

Bond Case Briefs

Municipal Finance Law Since 1971

TAX - FLORIDA

City of Fort Pierce v. Treasure Coast Marina, LC

District Court of Appeal of Florida, Fourth District - May 31, 2016 - So.3d - 2016 WL 3087680

After city was granted exemption from ad valorem taxes on two marinas it owned and operated, owner of private marina, which was not exempted, brought suit seeking declaratory and injunctive relief against application of the exemption to the city's marinas. Both parties moved for summary judgment.

The Circuit Court granted summary judgment to owner. City appealed.

On motion for rehearing, the District Court of Appeal held that city's marinas served a municipal or public purpose, and thus city was entitled to an ad valorem tax exemption.

City's marinas served a "municipal or public purpose," and thus city was entitled to an ad valorem tax exemption, even though they competed with other private marinas in the area. The marinas were open to public use, were exclusively owned and operated by the city, provided recreation for local residents, supported the local economy by attracting non-local residents, and were part of a larger recreational park complex.