

1 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION**
2 **OF THE VILLAGE OF BISCAYNE PARK, FLORIDA**
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4

5 **Section 1.** The Village Code of Ordinance, Senior Citizen Additional Homestead
6 Tax Exemption, is hereby amended that in accordance with Section 6(d), Art. VII of the
7 Florida Constitution and Section 196.075 of the Florida Statutes, any person 65 years of age
8 or over, who has legal or equitable title to real estate located within the Village of Biscayne
9 Park and maintains thereon his/her permanent residence, which residence qualifies for and
10 receives Homestead Exemption pursuant to Section 6(a) Art. VII of the Florida Constitution,
11 and whose household annual income does not exceed Twenty Seven Thousand and Thirty
12 (\$27,030) Dollars, shall be entitled to make application for an additional Homestead
13 Exemption of Fifty Thousand (\$50,000) Dollars. This additional Homestead Exemption, if
14 granted, shall be applicable to the ad valorem tax millage rate levied by the Village of
15 Biscayne Park.
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17
18 That this additional exemption shall be available commencing with the year 2013 tax
19 roll, and the Property Appraiser may begin accepting applications and sworn statements for
20 the year 2013 tax roll as soon as the appropriate forms are available from the Department of
21 Revenue for 2013.
22

23 That commencing January 1, 2013, and each January 1st thereafter, the Twenty Seven
24 Thousand and Thirty (\$27,030) Dollars annual income limitation in this Section shall be
25 adjusted annually and be applicable as of January 1st of that year. The annual income
26 limitation shall be adjusted by the percentage of change and the average cost of living in the
27 immediately preceding calendar year compared with the average cost of living index for the
28 calendar year immediately prior to that year. As used herein, "Index" shall be the average of
29 the monthly Consumer Price Index for the stated period, for the United States as a whole,
30 issued by the U.S. Department of Labor.
31

32 **Section 2.** The Village Clerk is hereby authorized to transmit this Ordinance to
33 the Miami-Dade County Property Appraiser's Office prior to March 1, 2013 for this
34 exemption to be effective for the 2013 tax year.
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36 **Section 3.** Consistent with the legal requirements, an application for Limited
37 Income Senior Citizens Exemption should be made by March 1st of the applicable tax year
38 through the submission of a County application to the Miami-Dade County Property
39 Appraiser.
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41 **Section 4. Effect and Adoption of Ordinance.** The adoption of this Ordinance
42 shall be the final adjudication of the issues presented unless proper steps shall be initiated in
43 a court of competent jurisdiction to secure relief within twenty calendar days from the date of
44 this assessment.
45

46 **Section 5. Severability.** The provisions of this Ordinance are declared to be
47 severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason
48 be held to be invalid or unconstitutional, such decision shall not affect the validity of the
49 remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in

1 effect, it being the legislative intent that this Ordinance shall stand notwithstanding the
2 invalidity of any part.

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4 **Section 6. Repeal of Conflicting Provisions.** To the extent any provisions of the
5 Code conflict with this Chapter, those provisions are repealed in its entirety, specifically
6 Ordinance 2007-19.

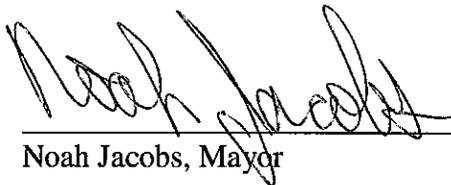
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8 **Section 7. Effective Date.** This Ordinance shall be effective upon adoption.

9
10 The foregoing Ordinance was offered by Commissioner Ross, who moved its adoption. The
11 motion was seconded by Commissioner Watts and upon being put to a vote, the vote was as
12 follows:

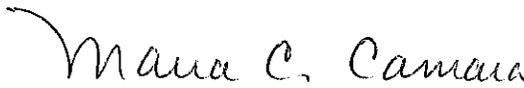
13
14 FIRST READING: December 4, 2012

15 SECOND READING: February 5, 2013

**The foregoing ordinance upon being
put to a vote, the vote was as follows:**

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21 
22 _____
23 Noah Jacobs, Mayor

Mayor Jacobs: Yes
Vice Mayor Cooper: Yes
Commissioner Anderson: No
Commissioner Ross: Yes
Commissioner Watts: Yes

24
25
26 
27 _____
28 Maria C. Camara, Village Clerk

29 Approved as to form:

30
31
32
33 
34 _____
35 Village Attorney