

PROPOSED

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO PORT EVERGLADES FOREIGN-TRADE ZONE (“FTZ”) NO. 25, TARIFF NO. 4 (“TARIFF”); RENAMING PART IV OF CHAPTER 42 AND SECTION 42.29, BOTH TITLED “TARIFF NO. 4, FOREIGN TRADE ZONE NO. 25,” OF THE BROWARD COUNTY ADMINISTRATIVE CODE (“ADMINISTRATIVE CODE”), TO “TARIFF NO. 5, FOREIGN-TRADE ZONE NO. 25”; REPEALING AND REPLACING TARIFF NO. 4, FOREIGN TRADE ZONE NO. 25, ATTACHED AS EXHIBIT 42.B AND INCORPORATED IN SECTION 42.29 OF THE ADMINISTRATIVE CODE, WITH TARIFF NO. 5, FOREIGN-TRADE ZONE NO. 25, AS ATTACHED, WHICH AUTHORIZES THE CHIEF EXECUTIVE AND PORT DIRECTOR TO EXECUTE FTZ AGREEMENTS THAT DO NOT EXCEED FIVE YEARS AND TO SUBMIT APPLICATIONS FOR MINOR BOUNDARY MODIFICATIONS TO THE FTZ BOARD, ADDS A NEW FTZ USER APPLICATION FEE, AND PROVIDES FOR GENERAL UPDATES TO TARIFF TEXT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Broward County, Florida (“Board”), desires to rename Part IV of Chapter 42 and Section 42.29, both titled “Tariff No. 4, Foreign Trade Zone No. 25,” of the Broward County Administrative Code (“Administrative Code”), to “Tariff No. 5, Foreign-Trade Zone No. 25;” and repeal and replace Tariff No. 4, Foreign Trade Zone No. 25, attached as Exhibit 42.B and incorporated in Section 42.29 of the Administrative Code, with Tariff No. 5, Foreign-Trade

Zone No. 25, as attached, which authorizes the Chief Executive and Port Director to execute FTZ Agreements that do not exceed five (5) years and to submit applications for Minor Boundary Modifications to the FTZ Board, adds a new FTZ User Application Fee, and provides for general updates to Tariff text; and

WHEREAS, the Board has determined that the revisions, as set forth herein, are necessary and in the best interests of Broward County, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Part IV of Chapter 42 and Section 42.29, both titled "Tariff No. 4, Foreign Trade Zone No. 25," of the Broward County Administrative Code, are hereby renamed "Tariff No. 5, Foreign-Trade Zone No. 25."

Section 2. Tariff No. 4, Foreign Trade Zone No. 25, attached as Exhibit 42.B and incorporated in Section 42.29 of the Broward County Administrative Code, is hereby repealed in its entirety, and Tariff No. 5, Foreign-Trade Zone No. 25, as attached, is hereby adopted.

Section 3. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the

applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 4. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 5. Effective Date.

This Administrative Code Resolution is effective on October 1, 2022.

ADOPTED this day of , 2022.

PROPOSED

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Antonio Lozada 07/27/2022
Antonio Lozada (date)
Assistant County Attorney

By: /s/ Carlos Rodriguez-Cabarrocas 07/27/2022
Carlos Rodriguez-Cabarrocas (date)
Senior Assistant County Attorney

AL/cr
Reso - FTZ No. 25 Tariff 5 Resolution
08/19/2022
#80040-7002

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.