

RESOLUTION NO. 92- 143

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA
DIRECTING THE TAX COLLECTOR OF ST. JOHNS
COUNTY, FLORIDA TO ADD CERTAIN DISCLAIMER
LANGUAGE TO THE COUNTY'S OCCUPATIONAL LICENSE
FORM.

WHEREAS, it may be argued that when the Tax Collector issues an occupational license pursuant to Florida Statute Chapter 205 (1985) and St. Johns County Ordinance 87-36 as amended, such license could constitute authorization from the Board of County Commissioners (the "Board") to the holder of the license and to any holder to whom the original holder transfers such license to perform or provide the services described on the license, or could constitute a franchise or other agreement to perform such services, contrary to the intent of County ordinances requiring and/or setting procedures for obtaining franchises, agreements, or other specific Board permission or authorization to provide or perform such services; and

WHEREAS, all occupational licenses are required by Florida Statute Chapter 205 to expire on October 1 of each year; and

WHEREAS, the Board did not, and does not, intend that the mere issuance of an occupational license without meeting the requirements of such other ordinances would constitute Board authorization or a franchise to perform such services; and

WHEREAS, the Board wishes to avoid misunderstandings and possible lawsuits over whether an occupational license constitutes the Board's authorization to perform such services or constitutes a franchise or other agreement as required or provided by such ordinances.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA as follows:

Section 1. The Tax Collector of St. Johns County is hereby directed to print or place the following disclaimer on each County Occupational Licenses prior to issuance:

This Occupational License does not constitute a franchise, an agreement, or permission or authority to perform the services or operate the business described hereon when a franchise, agreement, or other County Commission, State, or Federal permission or authority is required by County, State or Federal law.

Section 2. The Clerk is requested and directed to promptly provide the Tax Collector of St. Johns County, Florida with a copy of this resolution.

PASSED AND ADOPTED this 8 day of September, 1992.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: *James O. Balwage*
Vice Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: *Irma Paetle*
Deputy Clerk