

ORDINANCE NO. 2652

AN ORDINANCE
To Be Entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AMENDING THE CITY CODE, CHAPTER 16, TAXATION, ARTICLE II, PUBLIC SERVICE TAX, SECTION 16-26 LEVY OF TAX PROVIDING FOR 7% TAX ON TELECOMMUNICATIONS SERVICES IN THE CITY WHICH ORIGINATES AND TERMINATES IN THIS STATE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

SECTION 1. The City Code, Chapter 16 Taxation, Article II, Public Service Tax, Section 16-26 Levy of Tax is hereby deleted in its entirety and a new Section 16-26 Levy of Tax is created to read as follows:

Section 16-26. Levy of tax.

(a) There is hereby levied on each and every purchase in the city of electricity, metered or bottled gas (natural, liquefied petroleum or manufactured, whether bottled or otherwise) and water service a tax equal to ten (10) percent of the payments received by the seller thereof, such tax to be paid to the seller by the purchaser of such utility service for the use of the city, at the time of paying the charge for such utility service but not less often than monthly.

(b) There is hereby levied on each and every purchase in the city of telecommunications service which originates and terminates in this state a tax equal to seven (7) percent of the total amount charged for any telecommunications services provided within the city, or if the location of the telecommunications services provided cannot be determined, the total amount billed for such telecommunications service to a

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telephone or telephone number, a telecommunications number or device, or a customers' billing address located within the city, excluding public telephone charges collected on site, charges for any foreign exchange service or any private line service except when such services are used or sold as a substitute for any telephone company switched service or dedicated facility by which a telephone company provides a communication path, access charges and any customer access line charges paid to a local telephone company. Such tax shall be paid to the seller by the purchaser of such telecommunication service for the use of the city, at the time of paying the charge for such utility service but not less often than monthly.

SECTION 2. Severability. If for any reason any section, sub-section, paragraph or part of this ordinance shall be held invalid or unconstitutional, the fact shall not affect or invalidate or destroy any other section, sub-section, paragraph or part of this ordinance and the remaining portions thereof shall remain in full force and effect without regard to the section, sub-section, paragraph or part invalidated.

SECTION 3. This ordinance shall become effective immediately upon passage and applied to bills rendered on and after October 1, 1992.

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PASSED IN PUBLIC SESSION of the City Council of the City
of Fort Myers, Florida, this 21st day of September, A.D., 1992.


Joan Pigott Porter


Veronica S. Shoemaker


Ann M. Knight

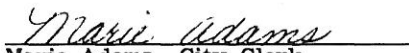

Richard G. Bashaw


Bruce T. Grady
Council Members

APPROVED this 21st day of September, A.D., 1992, at
7:27 o'clock p.m.


Wilbur C. Smith, III, Mayor

FILED in the Office of the City Clerk this 21st day of
September, 1992.


Marie Adams, City Clerk