

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING CHAPTER 51 - "REGISTRATION OF SOLICITORS AND REQUESTS FOR CITY FUNDS," OF THE ORLANDO CITY CODE TO CHANGE THE PROCESS FOR APPLYING FOR AND RECEIVING CITY FUNDS IN SECTIONS 51.11-13; AND DELETING SECTIONS 51.14 AND 51.15 IN THEIR ENTIRETY; AND PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AS FOLLOWS:

SECTION 1. Section 51.11 is hereby amended to read as follows:

Sec. 51.11. Review of Requests for City Funds for Special Events.

- (1) If funds are budgeted on behalf of the City the Families, Parks and Recreation Board shall provide financial assistance up to \$1,500 to organizations that sponsor events and/or programs for City residents with priority given to events held in the City of Orlando and/or by Orlando based organizations. Organizations must comply with the established guidelines outlined in Orlando City Code Sec. 51.11-1~~53~~ to be considered for Families, Parks and Recreation Board funding.
- (2) Two (2) types of requests are reviewed for receipt of City funds: (1) requests to fund-provide funding to cover City costs associated with events held ~~on an irregular basis~~ at Families, Parks and Recreation facilities, and (2) requests to provide funding to cover non-City costs associated with events within the City of Orlando that may or may not be held at Families, Parks and Recreation facilities. fund events on a fiscal year basis ("Annual events") from the annual budget allocation. If all budgeted funds for Annual events are not allocated by the Families, Parks and Recreation Board (the "Board") at the end of the City's first fiscal year quarter, the Board may use the unallocated Annual event funds to fund requests for events held on an irregular basis.
- (3) Any organization which wishes to receive City funds in either category shall apply to the Families, Parks and Recreation Board for consideration and recommendation to the Families, Parks and Recreation Department Director (the "Director") ~~City Council~~ concerning such request. No requests for City funds shall be considered by the Board if the organization's request has previously been denied by the Families, Parks and Recreation Board or the Director ~~City Council~~ during the current fiscal year. No requests for City funds shall be considered by the Board unless and until the applicant therefor shall file with the Director of Families, Parks and Recreation an application in writing, signed by the applicant, under oath.
- (4) Requests to fund events ~~held on an irregular basis~~ shall be processed by the Families, Parks and Recreation Board as follows: Applications to request funds for events ~~held on an irregular basis~~ must be filed not less than thirty (30) days prior to the commencement of the event for which the funds are sought and not less than thirty (30) days prior to the date of the next Families, Parks and Recreation Board meeting; provided, however, the thirty (30) day

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requirement may be waived for applications reviewed by the Families, Parks and Recreation Director and deemed by the Families, Parks and Recreation Director to meet all the requirements of this section and be of an emergency nature so as to require expediency.

~~(5) Requests to fund events from the annual budget allocation shall be processed by the Families, Parks and Recreation Board as follows: Requests to fund events held on an annual basis shall be filed with the Board no later than the first quarter of the City's fiscal year for eligibility to receive funds in that fiscal year. Requests to fund events on an annual basis must also be filed not less than thirty (30) days prior to the commencement of the event for which the funds are sought and not less than thirty (30) days prior to the date of the next Families, Parks and Recreation Board meeting.~~

Application filing dates for both types of requests shall be defined as the date the completed application is received by the Families, Parks and Recreation Director for processing. Said application shall contain the following information:

- (a) The name of the organization applying for the funds and the address of its headquarters.
- (b) The names and residence addresses of its principal officers and management.
- (c) The purpose for which such event is to be held and the use or disposition to be made of the City funds or other funds to be received.
- (d) The name and residence address of the person to whom the City funds are to be disbursed.
- (e) The name and residence address of the person to whom the City funds are to be received.
- (f) Name, address, and phone number of principal contact person knowledgeable of event.
- (g) A budget for the event to be held and a list of all other sources of funds for the event. Include the date of the last application for City funds submitted by either this organization or an affiliate.
- (h) A statement as to whether the event will be a partisan or political event.
- (i) A statement as to whether there will be an admission charge to the event and whether the event will be open to the general public.
- (j) The date(s) and location within the City limits when such event shall be held.
- (k) The amounts of any wages, fees, commissions, expenses, or emoluments to be extended or paid to anyone in connection with such event, together with the manner in which such wages, fees, expenses, commissions or emoluments are to be extended, to whom paid and the amount thereof.
- (l) A financial statement for the last preceding fiscal year of any public funds received by the organization or persons seeking the funds, such statement giving the amount of money so received, together with the final distribution thereof.
- (m) A full statement of the character and extent of the charitable, patriotic, public or philanthropic work being done by the applicant organization within the City and elsewhere.

