

**TOWN OF BELLEAIR
ORDINANCE NO. 542**

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, REPEALING AND REPLACING CHAPTER 54 - TAXATION, ARTICLE II – OCCUPATIONAL LICENSE TAX, OF THE CODE OF ORDINANCES, TOWN OF BELLEAIR, FLORIDA TO INCORPORATE CURRENT STATE AND FEDERAL LAW REQUIREMENTS AND AMENDING APPENDIX B -- FEE SCHEDULE, CODE OF ORDINANCES, TOWN OF BELLEAIR, FLORIDA TO REMOVE THE LICENSE TAX SCHEDULE FOR BUSINESS TAX RECEIPTS; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 54, Article II of the Code of Ordinances, Town of Belleair, Florida presently sets forth requirements for and provisions related to the acquisition of an occupational license for those engaging in businesses, occupations, and professions within the Town, to include the annual payment of an annual occupational license fee;

WHEREAS, Appendix B – Fee Schedule, of the Code of Ordinances, Town of Belleair, Florida presently contains, in relevant part, the schedule of occupational license classifications and fees required to obtain an annual occupational license pursuant to Chapter 54, Article II; and

WHEREAS, Chapter 54, Article II dates back to 1980, and the Town Commission’s duties include ensuring that the Town’s ordinances, as codified in the Code, are up to date, reflect current Florida and federal statutory and case law, that they reflect current actual Town operations, and that they do not contain outdated, redundant, or erroneous provisions; and

WHEREAS, changes to federal and state law in the intervening years has rendered multiple portions of Chapter 54, Article II outdated, redundant, or erroneous; and

WHEREAS, it is believed that the fees reflected in Appendix B – Fee Schedule have not been reviewed, raised, or modified since at least the 1990s and no longer reflect or account for the full range of businesses, occupations, and professions within the Town or the costs associated with administering Chapter 54, Article II; and

WHEREAS, the Town Commission therefore finds that it is in the best interests of the Town, its citizens, its property owners, and its businesses to adopt this Ordinance repealing and replacing Chapter 54, Article II and removing the associated fee schedule from Appendix B.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BELLEAIR, that:

Section 1. Chapter 54 – Taxation, Article II – Occupational License Tax, § 54-36 through § 54-65, Code of Ordinances, Town of Belleair, Florida is hereby repealed in its entirety.

Section 2. Chapter 54 – Taxation, Article II – Business Tax, § 54-36 through § 54-58, Code of Ordinances, Town of Belleair, Florida is hereby created to read as follows:

ARTICLE II. - BUSINESS TAX

Sec. 54-36. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business means all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises in the town, or anywhere else within the town's jurisdiction except a person engaging in those activities upon which a business tax is prohibited by United States Constitution, Art. I, § 8 or by state statutes. The term does not include the customary religious, charitable, or educational activities of nonprofit religious, nonprofit charitable, and nonprofit educational institutions in this state, as defined in this § 54-36.

Business tax means the fees charged and the method by which the town grants the privilege of engaging in or managing any business, profession, or occupation within the town's jurisdiction. It does not mean any fees or licenses paid to any board, commission, or officer for permits, registration, examination, or inspection, which unless otherwise provided by law, are deemed to be regulatory and in addition to, but not in lieu of, any business tax imposed herein.

Charitable institutions means only nonprofit corporations operating physical facilities in the state at which are provided charitable services, a reasonable percentage of which shall be without cost to those unable to pay.

Educational institutions means state tax-supported or parochial, church, and nonprofit private schools, colleges, or universities conducting regular classes and courses of study required for accreditation by or membership in the Southern Association of Colleges and Secondary Schools, department of education or the Florida Council of Independent Schools. Nonprofit libraries, art galleries and museums open to the public are defined as educational institutions and eligible for exemption.

Employee means every person engaged in any business, profession, or occupation under any appointment, agency, contract of hire, or apprenticeship, express or implied, oral or written.

Merchandise means any goods, wares, or commodities bought or sold in the usual course of trade, wholesale or retail, including necessities, provisions and articles for immediate consumption.

Merchant, retail means any merchant who sells to the consumer or for any purpose other

than resale.

Merchant, wholesale means any merchant who sells to another for the purpose of resale. Sales to governmental entities shall be considered wholesale sales.

