

ORDINANCE NO. 2025-19

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING CHAPTER 21, ARTICLE II, SECTION 21-17 TITLED "ENGAGING IN BUSINESS, OCCUPATION, OR PROFESSION WITHOUT BUSINESS TAX RECEIPT; PENALTIES" OF THE WELLINGTON CODE OF ORDINANCES TO CLARIFY THE PENALTIES FOR VIOLATION; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wellington Council is authorized and empowered to adopt and amend legislation to govern the affairs of its citizens and promote the public health, safety, and welfare of the community; and

WHEREAS, Chapter 21, Article II, Section 21-17 provides that engaging in a business, occupation, or profession without obtaining a business tax receipt and failing to pay a business tax receipt (“BTR”) after notice of violation subjects the violator to certain penalties; and

WHEREAS, the Wellington Council believes that it is in the best interest of the community to amend Section 21-17 to clarify the penalties that may be imposed for engaging in business activities without first obtaining a BTR and for continuing to engage in such activities without paying the required BTR after notice of violation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF WELLINGTON,
FLORIDA THAT:**

SECTION 1: Chapter 21, Article II, Section 21-17 of the Code of Ordinances of Wellington, Florida is hereby amended to read as follows:

Sec. 21-17. Engaging in business, occupation, or profession without business tax receipt; penalties.

Any person engaging in or managing any vocations, occupations, professions, enterprises, establishments, and all types of commercial activities and matters without [first](#) obtaining a BTR required under this article shall be subject to a penalty of 25 percent of the tax determined to be due. Any person who engages in any business, occupation, or profession covered by this article, who does not pay the required BTR within 150 days after the initial notice of tax due, and who does not obtain the required BTR, is subject to civil actions and penalties, including court costs, reasonable attorneys' fees, additional administrative costs incurred as a result of collection efforts, and a [n additional](#) penalty of up to \$250.00. Any person engaging in any trade, business, profession, or occupation under a BTR issued upon false statements made by such person or on their behalf, shall, upon conviction thereof, be punished as provided by law.

SECTION 2. Should any section, paragraph, sentence, clause, or phrase of this

Ordinance conflict with any section, paragraph, clause, or phrase of any prior Wellington Ordinance, Resolution, or Municipal Code provision, in that event the provisions of this Ordinance shall prevail to the extent of such conflict.

SECTION 3: Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 4: This Ordinance shall become effective immediately upon adoption of the Wellington Council following second reading.

PASSED this _____ day of _____, 2025 upon first reading.

PASSED AND ADOPTED this _____ day of _____, 2025 on second and final reading.

WELLINGTON

FOR

AGAINST

BY: _____

Michael J. Napoleone, Mayor

Tanya Siskind, Vice Mayor

John T. McGovern, Councilman

Maria Antuña, Councilwoman

Amanda Silvestri, Councilwoman

ATTEST:

BY: _____

Chevelle D. Hall, MMC, Village Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____

Laurie Cohen, Village Attorney