- (n) Such other information as may be required by the Families, Parks and Recreation Director or by the Board in order for it to determine the kind and character of the proposed event and whether such event is in the interest of, and not inimical to, the public welfare.

**SECTION 2.** Section 51.12 is hereby amended to read as follows:

**Sec. 51.12. Recommendation to the Families, Parks and Recreation Director~~City Council~~.**

After receipt of an application under Section 51.11 of this Code, the Families, Parks and Recreation Director forthwith shall transmit a copy thereof to the Families, Parks and Recreation Board, which thereafter shall make an investigation of such application as may be deemed necessary. The Board may establish reasonable rules and internal procedures as may be necessary for administration of funding requests, provided that they are consistent with the policies, procedures and ordinances of the City of Orlando and the laws of the State of Florida.

The Board shall recommend denial of the funding request unless the following criteria are met:

- (1) Event is of general public interest;
- (2) Event is non-partisan and non-political;
- (3) Attendance is free and is open to the general public.

If the above listed criteria are met, the Board shall consider the following factors in determining whether to recommend approval or denial of the request:

- (1) All the information contained in the application for funding.
- (2) Relative need of applicant for funding as compared with needs of other applicants for funding.
- (3) Amount of City funds available for funding applicants.
- (4) Amount of City funds expended or allocated for similar events.
- (5) Amount of City fees and charges to be off-set by the request.
- (6) Recommendations, if any, received by the Board from the Downtown Development Board and/or the Directors of any appropriate City Department.
- (7) Extent to which the organization or event contributes to the City of Orlando community as a whole and whether the event emphasizes youth and/or prevention and intervention programs.

The Board shall submit its report to the Families, Parks and Recreation Director~~City Council~~, indicating approval or disapproval of funding the event, specifying the recommended level of funding, and recommending conditions, if any, to be placed on such funding.

**SECTION 3.** Section 51.13 is hereby amended to read as follows:

**Sec. 51.13. Decision of ~~City Council~~Families, Parks and Recreation Director.**

Upon receiving the report of the Families, Parks and Recreation Board, the Director shall determine whether the funding request shall be granted, the amount and timing of the funding, and any conditions to be placed upon such funding. Such conditions may include, but not be limited to, the requirement of entering into an agreement relating to the funding as approved by the City Attorney. The Director's fund request decision may be appealed in writing to the City's Chief Administrative Officer or designee within fourteen (14) calendar days from the Director's written funding request determination. The Chief Administrative Officer shall issue a decision within ten (10) days of receipt of the written appeal. The determination of the Chief Administrative Officer shall be final.

**SECTION 4.** Section 51.14 is hereby deleted in its entirety.

**~~Sec. 51.14. Supervisory Jurisdiction Retained by Council.~~**

~~Nothing in this chapter shall be construed as an unlawful delegation of the power of the City Council in the premises. The City Council hereby retains complete supervisory jurisdiction over the expenditure of City funds, the use of the public streets and the conduct of the enterprises regulated by this chapter; provided, however, that with respect to the issuance or denial of the appeals permit required by Section 51.02, the decision of the Families, Parks and Recreation Board shall be final.~~

**SECTION 5.** Section 51.15 is hereby deleted in its entirety.

**~~Sec. 51.15. Dedication of Funds.~~**

~~(1) The City of Orlando, in conjunction with the Orlando Police Department, hereby pledges for fiscal year 1991-1992 that it will donate to the Orange County Drug Abuse Trust Fund Account the following monies received from the Orange County Clerk's Office, as calculated and defined hereunder:~~

~~a) the City shall donate any funds collected from DUI fines in fiscal year 1991-1992 that are in excess of those funds collected for the 1990-1991 fiscal year;~~

~~b) "DUI fines" shall be defined as those fines imposed in criminal court on cases resulting from violations of Florida Statutes § 316.193 and actually collected by the Orange County Clerk's office and forwarded to the City of Orlando.~~

~~(2) The City further pledges that it shall donate to the Orange County Drug Abuse Trust Fund Account the difference between each succeeding year's revenue and the previous year's revenue, as calculated above.~~

~~(3) On an annual basis, the City Council shall review the level of donations being made in accordance with subsection (1) above and may adjust the City's participation accordingly.~~

**SECTION 6. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 7. EFFECTIVE DATE.** This ordinance takes effect on March 1, 2014.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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**DONE, THE PUBLIC NOTICE**, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE OF THE  
CITY OF ORLANDO, FLORIDA:

ATTEST, BY THE CLERK OF THE  
CITY COUNCIL OF THE CITY OF  
ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor/Mayor Pro Tempore

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Chief Assistant City Attorney