Occupation means any occupation in which any person maintains a permanent business location or branch office within the town, or any occupation in which any person not maintaining a permanent business location or branch office within the town transacts any business in the town except a person engaging in those activities upon which a business tax is prohibited by United States Constitution, Art. I, § 8 or by state statutes.

Person means any individual, firm, partnership, joint adventure, syndicate, or other group or combination acting as a unit, association, corporation, estate, trust, business trust, trustee, executor, administrator, receiver, or other fiduciary and includes the plural as well as the singular.

Premises means all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises.

Profession means any profession in which any person maintains a permanent business location or branch office within the town for the purpose of engaging in or managing any profession within the town, or any profession in which any person not maintaining a permanent business location or branch office within the town transacts any business in the town, except a person engaging in those activities upon which a business tax is prohibited by United States Constitution, Art. I, § 8 or by state statutes.

Receipt means the document that is issued by the town which bears the words “Local Business Tax Receipt” and evidences that the person in whose name the document is issued has complied with the provisions of this article relating to the business tax.

Religious institutions means churches and ecclesiastical or denominational organizations, or established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on, and also church cemeteries.

Sec. 54-37. - Levy of business tax.

(a) There is levied a business tax for the privilege of engaging in or managing any business, profession, or occupation on any person who:

- (1) Maintains a permanent business location or branch office within the town, for the privilege of engaging in or managing any business within its jurisdiction.
- (2) Maintains a permanent business or location or branch office within the town, for the privilege of engaging in or managing any profession or occupation within its jurisdiction.

(3) Does not qualify under subsection (1) or (2) of this section and transacts any business or engages in any occupation or profession in interstate commerce, if the business tax is not prohibited by the United States Constitution, Art. I, § 8.

(b) For the purpose of this article, any person shall be deemed to be engaging in or managing a business, profession, or occupation, and thus subject to the requirements of this article, when on premises in the town that person does one act of:

- (1) Selling any goods or service;
- (2) Soliciting business or offering goods or services for sale or hire;
- (3) Acquiring or using any vehicle or any premises in the town for business purposes;
- (4) Providing any service within the jurisdiction of the town.

Sec. 54-38. - Receipt required; exemptions; conditions.

(a) It shall be unlawful for any person to exercise any of the privileges or carry on or engage in or conduct any of the businesses, occupations, or professions specifically enumerated in this article or the fee schedule adopted by resolution without paying the business tax required by this article in the manner provided or to fail to make reports to the town as required or to violate any other section of this article.

(b) No business tax shall be required for any business or occupation which is exempt pursuant to F.S. ch. 205.

(c) As to any business or occupation which is, pursuant to F.S. ch. 205, required to have an active state license prior to issuance of town business, no receipt shall be issued for any such business or occupation until proof of such license is provided to the town clerk.

(d) A business tax receipt is not required of any charitable, religious, fraternal, youth, civic, service, or other similar organization that makes occasional sales or engages in fundraising projects that are performed exclusively by the members, and the proceeds derived from the activities are used exclusively in the charitable, religious, fraternal, youth, civic, and service activities of the organization.

(e) No business license shall be required of any person for the mere act of delivering into the town any property purchased or acquired in good faith from such person at the person's regular place of business outside the town where no intent by such person is shown to exist to evade the provisions of this article.

Sec. 54-39. - Penalty for violation.

Any person who shall, either as a proprietor or agent or otherwise, carry on, conduct or engage in any business, profession, or occupation for which a business tax is required under this article, without having first obtained such business tax receipt, except when otherwise provided by law, shall be punished as provided in section 1-15, and the amount of any such business tax shall constitute an indebtedness to the town recoverable in any court of competent jurisdiction.

Sec. 54-40. - Prerequisite for pest control businesses.

Pursuant to F.S. § 205.1967, the town will not issue a business tax receipt to any pest control business regulated under chapter 482 unless a current license has been procured from the Department of Agriculture and Consumer Services for each of its business locations in the town. Upon presentation of the requisite licenses from the department and the required fee, a business tax receipt shall be issued by the town.

Sec. 54-41. - Responsibility of agents of nonresident businesses.

The agents or other representatives of nonresidents who are doing business in the town shall be personally responsible for the compliance of their principals and of the businesses they represent with the provisions of this article.

Sec. 54-42. - Branch establishments and separate locations.

