

ORDINANCE NO. 13-153

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING AND IMPLEMENTING FLORIDA CONSTITUTIONAL AMENDMENT 11, WHICH PROVIDES AN ADDITIONAL TAX EXEMPTION FROM COUNTY AND MUNICIPAL TAXES FOR CERTAIN QUALIFIED SENIOR CITIZENS, PURSUANT TO ARTICLE VII, SECTION 6(d) OF THE FLORIDA CONSTITUTION; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 6, 2012, voters approved Florida Constitutional Amendment 11, providing an additional Homestead Tax Exemption for low income Senior Citizens; and

WHEREAS, the amendment changes Section 6(d) of Article VII of the Florida Constitution by allowing counties and municipalities to grant an additional Homestead Tax Exemption to certain senior citizen property owners; and

WHEREAS, the exemption shall be granted provided that: 1) The fair market value of the property is less than \$250,000; 2) The exemption is equal to the assessed value of the property; 3) the property owner has been a permanent resident on the property for at least 25 years; and 4) the property owner is at least 65 years of age and has a household income that does not exceed \$20,000 per year, all as provided in Article VII, Section 6(d) of the Florida Constitution; and

WHEREAS, as per Amendment 11, the Town Council of Miami Lakes desires to approve and implement the additional Homestead Tax Exemption to eligible Senior Citizen property owners.

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

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

Section 2. Approval. The Town Council, hereby approves and implements the new Senior Citizen Exemption afforded by Amendment 11, which provides an additional Homestead Tax Exemption from county and municipal taxes for qualified senior citizens, as per the provisions of the revised Article VII, Section 6(d) of the Florida Constitution.

Section 3. Authorization of Town Manager. The Town Manager is hereby authorized to take all actions necessary to implement the terms and conditions of this Ordinance.

Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.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. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Mayor Michael Pizzi, who moved its adoption on first reading. The motion was seconded by Councilmember Nelson Hernandez and upon being put to a vote, the vote was as follows:

PASSED on first reading this 22 day of January, 2013.

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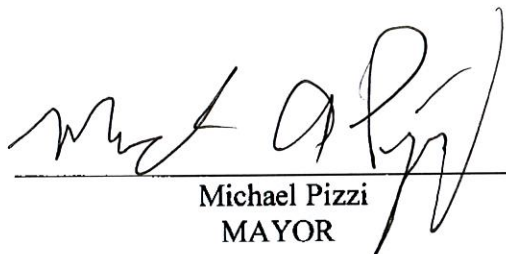
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>

PASSED AND ADOPTED this 12- day of February, 2013.


Motion to adopt by Mayor Pizzi, second by Councilman Cid.

FINAL VOTE AT ADOPTION

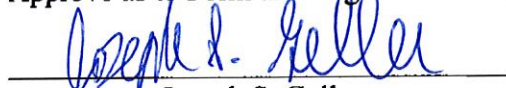
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Ceasar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>


Michael Pizzi
MAYOR

Attest:


Marjorie Tejada
TOWN CLERK

Approve as to Form and Legal Sufficiency


Joseph S. Geller
Greenspoon Marder PA
TOWN ATTORNEY