

ORDINANCE NO. 2004-10-26

AN ORDINANCE OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING OFFICIAL CITY LOGOS; ADOPTING REGULATIONS PERTAINING TO OFFICIAL USE OF THE CITY LOGOS; 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 interest of the City of Miami Gardens ("CITY") to adopt official City logos, and

WHEREAS, the City Council recognizes that official City logos should be utilized only for City 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 CITY LOGOS AND REGULATIONS PERTAINING TO OFFICIAL USE OF THE CITY LOGOS. The City of Miami Gardens, Florida official City logos are created as follows:

"OFFICIAL CITY LOGO"

(a) *Official logos defined.* The official logos of the City of Miami Gardens shall mean the City's identifying symbols attached hereto as Exhibits "A" and "B."

(b) *Use for Official City Purposes.* The official City logos should be used whenever it is necessary for the City to identify equipment, facilities, documents, etc.

(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 or sale or distribution or advertisement, circulate, publish, use of offer for sale any letters, papers, documents or items of merchandise containing City logos, or simulate the official logos 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 755.083, 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 CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.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.

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SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING IN FULL ON THE 10th DAY OF March, 2004.

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

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 24th 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: Vice Mayor Campbell
SECONDED BY: Councilwoman Watson

VOTE: 6-1

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> </u> (Yes)	<u>x</u> (No)
Councilwoman Barbara Watson	<u>x</u> (Yes)	<u> </u> (No)