A receipt shall be obtained in the manner prescribed in this article for each branch establishment or location of the business engaged in, as if each such branch establishment or location were a separate business, provided that warehouses and distributing plants used in connection with and incidental to a business receipt under the provisions of this article shall not be deemed to be separate places of business or branch establishments.

Sec. 54-43. - Due date; duration of business tax.

All business taxes imposed under this article, except as otherwise expressly provided, shall be due and payable on October 1 of each year, and business taxes shall expire on September 30 of the succeeding year.

Sec. 54-44. - Proration.

(a) No receipt shall be issued under this article for a period less than six months, except as otherwise specifically stated in this article.

(b) For each business tax renewed and for each new business tax issued between October 1 and March 31 of each year, the full amount of business tax imposed by this article shall be paid. For each receipt issued to a business beginning to operate on or after April 1 of each year, one-half of the total amount of the business tax shall be paid.

Sec. 54-45. - Penalty for delinquent payment of taxes.

(a) Each business tax not renewed by September 30 shall be considered delinquent and shall be subject to a delinquency penalty of ten percent of the total tax due for the month of October, plus an additional five percent penalty for each month of delinquency thereafter until paid; provided, however, that the total penalty shall not exceed 25 percent of the total tax due.

(b) Any person who engages in or manages any business, occupation, or profession without first obtaining a receipt, if required, is subject to a penalty of 25 percent of the business tax due, in addition to any other penalty provided by law or ordinance.

(c) Any person who engages in any business, occupation, or profession covered by this article, who does not pay the required business tax within 150 days after the initial notice of tax due and who does not obtain the required receipt, is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

(d) Nothing in this section, however, shall be construed to prevent the imposition of a fine or imprisonment or both, upon conviction for violation of any section of this article.

Sec. 54-46. - Display or possession of receipt.

Every person required to have a business tax receipt under this article shall at all times from the issuance of such receipt by the town conspicuously display such receipt in the person's place of business. Where the business tax payor does not have a place of business, such payor shall be prepared at all times while engaged in the authorized occupation to present the issued receipt for inspection by any police officer or code enforcement officer of the town when requested to do so.

Sec. 54-47. - Posting of receipt.

Every receipt issued shall be posted in a conspicuous place in the place of business for which it is issued, and the holder of such receipt shall exhibit the receipt to the town inspector or any police officer upon being requested to do so by either of them.

Sec. 54-48. - Replacing lost or destroyed receipt.

For the purpose of replacing any mutilated, destroyed, or lost receipt granted by the town, the town clerk is authorized and empowered to cause to be executed and delivered an appropriate duplicate receipt, upon the submission of evidence satisfactory to the town clerk that the original receipt was mutilated, destroyed, or lost and upon the holder of such original furnishing the town with indemnity satisfactory to the clerk and upon the payment to the town by the holder the sum of \$5.00 for each such duplicate receipt executed and delivered. The sum charged is declared to be a reasonable amount to reimburse the town for the expense incidental to executing and delivering each such duplicate receipt.

Sec. 54-49. - Transfer of receipt.

(a) All receipts issued by the town under this article shall be transferred with the approval of the town manager with the businesses for which they were taken out, except for certain business tax classifications set forth as not transferable in the receipt tax schedule, when there is a bona fide sale and transfer of the property used and employed in the business as stock in trade, and not otherwise, provided that the seller of the business shall present the license to the town manager with the endorsement on the reverse side of the receipt issued, assigning all right, title, and interest to the purchaser, and the purchaser shall produce a properly executed bill of sale showing the transfer of stock from the person to the purchaser.

(b) Receipts may be transferred from one location to another provided the receipt is presented to the town manager for approval of such transfer.

(c) Any business receipt may be transferred to a new owner when there is a bona fide sale of the business upon payment of a transfer fee of \$5.00, and presentation of the original receipt together with evidence of the sale of the business, but such transferred receipt shall not be good for any longer or for any other place than that for which it was originally issued. Any receipt may be transferred from an abandoned location to another location within the town upon the presentation of the original receipt and payment of a transfer fee of \$5.00.

Sec. 54-50. - False statements in business tax application.

Any receipt obtained under this article upon a misrepresentation of a material fact shall be deemed null and void, and the taxpayer who has thereafter engaged in any business under such receipt shall be subject to prosecution or other applicable penalties to the same effect and degree as though no such receipt had ever been issued.

Sec. 54-51. - Business operation as privilege.

