

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ESTABLISHING AN ADDITIONAL HOMESTEAD EXEMPTION OF FIFTY THOUSAND DOLLARS (\$50,000.00) APPLICABLE TO THE AD VALOREM TAX FOR QUALIFIED PERSONS SIXTY-FIVE AND OLDER, PURSUANT TO ARTICLE VII, SECTION 6(D), FLORIDA CONSTITUTION AND SECTION 196.075, FLORIDA STATUTES, TO BE LEVIED IN ACCORDANCE WITH SECTION 29-8, MIAMI-DADE COUNTY CODE OF ORDINANCES, AS AMENDED FROM TIME TO TIME; AND FURTHER PROVIDING THAT A COPY OF THIS ORDINANCE BE FILED WITH MIAMI-DADE COUNTY PROPERTY APPRAISER, AS PROVIDED BY LAW; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, in accordance with Article VII, Section 6(d) of the Florida Constitution and Section 196.075, of the Florida Statutes, any person sixty-five (65) years and older who has legal or equitable title to real estate within the City of North Miami ("City") and maintains thereon, a permanent residence, which residence qualifies for and receives homestead exemption, and whose household income does not exceed Twenty-Five Thousand Seven Hundred Eighty Dollars (\$25,780.00), shall be entitled to apply for an additional homestead exemption of up to Fifty Thousand Dollars (\$50,000.00); and

WHEREAS, twenty-eight (28) local governments, including Miami-Dade County, provide an additional homestead exemption of either Twenty-Five Thousand Dollars (\$25,000.00) or Fifty Thousand Dollars (\$50,000.00) to qualified applicants; and

WHEREAS, this additional homestead exemption, if granted, shall be applicable to all ad valorem tax millage rates levied by Miami-Dade County on behalf of the City; and

WHEREAS, every person claiming the additional homestead exemption must file an application with the Miami-Dade County Property Appraiser ("Property Appraiser") no later than March 1 of each year for which such exemption is claimed; and

WHEREAS, such application shall include a sworn statement of household income for all members of the household, and shall be filed on a form prescribed by the Florida Department of Revenue; and

WHEREAS, on or before June 1 of each such year, every applicant must file supporting documentation with the Property Appraiser, including copies of all federal income tax returns, wages and earnings statements, documentation necessary to verify the income received by all members of the household for the prior year, and such other documentation as required by the Property Appraiser; and

WHEREAS, applicant's failure to file the application and sworn statement by March 1, or failure to file the required supporting documentation by June 1 of any given year, shall constitute a waiver of the additional exemption privilege for that year; and

WHEREAS, commencing on January 1, 2012, and each January 1 thereafter, the annual income limitation shall be adjusted annually, by the percentage of change in the average cost-of-living index for the immediately preceding calendar year compared with the average cost-of-living index for the calendar year immediately prior to that year; and

WHEREAS, the cost-of-living index shall be the average of the consumer price index figures for the stated period, for the United States as a whole, issued by the United States Department of Labor; and

WHEREAS, the City shall file a copy of this Ordinance with the Property Appraiser no later than December 1, 2011, to effect the additional exemption for the year 2012; and

WHEREAS, the Mayor and City Council of the City of North Miami, have determined that the adoption of the proposed ordinance creating an additional homestead exemption in the amount of Fifty Thousand Dollars (\$50,000.00) for qualified seniors, is in the City's best interests.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. The Mayor and City Council of the City of North Miami, Florida, hereby establish an additional homestead exemption of Fifty Thousand Dollars (\$50,000.00) applicable to the ad valorem tax for qualified persons sixty-five and older, pursuant to Article VII, Section 6(d), Florida Constitution and Section 196.075, Florida Statutes, to be levied in accordance with Section 29-8, Miami-Dade County Code of Ordinances, as amended from time to time.

Section 2. The Mayor and City Council of the City of North Miami, Florida, further provide that a copy of this Ordinance be filed with Miami-Dade County Property Appraiser, as provided by law.

Section 3. Repeal. All ordinances or parts of ordinances in conflict or inconsistent are repealed.

Section 4. Conflicts. In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

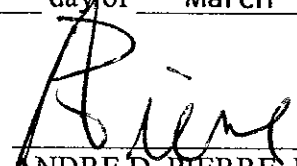
Section 5. Severability. If any word, clause, phrase, sentence, paragraph or section of this Ordinance is held to be invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph or section of this Ordinance.

Section 6. Codification. The provisions of this Ordinance may become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

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

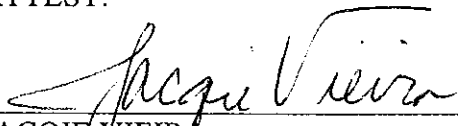
PASSED AND ADOPTED by a by 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 22 day of February, 2011.

PASSED AND ADOPTED by 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 8 day of March, 2011




ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:



JACQUIE VIEIRA
ACTING CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: COUNCILMAN GALVIN

Moved by: Vice Mayor Blynn

Seconded by: Councilman Galvin

Vote:

Mayor Andre D. Pierre, Esq.	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Michael R. Blynn, Esq.	<u>X</u>	(Yes)	_____	(No)
Councilman Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilman Jean R. Marcellus	<u>X</u>	(Yes)	_____	(No)
Councilwoman Marie Erlande Steril	<u>X</u>	(Yes)	_____	(No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.