

ORDINANCE NO. 2012 - 18

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NO. 92-18, AS AMENDED, WHICH ESTABLISHED THE TOURIST DEVELOPMENT COUNCIL, BY AMENDING SECTION THREE, ENTITLED "COMPOSITION OF MEMBERSHIP," PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

OFFICE OF THE
COUNTY ATTORNEY
2012 JUN 21 AM 9:41:59
TALLAHASSEE, FLORIDA

WHEREAS, Collier County Ordinance No. 92-18 established the Tourist Development Council pursuant to the authority and requirements of Section 125.0104, Florida Statutes; and

WHEREAS, Ordinance No. 92-18, as subsequently amended, provides that two members of the Council shall be elected municipal officials with the City of Everglades City and the City of Marco Island alternating as the second municipal member; and

WHEREAS, the Board of County Commissioners desires to amend Ordinance No. 92-18, as amended, specifically Section Three, "Composition of Membership," in order to provide for municipal seats for both the City of Naples and the City of Marco Island, provide for the ability of City of Everglades City to appoint a member to the council, and provide for a membership guideline of two members being owners or operators of motels or hotels, and one member who is otherwise a qualified owner/operator.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE: AMENDMENT TO SECTION THREE OF ORDINANCE NO. 92-18, AS AMENDED.

Section Three is hereby amended as follows:

SECTION THREE: COMPOSITION OF MEMBERSHIP.

Underlined text is added; ~~Struck through~~ text is deleted

The membership of the Collier County Tourist Development Council shall be composed as follows:

(a) The Chairman of the Board of County Commissioners of Collier County or any other members of the Board of County Commissioners as designated by the Chairman to serve on the Council.

(b) Two members of the Council ~~shall~~ must be elected municipal officials, ~~at least one of whom shall be from the most populous municipality in the county or sub-county special taxing district in which the tax is to be levied.~~ One member shall be from the City of Naples, and the other member shall be from the City of Marco Island. These members shall be appointed from a list containing one or more qualified applicants submitted by the respective governing bodies of those cities. ~~The City of Everglades and the City of Marco Island shall alternate as the second municipal member. In the event that other municipalities are legally created in the county, then those municipalities shall be included in the rotation process for the second municipal seat.~~

(c) Three members shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the County subject to any tourist development tax levied pursuant to Section 125.0104, Florida Statutes. In appointing such members, the Board of County Commissioners will strive to obtain a membership guideline of two of these members being owners or operators of motels or hotels, and one member who is otherwise qualified.

(d) Three members of the Council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, recreational vehicle parks or other tourist accommodations in the County which would be subject to any tourist development tax.

(e) Of the six members who are either owners or operators, or persons involved in the tourist industry, one member shall be appointed from a list containing one or more qualified applicants submitted by the governing body of the City of Everglades City.

All members of the Collier County Tourist Development Council shall be electors of Collier County and the members shall serve at the pleasure of the Board of County Commissioners for staggered terms of four (4) years. The terms of office of the original members shall be prescribed in the resolution appointing the original members.

SECTION TWO: CONFLICT AND SEVERABILITY.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held

invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION THREE: INCLUSION IN THE CODE OF LAWS AND ORDINANCES.


The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION FOUR: EFFECTIVE DATE.

This Ordinance shall be effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 22nd day of May, 2012.

ATTEST:
DWIGHT E. BROCK, CLERK

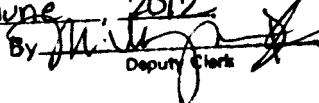
By: 
Deputy Clerk
~~Attest as to Chairman~~
~~Signature and~~

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: Fred W. Coyle
FRED W. COYLE, CHAIRMAN

Approved as to form
and legal sufficiency:


Jeffrey A. Klaskow
County Attorney

This ordinance filed with the
Secretary of State's Office the
1st day of June, 2012
and acknowledgement of that
filing received this 11th day
of June, 2012
By: 
Deputy Clerk

STATE OF FLORIDA)

COUNTY OF COLLIER)


I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

ORDINANCE 2012-18

which was adopted by the Board of County Commissioners on the 22nd day of May, 2012, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 31st day of May, 2012.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners


By: Martha Vergara
Deputy Clerk