The issuing of a business tax receipt by the town is for the privilege of engaging in or managing a business, profession, or occupation. The town reserves the right to decline to issue or renew, or to revoke or suspend a business license for a violation of this article.

Sec. 54-52. - Business tax is applicable to one place of business.

All business taxes provided for in this article shall be issued for and shall apply to only one place of business within the town.

Sec. 54-53. - Multiple business taxes.

If any person engaged in a business, occupation, or profession at one location or place of business is required under the terms of this article to have more than one receipt and to pay more than one business tax, the taxpayer shall pay all business taxes so required.

Sec. 54-54. – Application procedure.

(a) Application. Every person required to procure or renew a business license under the provisions of this article shall submit an application for such license to the town clerk. The application shall:

- (1) Be a written statement upon forms provided by the town clerk, and shall be in the form of an affidavit wherein the applicant attests to the truthfulness of the information contained therein and acknowledging the requirements of this article;
- (2) Be accompanied by the full amount of the current taxes or fees chargeable for such business license along with any other overdue fines or fees payable under this article;
- (3) Require, as to renewal applications, the disclosure of such information concerning the conduct, organization and operation of applicant's business during the preceding licensing period as is reasonably necessary to verify the applicant's eligibility for a renewed business license, and for a possible adjustment of assigned business category or tax amount due.

(b) Denial. If the town clerk determines, based upon the criteria established in this article, the town code, and any relevant statutory law, that an applicant does not meet said criteria, the application shall be denied. Upon denying an application, the town clerk shall refund any tax paid in advance by the applicant, provided the applicant is not otherwise indebted to the town. The denial shall be in writing to the applicant and shall state the reason(s) for such denial. When the issuance of a business license is denied and any action instituted by the applicant to compel its issuance, such applicant shall not engage in the business for which the business license was denied unless a business license is issued to the applicant pursuant to a judicial order requiring the issuance of such business license.

(c) Appeal. The applicant may appeal such denial to the town commission. The appeal must be in writing and submitted to the town clerk within 20 days of receipt of the written denial. Once the appeal is received by the town in conformity with this section, the matter shall be placed on the next regularly scheduled agenda for the consideration of the town commission at a quasi-judicial hearing. Appeals of decisions by the town commission shall be to the Circuit Court of the Sixth Judicial Circuit within 30 days of the town commission's decision in the manner provided by law.

Sec. 54-55. - Inspections.

(a) Town code inspectors shall have the authority to conduct regulatory inspections of the following premises, at all reasonable times, to ensure compliance with this article:

- (1) Those for which a business license is required;

(2) Those for which a business license was issued and which, at the time of inspection, are operating under such business license;

(3) Those for which a business license has been revoked or suspended;

(4) Those to which a business license has been transferred.

(b) Regulatory inspections under this section may occur in the following instances:

(1) Where the code inspector has been invited or has otherwise been permitted to enter the premises by the owner, manager, employee, or other agent with actual or apparent authority to control the premises;

(2) Where the code inspector enters a licensed business premises during a time when that business is open for business and the code inspector inspects only areas of the business which are otherwise open to or viewable by customers, delivery personnel, or other persons who are invitees of the business;

(3) Where the business tax of such business is based upon the amount of inventory, number of employees, number of vehicles, or the number of rental units and, in such cases, for the sole purpose of determining the proper classification of and license tax for such business;

(4) Where the code inspector presents an inspection warrant.

(c) Code inspections under this section may not occur for the purpose of conducting criminal investigations, but shall be limited to the regulatory purposes for which the inspector is seeking to conduct the inspection. Notwithstanding the foregoing, nothing in this subsection is intended to deprive any member of law enforcement who is otherwise lawfully within a licensed premises to observe any item which is in plain view to the officer, and to thereafter take such criminal law enforcement action as that officer's agency and the law may authorize.

(d) For purposes of this section, the term "reasonable times" shall be those times when the business premises is occupied by at least one owner, employee, or authorized agent and is otherwise open for business.

Sec. 54-56. - Authority to establish fees; schedule of amounts

(a) The business tax levied in section 54-37 shall be collected from every person exercising the privilege of carrying on, managing, or engaging in the businesses, professions, or occupations as specifically enumerated by resolution adopted from time to time by the town commission. The town commission may from time to time establish the amount of such business tax by resolution. Each such amount must be based upon reasonable classifications and must be uniform throughout any class and, unless otherwise specifically stated, shall be the amount payable

per year as a business tax for exercising such privilege or carrying on or engaging in such business, profession, or occupation mentioned for each, and it shall be unlawful for any person to carry on or engage in any such business, occupation, or profession prescribed and designated without having first paid the business tax or complied with the terms of this article.

