

ORDINANCE No. 07-90

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA (THE "TOWN"), AMENDING ORDINANCE NUMBER 03-44 RELATING TO AD VALOREM TAXATION; PROVIDING FOR AN INCREASE IN THE ADDITIONAL HOMESTEAD EXEMPTION FOR CERTAIN QUALIFYING LOW INCOME SENIOR CITIZENS TO BE APPLIED TO MILLAGE RATES LEVIED BY THE TOWN; PROVIDING FOR THE TOWN CLERK TO DELIVER A COPY OF THIS ORDINANCE TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance Number 03-44 the Town of Miami Lakes (the "Town") implemented the additional homestead exemption of \$25,000.00 for qualifying senior citizens ("Senior Citizen Exemption") in accordance with Section 6(f), Article VII of the Florida Constitution and Section 196.075, Florida Statutes; and

WHEREAS, on November 7, 2006, the Florida Constitution was amended to increase the Senior Citizen Exemption to \$50,000.00; and

WHEREAS, the Town Council desires to implement the increase to the Senior Citizen Exemption.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:¹

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

¹ / Additions to existing Town Code text are shown by underline; deletions from existing Town Code text are shown as ~~strikethrough~~.

Section 2. Ordinance Number 03-44 Amended.

That Ordinance

Number 03-44 is hereby amended to read as follows:

...

Section 2. In accordance with Section 6(f), Art. VII of the Florida Constitution and Section 196.075, Florida Statutes, any person 65 years of age or over who has legal or equitable title to real estate located within the Town and maintains thereon his/her permanent residence which qualifies for and receives a homestead exemption pursuant to Section 6(a), Art. VII of the Florida Constitution, and whose Household Income does not exceed the greater of \$20,000 or the income limitation amount adjusted in 2003 pursuant to Section 196.075(3), Florida Statutes, shall be entitled to make application for an additional homestead exemption of ~~\$25,000.00~~ \$50,000.00 (the "Additional Exemption"). The Additional Exemption, if granted, shall be applicable to all ad valorem tax millage rates levied by the Town.

...

Section 5. The Additional Exemption shall be available commencing with the year ~~2004~~ 2007 tax roll, and the Property Appraiser may begin accepting Applications and sworn statements for the year ~~2004~~ 2007 tax roll as soon as the appropriate forms are available from the Department of Revenue. In the event that the Miami- Dade County Property Appraiser determines that the Additional Exemption is not available for the year 2007 tax roll, then the Additional Exemption shall be available commencing with the year 2008 tax roll.

Section 3. Copy to the Property Appraiser. The Town Clerk shall prior to June 1, 2007, deliver a copy of this Ordinance to the Miami-Dade County Property Appraiser, as requested by the Property Appraiser's letter of April 10, 2007.

Section 4. Repeal Of Conflicting Provisions. Any provision of the Code that conflicts with this Ordinance is hereby repealed.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Inclusion In The Code. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Code of Miami Lakes, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. Effective Date. This Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Vice Mayor Mary Collins, who moved its adoption on first reading with conditions. The motion was seconded by Councilmember Mayor Slaton and upon being put to a vote; the vote was as follows:

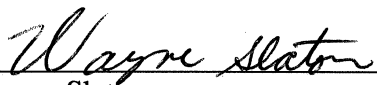
Mayor Wayne Slaton yes
Vice Mayor Mary Collins yes
Councilmember Roberto Alonso yes
Councilmember Robert Meador yes
Councilmember Michael Pizzi yes
Councilmember Richard Pulido yes
Councilmember Nancy Simon yes

PASSED AND ADOPTED on first reading this **8th** day of May, 2007.

The foregoing Ordinance was offered by Councilmember Roberto Alonso, who moved its adoption on second reading. The motion was seconded by Vice Mayor Mary Collins, and upon being put to a vote, the vote was as follows:

Mayor Wayne Slaton yes
Vice Mayor Mary Collins yes
Councilmember Roberto Alonso yes
Councilmember Robert Meador yes
Councilmember Michael Pizzi yes
Councilmember Richard Pulido yes
Councilmember Nancy Simon yes

PASSED AND ADOPTED this 22nd day of May, 2007.



Wayne Slaton
MAYOR

ATTEST:



DEBRA EASTMAN, MMC TOWN CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR USE ONLY BY THE
TOWN OF MIAMI LAKES:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

WEISS, SEROTA, HELFMAN, PASTORIZA,
COLE & BONISKE
TOWN ATTORNEY