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RESOLUTION 05- 95

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA OPPOSING THE PRACTICE OF REQUIRING COMMUNITIES THAT WANT TO FORM MUNICIPALITIES TO PAY MITIGATION TO THE COUNTY; SUPPORTING THE PASSING OF A LAW WHICH WOULD PROHIBIT COUNTIES FROM REQUIRING MUNICIPALITIES TO PAY ANY TAX, FEE OR OTHER CONSIDERATION IN RETURN FOR ALLOWING CITIZENS OF AN AREA TO INCORPORATE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, over the last several years, certain County governments have begun exacting payments from local communities in return for allowing citizens of an area to incorporate and self-govern; and

WHEREAS, these payments have hindered the newly formed municipality from performing the municipal functions which serve its citizens; and

WHEREAS, the requirement to pay such a tax or fee is contrary to public policy and results in individuals paying taxes that are improperly spent outside of that community and spent for services which they do not receive; and

WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay, Florida hereby finds that such a practice of requiring newly formed municipalities to pay any tax, fee or other consideration in return for allowing their citizens to incorporate and self govern is contrary to public policy and contrary to the interests of the citizens of the Village of Palmetto Bay;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

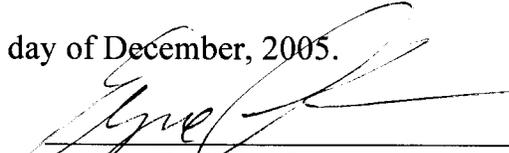
Section 2. The mayor and village council hereby opposes the practice by Counties to exact payment in order to allow local communities to self govern and

1 incorporate and supports any and all efforts made to pass laws which will prohibit the
2 exacting of a tax, fee or other consideration for this purpose.

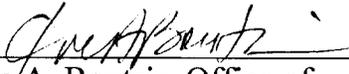
3 **Section 3.** This resolution shall become effective upon its passage and adoption
4 by the village council.

5
6 **PASSED and ADOPTED** this 5th day of December, 2005.

7 Attest: 
8 Meighan Pier
9 Village Clerk


Eugene P. Flinn, Jr.
Mayor

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11 APPROVED AS TO FORM:

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13 
14 Eve A. Boutsis, Office of
15 Village Attorney
16 Nagin Gallop & Figueredo, P.A.

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20 FINAL VOTE AT ADOPTION:

21 Council Member Ed Feller	<u>YES</u>
22	
23 Council Member Paul Neidhart	<u>YES</u>
24	
25 Council Member John Breder	<u>YES</u>
26	
27 Vice-Mayor Linda Robinson	<u>YES</u>
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29 Mayor Eugene P. Flinn, Jr.	<u>YES</u>
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