

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**RESOLUTION 24-10**

**A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, ELECTING TO NOT  
EXEMPT CERTAIN PROPERTY UNDER SECTION 196.1978(3) (o) AS ENACTED  
BY CHAPTER 2024-158, LAWS OF FLORIDA, AND PROVIDING FOR  
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City of Belle Isle (the "City") is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to enact ordinances; and

WHEREAS, Section 196.1978(3), Florida Statutes, contains the "Live Local Act Property Tax Exemption," which requires the county property appraiser to exempt rental properties from ad valorem taxation if the properties meet certain requirements under the Live Local Act; and

WHEREAS, the Florida Legislature passed HB 7073 during the 2024 legislative session; and

WHEREAS, on May 7, 2024, Governor Ron DeSantis signed HB 7073, which became Chapter 2024-158, Laws of Florida; and

WHEREAS, Chapter 2024-158, Laws of Florida, which will be codified as Section 196.1978(3) (o), Florida Statutes, provides an exemption from ad valorem taxation for certain properties deemed affordable housing for persons or families whose annual household income is between 80 and 120 percent of the median annual adjusted gross income for households within the Orlando-Kissimmee, Florida Metropolitan Statistical Area (MSA); and

1           WHEREAS, Chapter 2024-158, Laws of Florida, provides that a taxing  
2 authority (including the City of Belle Isle ("City")) is authorized to opt  
3 out of providing the 80 to 120 tax exemption if certain conditions are met,  
4 starting with the 2025 tax roll, if the City Commission, by a two-thirds  
5 majority vote, finds that the latest Shimberg Center for Housing Studies  
6 Annual report identifies that the number of affordable and available units in  
7 the MSA is greater than the number of renter households in the MSA in the 80  
8 to 120 income group; and

9           WHEREAS, the latest Shimberg Annual Report is provided as an attachment  
10 to this Resolution and is hereby incorporated by reference; and

11           WHEREAS, the City Commission of the City of Belle Isle hereby finds  
12 that the latest Shimberg Annual Report identifies a surplus of affordable and  
13 available units in the Orlando-Kissimmee, Florida MSA, which includes the  
14 City, for those households that meet the income criteria for the 80 to 120  
15 tax exemption; and

16           WHEREAS, the City Commission of the City of Belle Isle hereby finds  
17 that the City is a taxing authority that is eligible to adopt a resolution to  
18 not exempt properties that would otherwise be eligible for the Live Local  
19 Property Tax Exemption.

20  
21           NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF  
22 BELLE ISLE, FLORIDA, AS FOLLOWS:

23  
24           SECTION 1. The foregoing recitals are true and correct and are  
25 incorporated in this Resolution by reference.

1 SECTION 2. The City Commission finds that the City is within the  
2 Orlando- Kissimmee, Florida MSA and that, based on the Shimberg Annual  
3 Report, the number of affordable and available units in the MSA is greater  
4 than the number of renter households in the MSA for the category entitled "0-  
5 120 percent AMI."

6 SECTION 3. Pursuant to Section 196.1978(3)(o), Florida Statutes, the  
7 City hereby elects not to exempt properties eligible for the 80 to 120 Tax  
8 Exemption otherwise allowed for under Section 196.1978(3)(d)1.a., Florida  
9 Statutes, and directs the Orange County Property Appraiser not to grant any  
10 such exemptions.

11 SECTION 4. This Resolution applies to the ad valorem property tax  
12 levies imposed by the City only.

13 SECTION 5. This Resolution shall take effect on January 1, 2025, and  
14 shall expire on January 1, 2027. This Resolution may be renewed prior to its  
15 expiration date in accordance with Florida law.

16 SECTION 6. This Resolution has been duly advertised in accordance with  
17 Section 50.011(1), Florida Statutes. A copy of this Resolution shall be  
18 provided to the Orange County Property Appraiser prior to January 1, 2025.

19 SECTION 7. This Resolution does not impact a property owner of a  
20 multifamily project, which was granted an exemption pursuant to Section  
21 196.1978(3)(d)1.a., Florida Statutes, prior to the adoption of this  
22 Resolution. Such property owners may continue to receive the exemption for  
23 each consecutive year that the property owner applies for and is granted the  
24 exemption.

25

1 SECTION 8. SEVERABILITY. If any provision of this Resolution or  
2 application thereof to any person or circumstance is held invalid, the  
3 invalidity shall not affect other provisions or applications of this  
4 Resolution that can be given effect without the invalid provision or  
5 application, and to this end, the provisions of this Resolution are declared  
6 severable.

7  
8 ADOPTED by a \_\_\_\_\_ vote at a regular meeting of the City Commission of the  
9 City of Belle Isle, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2024.

10 CITY COMMISSION

11 CITY OF BELLE ISLE, FLORIDA

12 By: \_\_\_\_\_

13 ATTEST:

Nicholas Fouraker, Mayor

14 \_\_\_\_\_  
15 Yolanda Quiceno, City Clerk

16  
17 \_\_\_\_\_  
18 Approved as to form and legality

19 City Attorney

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do  
4 hereby certify that the above and foregoing Resolution No. 24-10 was duly and  
5 legally passed and adopted by the Belle Isle City Council in session  
6 assembled, at which session a quorum of its members was present on the  
7 \_\_\_\_\_ day of \_\_\_\_\_ 2024.

8

9

10 \_\_\_\_\_  
Yolanda Quiceno, CMC-City Clerk

11

12

13 S:\DL\Clients\Belle Isle, City of\General B900-29001\Resolutions\Resolution Enacting Opt-Out for the Live Local Act Property-

14 Belle Isle.doc

15

16

17

18

19

20

21

22

23

24

25