

DRAFT #2

ORDINANCE NO. 93-4

AN ORDINANCE OF ST. JOHNS COUNTY, STATE OF FLORIDA AMENDING ST. JOHNS COUNTY ORDINANCE 87-36, AS PREVIOUSLY AMENDED, WHICH IS THE ORDINANCE THAT LEVYS OCCUPATIONAL LICENSE TAXES WITHIN ST. JOHNS COUNTY, FLORIDA AS AUTHORIZED BY CHAPTER 205, FLORIDA STATUTES; THIS AMENDMENT PROVIDES A PROCEDURE WHEREBY THE COUNTY MAY PURCHASE CERTAIN COUNTY OCCUPATIONAL LICENSES FOR PRIVATE OCCUPATIONS AND EVENTS THAT SERVE A PARAMOUNT PUBLIC PURPOSE; AND IT PROVIDES AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. St. Johns County ordinance 87-36, as previously amended, is hereby amended by adding the following sections 9, 10, and 11 thereto: and

Section 9.

The Board of County Commissioners of St. Johns County, Florida (the "Board") hereby finds, determines and declares the following:

A. In 1987 the Board, pursuant to Chapter 205, Florida Statutes, adopted its ordinance 87-36 requiring persons and entities doing business in St. Johns County, Florida to purchase an occupational license.

B. Florida Statute section 205.192 provides:

205.192 Charitable, etc., organizations; occasional sales, fund raising; exemption.

- No occupational license shall be required of any charitable, religious, fraternal, youth, civic, service, or other such organization when the organization makes occasional sales or engages in fund raising projects when the projects are performed exclusively by the members thereof and when the proceeds derived from the activities are used exclusively in the charitable, religious, fraternal, youth, civic, and service activities of the organization.

C. There are occasions when the limited activities permitted by section 205.192 do not allow exemptions for charitable and other organizations when they perform fund raising projects and other activities on a non continuous or infrequent basis even though such activities serve a paramount public purpose.

Section 10. The Board of County Commissioners of St. Johns County, Florida, is hereby authorized to pay for the County occupational licenses of charities and other organizations when:

- A. The activity for which the occupational license is required occurs on an infrequent basis; and
- B. The activity and/or the results of such activity serve a paramount public purpose within St. Johns County.

Section 11. A Board resolution or motion "to pay for" for "to waive" the County occupational license

for a charitable or other organizations activity shall automatically constitute:

- A. A finding that the organization and the activity for which the County occupational license is required meet the criteria set forth in Section 10 above; and
- B. Authorization and direction to County Administrator or his designee to cause the payment for the County occupational license that is the subject of the resolution or motion to be made from the County general fund.

Section 2. This Ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Department of State to the Clerk of the Board of County Commissioners, that same has been filed.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida this 26th day of January, 1993.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Linda Balsavage
Its Chairman - Linda Balsavage

ATTEST: CARL "BUD" MARKEL, CLERK

By: Carl Bud Markel
Clerk

EFFECTIVE DATE: February 9, 1993

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The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

SHERRY R. FREE who on oath says that she is

ACCOUNTING CLERK of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida: that

the attached copy of advertisement, being a _____
NOTICE OF INTENT

_____ in the matter of _____

ORDINANCE NO. 93 Draft #2

_____ in the _____ Court,

was published in said newspaper in the issues of _____
December 28, 1992

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Susan Hunt Mills
SUSAN HUNT MILLS

Sworn to and subscribed before me _____

this 29th day of December

A.D. 19 92

Susan Hunt Mills
(SEAL) Notary Public



SUSAN HUNT MILLS
MY COMMISSION # CG 177599 EXPIRES
February 3, 1996
BONDED THRU TROY FAIN INSURANCE, INC.

NOTICE OF INTENT TO CONSIDER ENACTMENT OF ORDINANCE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at its regular meeting on Tuesday, January 26, 1993 at 2:00 p.m. in the County Auditorium, at the County Administration Building, 4020 Lewis Speedway (County Road 14-A) and U.S. #1 North, St. Augustine, Florida, will hold a public hearing to consider the passage of the following ordinance:

ORDINANCE NO. 93 DRAFT #2

AN ORDINANCE OF ST. JOHNS COUNTY, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 87-36, AS PREVIOUSLY AMENDED, WHICH IS THE ORDINANCE THAT LEVYS OCCUPATIONAL LICENSE TAXES WITHIN ST. JOHNS COUNTY, FLORIDA AS AUTHORIZED BY CHAPTER 205, FLORIDA STATUTES; THIS AMENDMENT PROVIDES A PROCEDURE WHEREBY THE COUNTY MAY PURCHASE CERTAIN COUNTY OCCUPATIONAL LICENSES FOR PRIVATE OCCUPATIONS AND EVENTS THAT SERVE A PAR-AMOUNT PUBLIC PURPOSE; AND IT PROVIDES AN EFFECTIVE DATE.

The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing.

All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Notice to all hearing impaired persons: Anyone planning to attend this meeting and needs the services of an interpreter, please contact David Halstead, ADA Coordinator, at (904) 823-2509 at least 5 days prior to the date of this hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY

FLORIDA
CARL "BUD" MARKEL
ITS CLERK
By: Irma Pacetti
Deputy Clerk
L596 Dec. 28, 1992