

ORDINANCE NO. 2021- ____

AN ORDINANCE REPEALING ORDINANCES GRANTING CERTAIN AD VALOREM TAX EXEMPTIONS FOR FAILURE TO CONTINUE TO MEET THE CRITERIA FOR SUCH EXEMPTIONS; REPEALING ORDINANCE 2009-14 RELATING TO THE ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION GRANTED TO NEWSPACE CENTER, LLC, REPEALING ORDINANCE 2018-17 RELATING TO THE ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION GRANTED TO PROJECT RAINBOW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, NewSpace Center, LLC, Titusville, Florida, and Project Rainbow, Port Malabar, Florida have not complied with the annual reporting requirements of Ordinance 2009-14 and Ordinance 2018-17, respectively; and

WHEREAS, by failing to file the applicable report, both companies are no longer representing to the COUNTY that they meet the criteria of Section 196.012, Florida Statutes; and

WHEREAS, Section 102-189, Brevard County Code of Ordinances, permits revocation of the tax exemption for failure to file the annual report.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, pursuant to Brevard County Code section 102-189, as follows:

Section 1. Ordinance 2009-14 relating to the economic development ad valorem tax exemption granted to NewSpace Center, LLC, at Space Coast Regional Airport SE of SR 407, Titusville, Florida is hereby repealed.

Section 2. Ordinance 2018-17 relating to the economic development ad valorem tax exemption grant to Project Rainbow, at Parcel ID #29-37-09-MY-3042-6; Plat Book/Page: 0030/0060 Port Malabar Unit 56 Lot 6 Blk 3042, Florida is hereby repealed.

Section 3. This ordinance shall take effect immediately upon its adoption and filing as provided by law. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten (10) days of enactment.

Section 4. If any section, subsection, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such invalid unconstitutional portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, provided the remaining portions effectuate the purpose and intent of this ordinance.

Section 5. In the case of a direct conflict between any provision of this Ordinance and a portion or provision of any other applicable federal, state, or county law, rule, code or regulation, the more restrictive shall apply, unless preempted by law.

Section 6. It is the intention of the Board of County Commissioners that the provisions of this ordinance amend the Code of Ordinances of Brevard County, Florida, as applicable.

DONE, ORDERED AND ADOPTED in Regular Session this ____ day of _____, 2021, in Regular Session by the Board of County Commissioners, Brevard County, Florida.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

By: _____
Rita Pritchett, Chair

(As Approved by the Board on _____, 2021)