(b) Where the amount of the business tax levied depends upon the gross receipts from the sale of merchandise, the business tax shall be computed according to the inventory on hand as of the first day of the year for which the business tax receipt is issued. The applicant shall file with the town clerk an affidavit stating the value of the inventory on hand as of the first day of the business tax year.

Sec. 54-57. - Town license officer; duties.

(a) The town clerk or such other official as the town may designate (the designee) shall administer this article. The designee shall:

- (1) Collect all business license taxes, penalties, or other fees, and issue business tax receipts in the name of the town to all persons qualified under the provisions of this article;
- (2) Promulgate and enforce all reasonable administrative rules and regulations necessary to the operation and enforcement of this article;
- (3) Adopt all forms, including applications, notices of denial or suspension, license transfer applications and approvals, notices of tax due, and business tax receipts, as are necessary to administer this article;
- (4) Require applicants to submit all affidavits and oaths necessary to the administration of this article;
- (5) Determine the eligibility of any applicant for a business license pursuant to the criteria established in this article, the town code, and in any relevant statutory law;
- (6) Examine the books and records of any applicant or licensee when reasonably necessary to the administration and enforcement of this article.

(b) The designee shall provide to the town commission copies of all administrative procedures and forms developed pursuant to this section. The town commission reserves the right to revise or rescind any of these if, in its judgment, such procedures or forms are inconsistent with this article, the town code or other applicable law, or if doing so would otherwise be in the town's best interest.

Section 3. Appendix B – Fee Schedule, Code of Ordinances, Town of Belleair, Florida is

hereby amended to read as follows:

APPENDIX B - FEE SCHEDULE

FEE SCHEDULE SUBPART A. GENERAL ORDINANCES

Description		Amount	Code Section
Animals			
	Impoundment of dogs, penalty	\$ 2.50	10-40
Wireless communications fees			74-283
	Wireless communications registration fee	500.00	
	Annual wireless fee for collocation fee (per pole)	150.00	
	Annual wireless fee for utility poles (per pole)	500.00	
	Annual wireless fee for light poles (per pole)	500.00	
Peddlers and Solicitors			
(1)	Application fee	25.00	38-90
(2)	Renewal of permit	10.00	38-93

Solid Waste												
(1)	Residential. Garbage cans and trash containers collected on regularly scheduled days, two garbage pickups plus two trash pickups weekly:										46-39	
	Monthly Service Charge			10/1/2021	10/1/2022	10/1/2023						
	Single Family (any residence with its own refuse container, regardless of zoning).....			40.54	42.97	45.55						
	Multifamily (any multifamily complex without individual refuse containers for each residence therein, regardless of zoning).....			15.37	16.29	17.27						
(2)	Monthly commercial and professional user rates:			10/1/2021	10/1/2022	10/1/2023	46-39					
	Commercial without dumpster											
	Monthly service charge....			34.90	36.99	39.21						
	Commercial with dumpster....											
Container	2x Week			3x Week			4x Week			5x Week		
	10/21	10/22	10/23	10/21	10/22	10/23	10/21	10/22	10/23	10/21	10/22	10/23
1 cu. yd.	105.89	112.24	118.97	158.84	168.37	178.47	211.79	224.50	237.97	264.73	280.61	297.45
2 cu. yd.	211.79	224.50	237.97	348.66	369.58	391.75	423.65	449.07	476.02	529.49	561.25	594.93
4 cu. yd.	396.37	420.16	445.37	594.19	629.84	667.63	792.74	840.30	890.72	990.57	1,050.01	1,113.01
6 cu. yd.	561.58	595.56	631.29	842.75	893.32	946.92	1,123.67	1,191.09	1,262.56	1,404.48	1,488.75	1,578.07
Additional dumpster pickups provided				10/1/21	10/1/22	10/1/23						
Unitary Rate per cubic yard per pickup.....				11.70	12.40	13.14						
(3)	Special pickups, per hour (excluding palm fronds) which does not conform to the above specifications, and all building materials (Town Manager, in his/her sole discretion, may charge amounts for actual labor and materials for each Special Pickup).....										46-39 (c)	
				10/1/2021	10/1/2022	10/1/2023						
	Hourly charge per pickup.....			59.25	62.81	66.57						
	Minimum charge per pickup....			19.86	21.05	22.31						
(4)	Annual permit fee for private collection and disposal service.....			57.75	61.22	64.89	46-39					
	Fee for each permitted construction dumpster			57.75	61.22	64.89	47-37(a)					

