

**ORDINANCE NO. 2775-09**

**AN ORDINANCE OF THE CITY OF WINTER PARK,  
FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION"  
SO AS TO ADOPT NEW PUBLIC NOTICE PROCEDURES  
FOR ANNEXATIONS TO THE CITY OF WINTER PARK.**

**WHEREAS**, the Chapter 171, Florida Statutes provides requirements for public notice concerning annexations; and

**WHEREAS**, the City Commission desires to supplement and expand those public notice requirements to provide additional notice of the public hearings and referendums required for potential annexations; and

**WHEREAS**, the Winter Park City Commission has previously adopted referendum requirements for annexations that are more extensive than Chapter 171, Florida Statutes.

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:**

**SECTION 1.** That Chapter 2 "Administration", Section 2-1 "Municipal annexations" of the Code of Ordinances is hereby amended and modified by repealing and Section 2-1 and adopting a new Section 2-1 to read as follows:

**Sec. 2-1. Municipal annexations; separate referendum required when proposed annexation exceeds a certain size.**

(a) In the case of annexations pursuant to F.S. § 171.0413, following the final adoption of an ordinance of annexation by the city commission of the city, the ordinance shall be submitted to a vote of the registered electors of the area to be annexed. If the area to be annexed has a residential land use designation and if the proposed annexation ordinance would cause the total area annexed by the city pursuant to F.S. § 171.0413, during the 12-month period prior to adoption of the proposed annexation ordinance to exceed more than one percent of the total land area of the city or cumulatively to exceed more than one percent of the municipal population, the ordinance of annexation shall be submitted to a separate vote of the registered electors of the city and of the area proposed to be annexed. If the area to be annexed has a non-residential land use designation and if the proposed annexation ordinance would cause the total area annexed by the city pursuant to F.S. § 171.0413, during the 12-month period prior to adoption of the proposed annexation ordinance to exceed more than two percent of the total land area of the city or cumulatively to exceed more than two percent of the municipal population, the ordinance of annexation shall be submitted

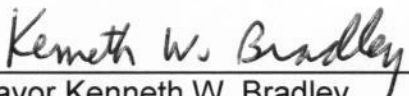
to a separate vote of the registered electors of the city and of the area proposed to be annexed.

(b) If the referendum is held only in the area proposed to be annexed and receives a majority vote, or if the ordinance is submitted to a separate vote of the registered electors of the city and the area proposed to be annexed and there is a separate majority vote for annexation in the city and in the area proposed to be annexed, the ordinance of annexation shall become effective on the effective date specified in the ordinance of annexation. If there is any majority vote against annexation, the ordinance of annexation shall not become effective, and the area proposed to be annexed shall not be the subject of an annexation ordinance by the city for a period of two years from the date of the referendum on annexation.

(c) For any annexation ordinance involving property (not including public rights-of-way), of more than ten (10) acres of single family residential property or more than three (3) acres of property designated other than single family residential, notice of the time and place of public hearings for the adoption of any such annexation ordinance shall be mailed to all households as determined from the listing of utility billing addresses within the entire city limits at least 30 days prior to the initial public hearing.

**SECTION 2.** This ordinance shall become effective immediately upon its final passage and adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 10<sup>th</sup> day of August, 2009.

  
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Mayor Kenneth W. Bradley

ATTEST:

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Deputy City Clerk Nancy McLean