

TOWN OF FORT MYERS BEACH
ORDINANCE NO. 96 -22

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH
FLORIDA, TO BE KNOWN AS THE TOWN OF FORT MYERS
BEACH OCCUPATIONAL LICENSE ORDINANCE PROVIDING
AUTHORITY; TITLE AND CITATION; PURPOSE;
PREREQUISITE TO PERMIT ISSUANCE; DATES DUE AND
DELINQUENCY; PENALTIES; SEVERABILITY;
REPEALING CLAUSE AND EFFECTIVE DATE

IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

SECTION ONE: Authority

This Ordinance is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

SECTION TWO: Title and Citation:

This Ordinance shall be known and may be cited as the Town of Fort Myers Beach Occupational License Ordinance.

SECTION THREE: Purpose.

Lee County has levied an occupational license tax and authorizes the issuance of occupational licenses as authorized by Chapter 205, Florida Statutes, granting the privilege of engaging in or managing any business, profession, or occupation within the jurisdiction of TOWN OF FORT MYERS BEACH.

SECTION FOUR: Prerequisite to Permit Issuance.

Prior to the initial issuance of an occupational license, and before issuing said occupational license the entity authorized to collect the occupational license tax shall coordinate with the Town Manager who will ensure the property is zoned for the use for which the occupational license is being applied for.

SECTION FIVE: Dates Due and Delinquency.

All licenses shall be sold beginning on August 1 of each year, are due and payable on or before September 30 of each year, and expire on September 30 of the succeeding year. If September 30 falls on a weekend or holiday, the tax is due and payable on or before the first working day following September 30. Licenses that are not renewed when due and payable are delinquent and subject to a delinquency penalty of 10% for the month of October, plus an additional 5% penalty for each subsequent month of delinquency until paid. However, the total delinquency penalty may not exceed

25% of the occupational license tax for the delinquent establishment.

SECTION SIX: Penalties.

Any person who engages in or manages any business, occupation, or profession without first obtaining a local occupational license, if required, is subject to a penalty of 25% of the license due. Any person who engages in any business, occupation, or profession who does not pay the required occupational license tax within 150 days after the initial notice of tax due, and who does not obtain a required Lee County occupational license, is subject to civil actions and penalties, including court costs, reasonable attorney's fees, additional administrative costs incurred as a result of collection efforts by the entity authorized to collect the occupational license tax, and a penalty of up to \$250.00.

SECTION SEVEN: Severability

If any one of the provisions of this ordinance should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this ordinance, and in no way affect the validity of all other provisions of this ordinance.

SECTION EIGHT: Repealing Clause

All ordinances or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

SECTION NINE: Effective Date

This ordinance shall become effective September 30, 1996.

The foregoing ordinance was enacted by the Town Council upon a motion by Council Member FITZSIMONS and seconded by Council

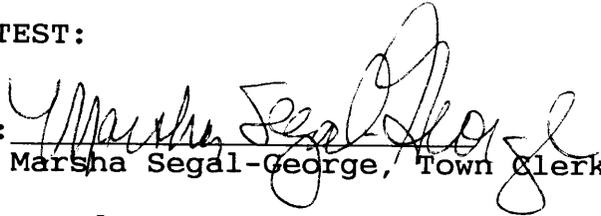
Member MURPHY and, upon being put to a vote, the result was as follows:

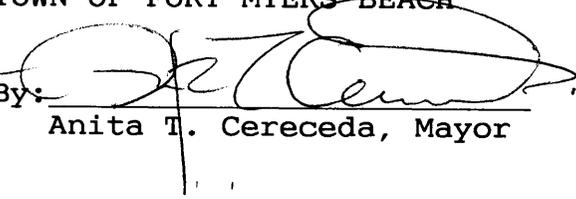
Anita T. Cereceda	<u>aye</u>
Ted FitzSimons	<u>aye</u>
William (Rusty) Isler	<u>aye</u>
Garr Reynolds	<u>aye</u>
Ray Murphy	<u>aye</u>

DULY PASSED AND ENACTED this 16th day of September , 1996.

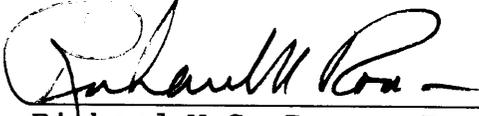
ATTEST:

TOWN OF FORT MYERS BEACH

By: 
Marsha Segal-George, Town Clerk

By: 
Anita T. Cereceda, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney

Post-it® Fax Note	7671	Date	# of pages ▶
To	Richard	From	
Co./Dept.		Co.	TOWN OF FT. MYERS BEACH
Phone #		Phone #	765-0919
Fax #	463-3994	Fax #	765-0909