal of this Ordinance and the tax. The election shall be subject only to the outstanding bonds for which the tax has been pledged.

Section 5.

A certified copy of this Ordinance shall be furnished to the Department of Revenue within ten (10) days after adoption.

Section 6.

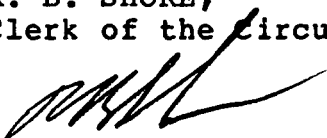
Except as otherwise specifically provided herein, this Ordinance shall be deemed effective upon receipt of acknowledgment from the Office of the Secretary of State in Tallahassee, Florida, that this Ordinance has been filed with that Office.

PASSED AND DULY ADOPTED by a majority plus one (1) vote of the Board of County Commissioners of Manatee County, Florida, this, the 2nd day of September, 1986.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: 
Chairman

ATTEST: R. B. SHORE,
Clerk of the Circuit Court




STATE OF FLORIDA
COUNTY OF MANATEE

I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of an ORDINANCE adopted by the Board of County Commissioners of said County in session on the 2nd day of September, 1986.

SUBJECT: ORDINANCE 86-26

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 80-3, THE TOURIST DEVELOPMENT ORDINANCE AS PREVIOUSLY AMENDED; PROVIDING FOR THE IMPOSITION OF AN ADDITIONAL ONE PERCENT TAX ON EACH DOLLAR AND MAJOR FRACTION OF EACH DOLLAR OF THE TOTAL CONSIDERATION CHARGED PERSONS WHO RENT, LEASE OR LET FOR CONSIDERATION LIVING QUARTERS OR ACCOMMODATIONS IN ANY HOTEL, APARTMENT HOTEL, MOTEL, RESORT MOTEL, APARTMENT, APARTMENT MOTEL, ROOMING HOUSE, TOURIST OR TRAILER CAMP, OR CONDOMINIUM FOR A TERM OF SIX MONTHS OR LESS; DELETING CERTAIN PORTIONS OF SECTION 4 OF ORDINANCE 80-3 WHICH PROVIDES FOR THE COMPOSITION OF THE TOURIST DEVELOPMENT COUNCIL AND AMENDING SECTION 4; AMENDING SECTION 8 TO CLARIFY THE EFFECT OF A REFERENDUM TO REPEAL THIS ORDINANCE; AND AMENDING SECTION 3 PROVIDING A TOURIST DEVELOPMENT PLAN FOR MANATEE COUNTY AND PROVIDING FOR THE ALLOCATION OF FUNDS COLLECTED BY THE TOURIST DEVELOPMENT TAX TO THE CIVIC CENTER, TOURIST INFORMATION CENTER, McKECHNIE FIELD, BRADENTON MUNICIPAL AUDITORIUM, GREEN BRIDGE FISHING PIER, HISTORICAL PARK TOURIST INFORMATION CENTER, ADVERTISING AND ADMINISTRATION AND SUPPLIES, BEACH IMPROVEMENTS AND MAINTENANCE, INCLUDING RENOURISHMENT, RESTORATION AND EROSION CONTROL AND SPECIFIC BEACH IMPROVEMENTS IN THE CITY OF HOLMES BEACH, THE CITY OF BRADENTON BEACH AND THE TOWN OF LONGBOAT KEY AND PROVIDING A CONTINGENCY FUND; PROVIDING FOR THE ESTABLISHMENT OF A BEACH EROSION CONTROL TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

WITNESS My Hand and Official Seal this the 3rd day of September, 1986, in Bradenton, Florida.



R. B. Shore, Clerk of Circuit Court
Manatee County, Florida



FLORIDA DEPARTMENT OF STATE

George Firestone
Secretary of State

September 8, 1986

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 33506

FILED IN 3000
SEP 11 1986
CLERK OF CIRCUIT COURT
MANATEE COUNTY
BRADENTON, FLORIDA

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of Letter/s of September 3, 1986
and certified copy/ies of Manatee
County Ordinance(s) 86-26

2. Receipt of _____ County Ordinance(s)
relative to:
 - (a) _____
which we have numbered _____
 - (b) _____
3. We have filed this/~~these~~ Ordinance(s) in this office
on September 8, 1986.
4. The ~~original~~/duplicate copy/ies showing the filing
date is/~~are~~ being returned for your records.

Cordially,

(Mrs.) Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure (1)