

**ORDINANCE NO. 2926-13**

**AN ORDINANCE OF THE CITY OF WINTER PARK ADOPTING THE CITY SEAL IN THE MANNER REQUIRED BY STATUTE, RETROACTIVE TO THE FORMAL ADOPTION OF THE SEAL BY THE CITY COMMISSION OF THE CITY OF WINTER PARK ON MAY 10, 2004, PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

Whereas, on May 10, 2004, the City Commission of the City of Winter Park did adopt the municipal seal, a true copy of which is attached and incorporated as Exhibit "A" to this Ordinance; and

Whereas, Section 165.043, Florida Statutes, provides for adoption of the municipal seal by Ordinance, and further provides that a seal so adopted shall be entitled to the protections afforded by that statute, including the fact that the unauthorized use of the seal is a second degree misdemeanor; and

Whereas, the City Commission of the City of Winter Park finds that the seal of the City is an important representation of the unique characteristics of the City of Winter Park, and that the seal should be protected as a matter of intellectual property to the fullest extent allowed by law, such that the general public may rely upon the display or representation of the municipal seal as the official logo or brand of the City.

**Now therefore, be it ordained by the City Commission of the City of Winter Park as follows:**

**Section 1: Incorporation of Recitals.** The recitals to this Ordinance are incorporated herein and are fully made a part of this ordinance.

**Section 2:** There is created as a new section in the City of Winter Park's Code of Ordinances, Section 2-4 that shall read as follows:

"Section 2-4-\_\_\_\_. Municipal Seal of the City of Winter Park. As allowed by Section 165.043 Florida Statutes, the City Commission of the City of Winter Park has adopted by Ordinance and hereby designates its official municipal seal, as shown in the official records and minutes of the City of Winter Park for the meeting of the City Commission held on June 24, 2013. Exhibit "A" to Ordinance No. 2926-13 enacted at said meeting shall be the official municipal seal of the City of Winter Park. As provided by law, the manufacture, use, display or other employment of any facsimile or reproduction of the municipal seal, except by municipal officials or employees in the performance of their official duties, without the express approval of the governing body is a second degree misdemeanor, punishable as provided in Sections 775.082 or 775.083, Florida Statutes, as the same may be amended. The City Manager, or his designee, is delegated the authority to grant permission to others to use the seal."

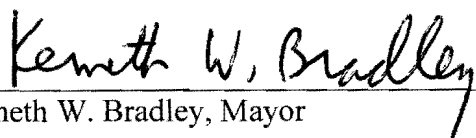
**Section 3: Codification.** Section 2-4 shall be codified in the City Code as specified in Section 2 hereof. Any section, paragraph number, letter or heading within the Code may be changed or modified as necessary to effectuate the codification. Grammatical, typographical and similar or like errors may be corrected in the Code, and additions, alterations and omissions not affecting a material substantive change in the construction or meaning of this Ordinance may be freely made. Sections 2-5 through 2-25 shall continue to be reserved.

**Section 4: Conflicts.** All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**Section 5: Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural or any other reason, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or portions hereof or hereto.

**Section 6: Effective Date.** This Ordinance shall be effective immediately upon adoption at second reading. Additionally, to the fullest extent allowed by law, the adoption of the City seal shall be effective retroactive to the approval of the seal by the City Commission on May 10, 2004.

Adopted by the City Commission of the City of Winter Park, Florida in a regular meeting assembled on the 24th day of June, 2013.

  
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Kenneth W. Bradley, Mayor

ATTEST:

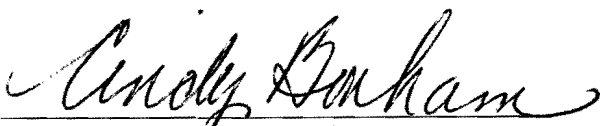
  
\_\_\_\_\_  
Cindy Bonham, City Clerk

Exhibit "A"