Taxation			
	Transfer of occupational license	3.00	54-44
	License tax schedule:		
(1)	Advertising	50.00	
(2)	Alarm system, fire, burglary Sales and service	50.00	
(3)	Auctioneer	200.00	
(4)	Banks	150.00	
(5)	Barbershop	40.00	
(6)	Beauty parlor	40.00	
(7)	Cabaret	40.00	
(8)	Cabinetmaker, and furniture and woodshop	50.00	
(9)	Cocktail lounge	40.00	
(10)	Contractor, general construction:		
	Class A	200.00	
	Class B	100.00	
	Class C	50.00	
	Certificate of good standing	20.00	
(11)	Contractor or subcontractor, others	50.00	
(12)	Developer	200.00	

	(13)	Electric power company	25.00
	(14)	Equipment rental	50.00
	(15)	Florist	50.00
	(16)	Garage—Auto repair	50.00
	(17)	Garage, estate, household or yard sales by other than owner, provided no fee shall be charged to charitable organizations conducting such sale	40.00
	(18)	Golf course, each 18 holes	200.00
	(19)	Golf range, driving	40.00
	(20)	Golf cart rental, each riding cart	10.00
	(21)	Inside storage and warehouse:	
		25,000 square feet or less	180.00
		25,001 square feet or more	305.00
	(22)	Insurance:	
		Any company writing insurance placed in the town	60.00
		Adjustor, per person	50.00
		Agency (covers only one principal owner or manager)	40.00
		Each additional agent or solicitor	20.00
	(23)	Iron works (ornamental)	50.00
	(24)	Lawn service	20.00

	(25)	Merchant or merchandising:	
		Inventory value \$1,000.00 or less	30.00
		Over \$1,000.00 but less than \$2,000.00	40.00
		Over \$2,000.00 but less than \$3,000.00	50.00
		\$3,000.00 and over	50.00
		Plus, per \$1,000.00 or any fraction thereof over \$3,000.00	6.00
	(26)	Newsstand	40.00
	(27)	Pavilion, bathing, including concessions	60.00
	(28)	Photographer	50.00
	(29)	Professions: Accountant, architect, artist, attorney, auditor, chiropract, chiropractor, commodity broker, court reporter, dental hygienist, dentist, draftsman, engineer, oculist, optician, optometrist, pharmacist, physician, physiotherapist, psychologist, surgeon, surveyor, veterinarian and other professions	70.00
	(30)	Radio, television, sound recording and reproducing Service and repair	50.00
	(31)	Real estate broker	50.00
	(32)	Real estate salesperson	20.00
	(33)	Rental units non-residential:	
		2 to 5 units	20.00

		6 to 10 units, per unit	4.00
		Over 10 units, per unit	2.00
	Hotel/temporary lodging:		
		2 to 5 units	20.00
		6 to 10 units, per unit	4.00
		Over 10 units, per unit	2.00
	(33.10) Single family rental (fees set by resolution)		
	(33.11) Multifamily rental (per parcel)(fees set by resolution)		
	(34)	Rehabilitation center	50.00
		Plus, for each professional	70.00
	(35)	Repair and service not otherwise classified	50.00
	(36)	Restaurant:	
		1 to 10 seating capacity	30.00
		11 to 25 seating capacity	50.00
		26 to 50 seating capacity	100.00
		51 to 100 seating capacity	150.00
		101 or more seating capacity	200.00
		Stand or counter without seats	40.00
		Drive-in	70.00
	(37)	School, studio and instruction	50.00

	(38)	Storage space rental, outdoor, each 1,000 square feet or fraction thereof	20.00	
	(39)	Taxi, each vehicle	10.00	
	(40)	Telephone company	50.00	
	(41)	Tree surgery; includes trimming and removal	50.00	
	(42)	Vehicle rental:		
		Auto	100.00	
		Truck	100.00	
		Combination Auto, truck	150.00	
		Cargo and U-haul container	70.00	
	(43)	Vending machines and/or amusement machines:		
		Dealer or lessor	50.00	
		Operator or lessee	10.00	
Traffic and Vehicles				
	Parking fine schedule:			58-36
	(1)	Overtime parking	30.00	
	(2)	Parking in fire lane or blocking fire hydrant	100.00	
	(3)	Double parking	30.00	
	(4)	Parking in no parking zone	30.00	
	(5)	Leaving keys in ignition	30.00	

