

ORDINANCE 2009-26

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 1.6630 FOR THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2009 THROUGH AND INCLUDING SEPTEMBER 30, 2010.

WHEREAS, public hearings as prescribed by Florida Statutes have been duly held in accordance with the laws of the State of Florida;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:

SECTION 1. The Town Council, in regular session duly assembled adopted the millage rate of 1.6630, to be levied for the General Fund upon all real and tangible personal property located within the boundaries of the above named taxing authority.

SECTION 2. The final levy of 1.6630 mills will result in a -2.20% change (decrease) to the rolled back rate of 1.7004.

SECTION 3. This final millage rate of 1.6630 is to fund the expenses for the fiscal year commencing October 1, 2009 and ending September 30, 2010.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 6. This ordinance shall become effective immediately upon its adoption after the second public hearing.

This ordinance was moved for adoption by Council Member Borton and was seconded by Council Member Vail and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton	<u>Aye</u> <u> </u>
Council Member Brian Vail	<u>Aye</u> <u> </u>
Council Member Steven (Steve) Rivet	<u>Aye</u> <u> </u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u> <u> </u>
Council Member Patricia (Pat) Dezman	<u>Aye</u> <u> </u>

This ordinance was then declared duly passed and adopted this 21st day of September, 2009.

By: Thomas M. Eschenberg
Mayor Thomas M. Eschenberg

ATTEST:

Debby K. Franklin
Debby K. Franklin
Town Clerk/Treasurer

(seal)

First Reading: 09/09/09
Second Reading: 09/21/09