AN ORDINANCE OF INDIAN RIVER COUNTY, FLORIDA, AMENDING SECTION 103.09, "THE INDIAN RIVER COUNTY ENTERPRISE DEVELOPMENT AGENCY," OF CHAPTER 103, "COMMISSIONS AND BOARDS" OF THE CODE OF INDIAN RIVER COUNTY TO SUNSET THE INDIAN RIVER COUNTY ENTERPRISE ZONE DEVELOPMENT AGENCY; AMENDING SECTION 207.02, "DEFINITIONS," OF CHAPTER 207, "LOCAL BUSINESS TAX RECEIPTS" OF THE CODE OF INDIAN RIVER COUNTY TO ELIMINATE THE REFERENCE OF ENTERPRISE ZONE; AND PROVIDING FOR NULLIFICATION OF CERTAIN RESOLUTIONS, severability, codification, and an effective date.

WHEREAS, pursuant to Section 290.016, Florida Statutes, the Florida Enterprise Zone Act is set to be repealed on December 31, 2015; and

WHEREAS, the Indian River County Enterprise Zone Development Agency was established in Section 103.09 of Chapter 100 of the Code of Indian River County; and

WHEREAS, to be consistent with Florida law, all references in the Code of Indian River County to the Indian River County Enterprise Zone Development Agency should be sunnetted or stricken with an identical repeal date as referenced by Section 290.016, Florida Statutes; and any resolutions nullified that may have been adopted by the Board of County Commissioners relative to the Indian River County Enterprise Zone Development Agency,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, THAT:

Section 1. Findings.

The Board finds that the above "Whereas" clauses are true and correct, and hereby incorporates such clauses as findings of the Board.

Section 2. Amendment of Section 103.09. – The Indian River County Enterprise Development Agency.

Section 103.09 of the Code of Indian River County, Florida, is hereby amended to read as follows (new language indicated by underline, and deleted language indicated by strikethrough):

1. There is hereby established The Indian River County Enterprise Zone Development Agency. The agency shall consist of not fewer than eight (8) or more than thirteen (13) members which shall consist of at least one (1) representative from each of the following entities: the Indian River County Chamber of Commerce, a financial or insurance entity located in or providing services in the nominated area, a business operating in the enterprise zone area, a resident living in the enterprise zone area, a non-profit community-based organization operating in or providing services in the nominated area,
the Workforce Development Board of the Treasure Coast, local code enforcement agency, local law enforcement agency, and three (3) members of the public at large. The importance of minority representation on the agency shall be considered in making appointments so that the agency generally reflects the ethnic and gender composition of the nominated area.

2. The functions, powers and duties of the agency shall include, but not be limited to, the following:
   A. Assist in the development and implementation of the enterprise zone strategic plan.
   B. Oversee and monitor the implementation of the goals of the strategic plan. The agency shall make quarterly reports to the board of county commissioners and the Vero Beach City Council evaluating the progress in implementing the strategic plan.
   C. Identify and recommend to the board of county commissioners and the Vero Beach City Council ways to remove regulatory barriers.
   D. Identify the financial needs of, and local resources or assistance available to, eligible businesses and residents in the nominated area.
   E. Promote through the development of the enterprise zone and its benefits by marketing and advertising.

3. Sunset – The Indian River County Enterprise Zone Development Agency shall sunset and automatically cease to exist on December 31, 2015.

Section 3. Amendment of Section 207.02. – Definitions.

Section 207.02 of the Code of Indian River County, Florida, is hereby amended to read as follows (new language indicated by underline, and deleted language indicated by strike-through):

The following definitions contained in F.S. § 205.022, shall apply to this chapter:

   * * *

   (4) **Enterprise zone** means an area designated as an enterprise zone pursuant to F.S. § 290.0065-Reserved.

   * * *

Section 4. Nullification of Resolutions.

On or after December 31, 2015, any resolutions that may have been adopted by the Board of County Commissioners of Indian River County concerning the Indian River County Enterprise Zone Development Agency are hereby nullified and have no force or effect.
Section 5. Severability.

If any portion of this ordinance is held or declared by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Section 6. Codification.

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the The Code of Indian River County, and that the sections of this ordinance may be renumbered or relabeled, and the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

Section 7. Effective Date.

This ordinance shall become effective upon filing with the Florida Department of State.

This ordinance was advertised in the Indian River Press Journal on the 21st day of November, 2015 for a public hearing on the 1st day of December, 2015, at which time it was moved for adoption by Commissioner Davis, and seconded by Commissioner Flescher, and adopted by the following vote:

Commissioner Bob Solari, Chairman Aye
Commissioner Joseph E. Flescher, Vice Chairman Aye
Commissioner Wesley S. Davis Aye
Commissioner Tim Zorc Aye
Commissioner Peter D. O’Bryan Aye

The Chairman thereupon declared this Ordinance duly passed and adopted this 1st day of December, 2015.

INDIAN RIVER COUNTY, FLORIDA
Board of County Commissioners

Attest: Jeffrey R. Smith
Clerk of Court and Comptroller

By Deputy Clerk

Approved as to form and legal sufficiency
By Dylan Reingold, County Attorney

This ordinance was filed with the Florida Department of State on the 2nd day of December, 2015.