

Sponsored by: Janke
Introduction Date: October 29, 2003
Public Hearing Dates: November 25, 2003
December 9, 2003
Enactment date: December 9, 2003

**CITY OF MARATHON, FLORIDA
ORDINANCE 2003-26**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, LEVYING AND IMPOSING UPON ALL INSURERS, NOW OR HEREAFTER ENGAGING IN OR CARRYING ON THE BUSINESS OF INSURING WITH RESPECT TO PROPERTY INSURANCE, AN EXCISE TAX IN ADDITION TO ANY TAX NOW LEVIED, OF 1.85% OF THE GROSS AMOUNT OF RECEIPTS OF ALL PREMIUMS COLLECTED FROM PROPERTY INSURANCE POLICIES INSURING PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR PAYMENT OF SAID EXCISE TAX ON THE FIRST DAY OF JULY OF EACH YEAR

WHEREAS, it is the desire of the City Council of the City of Marathon, Florida to establish a defined benefit pension plan for the City's firefighters in accordance with Chapter 175, Florida Statutes, in order to provide retirement, death, and disability benefits; and

WHEREAS, the Legislature of the State of Florida, by Chapter 19112, Laws of Florida, 1939, created a Special Fund known as the "Firefighters' Pension Trust Fund" (the "Fund") and authorized municipalities falling within the purview of this act, to levy a tax upon such insurance companies designated in the act to be used in partial support of the Fund; and

WHEREAS, it is the desire of the City Council of the City of Marathon, Florida to put into full force and effect the provisions of said Chapter 19112 in the City so that the City may use these monies to establish and fund a pension plan and retirement fund for the City's firefighters pursuant to Chapter 175, Florida Statutes; and

WHEREAS, the City Council finds that the levying of the excise tax upon insurance companies to be used in support of the Fund and the establishment of a defined benefit plan for the City's firefighters in accordance with Chapter 175, Florida Statutes, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

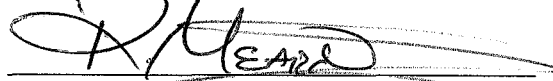
Section 1. There is hereby assessed, imposed and levied on every insurance company,

corporation or other insurer now engaging in or carrying on, or which shall hereafter engage in or carry on the business of insuring with respect to property insurance, as shown by the records of the Department of Insurance, an excise tax in addition to any license tax or excise now levied by the City of Marathon, in the amount of 1.85% of the gross amount of receipts of premiums from policy holders on all premiums collected on property insurance policies, covering property within the corporate limits of the City. The excise tax herein levied shall be due and payable annually on the first day of July of each year.

Section 2. This Ordinance shall take effect immediately upon its adoption.

ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA,
this 9th day of December 2003.


THE CITY OF MARATHON, FLORIDA



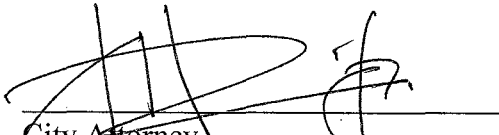
Randy Mearns, Mayor

AYES: Repetto, Worthington, Bartus, Pinkus, Mearns
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:


Cindy L. Ecklund
City Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**


City Attorney