	(6)	Leaving motor running in unattended vehicle	30.00	
	(7)	Parking in designated handicapped/disabled space without permit;rr;	250.00	
	(8)	All other improper parking	30.00	

Utilities

Sewage Disposal—Refer to Pinellas County rate schedule

Description		Amount	Code Section
Water System			
(1)	Water connection fees:		62-163
	5/8 -inch meter	\$580.00	
	1-inch meter	660.00	
	1½-inch meter	760.00	
	2-inch meter	900.00	
(2)	Water meter tests:		62-171
	1½-inch or smaller meter	100.00	
	Testing of meters larger than 1½-inch will be charged at actual cost to town by the testing laboratory plus a 50 percent surcharge.		
(3)	Deposit for water service	250.00	62-191
	or five times the average monthly bill, whichever is the larger sum.		

	(4)	Water turn-on or turn-off fee	20.00	62-192
	(5)	Residential single-family unit:		62-193
		Minimum charge for residential water usage service	12.99	
		Plus, per 1,000 gallons for usage between 1,000 and 4,000 gallons	1.95	
		For each 1,000 gallons between 5,000 and 25,000 gallons	6.52	
		For each 1,000 gallons over 25,000 gallons of usage	7.82	
	(6)	Multifamily residential:		62-193
		The minimum service charge is calculated on a per unit basis. For example, in a 100-unit condominium complex, the minimum bi-monthly bill for the complex will be: (100 units × \$12.99 = \$1,299.00)	12.99	
		Plus, per 1,000 gallons for usage between 1,000 and 4,000 gallons on a per unit basis	1.95	
		For each 1,000 gallons over 4,000 gallons of usage, up to 25,000 gallons on a per unit basis	6.52	

		For each 1,000 gallons over 25,000 gallons of usage on a per unit basis	7.82	
	(7)	Separate meter charge:		62-192
		There shall be a charge for each additional meter for residential customers for each two-month billing period. Water usage readings and subsequent charges for multiple meters will be accumulated and totaled.	6.95	
	(8)	Nonresidential Customers:		62-193
		Minimum charge for nonresidential water usage service	25.98	
		Plus, per 1,000 gallons for usage 0 and 25,000 gallons	6.52	
		Plus, per 1,000 gallons over 25,000	7.82	
	(8.5)	Separate meter charge nonresidential:		62-193
		Nonresidential customers, at their option may install a separate meter, at their own cost and expense, for the purpose of lawn and other outdoor irrigation. Charge for each additional meter. Readings and subsequent charges for multiple meters will be accumulated and totaled.	6.95	
	(9)	Installation of backflow prevention devices:		62-229

		Potable water services:	
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Service Size (inches)	Double Check Valve Assembly	Reduced Pressure Principle Device
5/8	\$115.00	\$ 375.00
1	150.00	475.00
1½	250.00	775.00
2	375.00	1,100.00

Description		Amount	Code Section
(10)	Annual backflow prevention device maintenance fee (not applicable to dual checkvalve):		62-230
	a. Potable water services inside city limits:		

E

Service Size (inches)	Double Checkvalve Assembly	Reduced Pressure Principle Device
5/8	\$ 50.00	\$100.00
1	50.00	100.00
1½	50.00	100.00
2	100.00	200.00
3	100.00	200.00

4	100.00	200.00
6	200.00	400.00
8	200.00	400.00

b.
Fire services:

Service Size (inches)	Double Checkvalve
1½	\$ 50.00
2	50.00
4	100.00
6	200.00
8	200.00

Description	Amount	Code Section
(11) Disconnection of water service	20.00	62-286
(12) Reconnection of water service	20.00	62-288
(13) Monthly late charge for delinquent utility payments, or eight percent interest on the delinquent utility payment amount, whichever is greater, not to exceed \$300.00 per month	10.00	62-288

