

ORDINANCE NO. C-14-28

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SUBSECTION 2-172(a) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE FOR A WAIVER OF THE PROVISIONS OF THE PURCHASING DIVISION OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR PURCHASES MADE PURSUANT TO A DIRECT PURCHASE PROGRAM CONTAINED IN A CONSTRUCTION CONTRACT, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, sales made to the City of Fort Lauderdale are exempt from the tax imposed by Chapter 212, Florida Statutes, subject to rules of the Florida Department of Revenue,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. Subsection 2-172(a) of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

This division shall not apply to:

- (1) Procurement of dues and memberships in trade or professional organizations;
- (2) Subscriptions to periodicals;
- (3) Advertisements;
- (4) Postage;
- (5) Water, sewer, gas, electrical, and other utility services;

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- (6) Copyrighted materials;
- (7) Items for resale;
- (8) Professional medical services;
- (9) Recreational program instructors;
- (10) On-going payments of fees for maintenance and support of existing software/technology which has been purchased via a competitive process in accordance with this division.
- (11) Veterinarian Services;
- (12) Purchases of goods or services for which the provisions of this Division are waived by the City Commission by resolution;
- (13) Purchases of materials, equipment, prefabricated elements and components, appliances, fixtures, and other goods, pursuant to a program contained in a construction contract that has been awarded in accordance with any provision of this Code, whereby the City makes such purchases directly.

SECTION 2. That if any clause, section, or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect upon its final passage.

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PASSED FIRST READING this the 17th day of June, 2014.

PASSED SECOND READING this the ____ day of _____, 2014.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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