

ORDINANCE NO. 2004-09-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING THE OFFICIAL CITY SEAL; ADOPTING REGULATIONS PERTAINING TO OFFICIAL USE OF THE CITY SEAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds it is in the best interests of the City of Miami Gardens ("CITY") to adopt an official seal, and

WHEREAS, the City Council recognizes that the City seal should be utilized only for official business or with proper authorization,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. ADOPTION OF THE CITY SEAL AND ADOPTION OF REGULATIONS PERTAINING TO OFFICIAL USE OF THE CITY SEAL. The City of Miami Gardens', Florida's seal is hereby created as follows:

**"OFFICIAL CITY SEAL"**

(a) *Official seal defined.* The official seal of the City of Miami Gardens shall mean the City's identifying symbol attached hereto as Exhibit "A."

(b) *Execution and acknowledgment of written instruments.* Whenever it shall be necessary for the City, under the authority of the City Council, its Charter or Code, and the general laws of the State, to execute contracts, deeds, or other documents on behalf of the City, the official seal of the City may be affixed to such contracts, deeds or other documents.

(c) *Prohibition.* It shall be unlawful and a violation of this section for any person, firm, corporation or other legal entity to print for the purpose of sale or distribution or advertisement, circulate, publish, use or offer for sale any letters, papers, documents or items of merchandise, or

simulate the official seal of the City , without the expressed written authority of the City Manager or City Council.

(d) *Exceptions.* The provisions of this section shall not be applicable to the City, its officials, departments, employees, instrumentalities, or advisory boards, acting within the scope of their official capacities.

(e) *Penalty.* Pursuant to Section 165.043, Florida Statutes, a violation of this ordinance constitutes a second-degree misdemeanor, punishable as provided in Section 775.082 or 775.083, Florida Statutes.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective

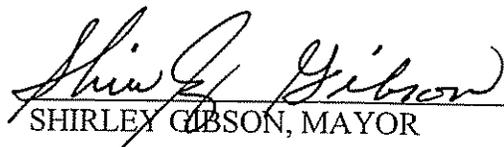
Ordinance No. 2004-09-25

immediately upon its final passage.

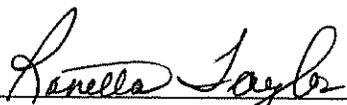
PASSED ON FIRST READING IN FULL ON THE 10<sup>th</sup> DAY OF March 2004.

PASSED ON SECOND READING BY TITLE ONLY THE 24<sup>th</sup> DAY OF March 24, 2004.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24<sup>th</sup> DAY OF March, 2004.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:  
Sonja K. Knighton, City Attorney

MOVED BY: Councilman Braynon

SPONSORED BY: Councilwoman King

VOTE: 7-0

Mayor Gibson	<u>  x  </u> (Yes)	<u>  </u> (No)
Vice Mayor Campbell	<u>  x  </u> (Yes)	<u>  </u> (No)
Councilman Melvin L. Bratton	<u>  x  </u> (Yes)	<u>  </u> (No)
Councilman Oscar Braynon, II	<u>  x  </u> (Yes)	<u>  </u> (No)
Councilwoman Audrey J. King	<u>  x  </u> (Yes)	<u>  </u> (No)
Councilwoman Sharon Pritchett	<u>  x  </u> (Yes)	<u>  </u> (No)
Councilwoman Barbara Watson	<u>  x  </u> (Yes)	<u>  </u> (No)