

ORDINANCE NO. 2018-29

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING CHAPTER 46, PARKS AND RECREATION, ARTICLE I, IN GENERAL, BY ADDING SECTION 46-5, NAMING OR RENAMING A CITY-OWNED FACILITY OR PARK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Venice City Council requested staff review the process for naming or renaming city-owned facilities or parks; and

WHEREAS, city council has considered the recommendation of city staff and concurs with this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. This ordinance supersedes Attachment 8 of Resolution No. 99-10.

SECTION 3. Chapter 46, Parks and Recreation, Article I, In General, Section 46-5, Naming or renaming a city-owned facility or park, is added as follows:

Sec. 46-5. Naming or renaming a city-owned facility or park.

(a) *Intent and purpose.* The intent and purpose of this policy is to establish a uniform process for naming or renaming a city-owned facility or park.

(b) *Approval authority.*

- (1) *Authority.* City Council shall have the authority to name or rename a city-owned facility or park after holding a public hearing and adopting a resolution.
- (2) *Required Parks and Recreation Advisory Board review.* In the case of a dedicated or designated city park, the Parks and Recreation Advisory Board shall make a recommendation to city council.
- (3) *Optional board or commission reviews.* City Council, at its discretion, may refer the naming or renaming of a city-owned facility or park to any of the other standing city boards, committees, task forces or commissions for a recommendation.

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- (4) Public notice required. No public hearing for naming or renaming a city-owned facility or park shall be held unless public notice has been provided. At minimum, public notice shall inform the public of the place, date and time of the public hearing and describe the naming or renaming request.
- a. Publication of notice of the public hearing in a newspaper of general circulation in the city shall be provided at least 30 days prior to the public hearing.
 - b. One or more signs shall be posted on the property subject to a naming or renaming application at least 15 days prior to the public hearing. A sign shall be erected in full view of the public on each street frontage of the property or on the closest public street frontage from which the subject property gains access. It shall be a violation of this chapter for any person to remove or deface any such sign.
 - c. Notice of the time and place of the public hearing by city council shall be sent at least 15 days in advance of the hearing by regular mail to all owners of property within 250 feet of the property lines of the land for which proposed naming or renaming is sought. For purposes of this requirement, the names and addresses of property owners shall be deemed those appearing on the latest tax rolls of the county. Failure of a property owner to receive mail notice shall not invalidate the public hearing or subsequent action related thereto. The city clerk shall execute and file a certificate which shall contain the names and addresses of those persons notified, and the date the notice was mailed. The certificate shall be signed by the city clerk and the official seal affixed. The certificate shall be prima facie evidence of the fact that notice was mailed.
 - d. Notice of the time and place of the public hearing by city council shall be sent at least 15 days in advance of the session by regular mail to any registered neighborhood association.
- (5) Background check required. The city manager shall conduct a background check of the proposed individual to assure that such individual is of good character and representative of community values.

(c) Citizen initiated request

- (1) Application required. An application to name or rename a city-owned facility or park shall be submitted to the city clerk on a form provided by the city.
- (2) Application requirements. The application shall, at a minimum, provide the following information:
 - a. Biographical information about the person proposed to have a city-owned facility or park named after them.

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- b. A detailed statement explaining why the person meets the criteria for having a city-owned facility or park named after them.
 - c. The estimated cost to provide:
 - i. Signs or plaques at the city-owned facility or park.
 - ii. Public notice requirements including advertisement in a newspaper of general circulation and mailings.
 - iii. Updating of city printed and web-based material related to the city-owned facility or park.
 - d. Further documentation showing support from the community for the naming or renaming of the city-owned facility or park for this individual.
- (d) City council initiated request. Upon direction by a majority of city council to name or rename a city-owned facility or park, the city manager shall provide the following information:
- a. Biographical information about the person proposed to have a city-owned facility or park named after them.
 - b. A detailed statement explaining why the person meets the criteria for having a city-owned facility or park named after them.
 - c. The estimated cost to provide:
 - i. Signs or plaques at the city-owned facility or park.
 - ii. Public notice requirements including advertisement in a newspaper of general circulation and mailings.
 - iii. Updating of city printed and web-based material related to the city-owned facility or park.
 - d. Any additional documentation showing support from the community for the naming or renaming of the city-owned facility or park for this individual.
- (e) Criteria. The following criteria shall be considered when deliberating over the naming or renaming of a city-owned facility or park:
- a. The amount of meritorious civic or public service provided by an individual to include financial gifts or donations of property, service as an elected or appointed official, or service as a community volunteer.
 - b. The overall character and reputation of the individual.
 - c. The person's ties to the Venice community.
 - d. The impact made by the person on the lives of Venice residents and businesspeople.
 - e. The avoidance of names that are discriminatory, derogatory or convey a negative connotation.

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(f) Term. City Council may limit the term for which a city-owned facility or park is named after someone or something.

- a. City Council may, by resolution, set limits on the term for which a city-owned facility or park is named based on the total amount contributed or percentage of total cost contributed for development or construction of a city-owned facility, park or any portion thereof.
- b. City Council, when adopting a resolution in accordance with this ordinance, shall indicate in such resolution any term limit on the naming of the city-owned facility or park.
- c. Nothing in such a resolution restricts the ability of city council to rename a city-owned facility prior to the end of a stated term.

(g) Costs. Unless waived by city council in the resolution, the following costs shall be borne by any citizen or citizen group initiating a successful request under this section.

- a. Signs or plaques at the city-owned facility or park
- b. Maintenance costs for the signs or plaques
- c. Public notice requirements including advertisement in a newspaper of general circulation and mailings.
- d. Updating of city printed and web-based material related to the city-owned facility or park.

(h) Selling of naming rights

(1) City Council shall have the authority to sell the naming rights to any city-owned facility or park for a limited period to a private business, with the following additional requirements:

- a. City Council shall approve an agreement with the business.
- b. Additional criteria when deliberating in such cases would be the current financial situation of the city and the level of support in the community for such an action.

SECTION 4. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 5. If any part, section, subsection or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the prescribed application thereof, shall be severable and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The city

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council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 6. This ordinance shall take effect immediately upon approval and adoption as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 11TH DAY OF SEPTEMBER, 2018.

First Reading: August 28, 2018

Final Reading: August 28, 2018

Adoption: September 11, 2018

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

I, LORI STELZER, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council at a meeting thereof duly convened and held on the 11th day of September 2018 a quorum being present.

WITNESS my hand and the official seal of said City this 11th day of September 2018.

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

The City of Venice Code of Ordinances is amended as follows with ~~strike through text~~ identifying deletions and underlined text indicating additional language.

City Attorney

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