Recreation Fees	Amount
Resident individual annual membership fee	\$30.00
Resident individual six-month membership fee	20.00
Resident family annual membership fee	95.00
Resident family six-month membership fee	60.00
Non-resident individual annual membership fee	95.00
Non-resident individual six-month membership fee	60.00
Non-resident family annual membership fee	290.00
Non-resident family six-month membership fee	160.00
Individual annual Funky Friday only membership fee	50.00
Resident annual tennis membership fee (may be pro-rated throughout the year)	50.00
Non-resident annual tennis membership fee (may be pro-rated throughout the year)	100.00

SUBPART B. LAND DEVELOPMENT CODE

Description	Amount	Code Section
Administration and General Provisions		
Development permit fee and inspection fees:		66-207
(1) Inspection fee when permit fee is waived (work under \$500.00 in value)	\$25.00	
(2) Permit fee: Two percent of the total project value not exceeding \$1,000,000.00,		66-207

Description		Amount	Code Section
	plus \$3.30 for each \$1,000.00 of project value exceeding \$1,000,000.00		
	The administrative fee for all permits for nonfloodplain area projects shall be \$25.00 for projects with values of \$1,000.00 or less and \$50.00 for projects with value in excess of \$1,000.00		

Description		Amount	Code Section
(3)	Reinspection	\$ 50.00	
(4)	Extra inspections	25.00	
(5)	Special inspection:		
	a. In lieu of normal required inspection	25.00	
	b. In addition to normal required inspection	50.00	
(6)	Fee in lieu of tree replacement, per inch	50.00	74-383
Land Use Regulations			
	Permit and inspection for shallow wells	25.00	74-213
	Annual renewal permit for deep well	25.00	74-213
	Special exception hardship permit for work producing disturbing noise	25.00	74-485
	Removal of illegal temporary signs by town	25.00	74-572

Requests for changes. Fees for requests for rezoning, variances, and other matters relating thereto are hereby established as follows:			
(1)	Request for zoning change or variance		
	a.	Request for variance	300.00
	b.	Request for zoning change	1,000.00
(2)	Appeal to the commission		200.00
	Appeal to the commission temporary relief applications		
	a.	Government entities	0.00
	b.	Non-profit organizations	0.00
	c.	Events with fewer than 100 attendees	50.00
	d.	Events with more than 100 attendees	200.00
	e.	The commission may waive or refund any fees as deemed necessary	
(3)	Application for RPD zoning:		
	a.	Initial request or major modification	1,000.00
	b.	Minor modification	300.00

	(4)	Comprehensive land use plan amendment (text)	1,500.00
		a. Map amendment	1,500.00
		b. Advertising fee	560.00
		c. Re-advertising fee	560.00
	(5)	Petition to vacate street	200.00
	(6)	Petition to vacate alley	200.00
	(7)	Petition to vacate pedestrian walkway	200.00
	(8)	Petition to vacate other	200.00
	(9)	Street name change	200.00
	(10)	Major development	1,000.00
	(11)	Address (house number) change	50.00
	(12)	Subdivision request	100.00
	(13)	Site plan review	500.00
		The fee schedule established herein shall not apply to town initiated actions unless required by the town commission.	
		A new application for the same change request made on the same parcel, lot or tract shall be considered within a period of six months of any decision of denial.	
	(14)	Temporary use structures permit (construction trailers, real estate offices, etc.)	200.00

	(15)	Temporary use structures permit extension	100.00	
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Section 4. For purposes of codification of any existing section of the Code of Ordinances, Town of Belleair, Florida, words **underlined** represent new text or additions to original text, words **~~stricken~~** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 5. If any section, subsection, sentence, clause, provision, or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand and survive any severed provision, as the Town Commission would have adopted the Ordinance even absent the invalid part.

Section 6. The Codifier shall codify the substantive amendments to the Code of Ordinances, Town of Belleair, Florida contained in Sections 2 and 3 of this Ordinance as provided for therein and shall not codify the exordial clauses or any other sections not designated for codification.

Section 7. Pursuant to § 166.041 (4), Fla. Stat., this Ordinance shall take effect immediately upon adoption.

ADOPTED ON FIRST READING by the Town Commission of the Town of Belleair, Florida, at the meeting held on the 15th day of February, 2022.

PUBLISHED THE 23rd day of March, 2022.

PASSED AND ADOPTED ON SECOND READING AND PUBLIC HEARING this 5th day of April, 2022.

Michael Wilkinson, Mayor

ATTEST:

Christine Nicole, CPM, CMC, Town Clerk

