



City Commission Work Session

Agenda

May 28, 2026 @ 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/meetings/ and include virtual meeting instructions.

decorum

As a courtesy to those present, please silence your mobile devices. If you must take a phone call, please excuse yourself and step outside.

Members of the public shall observe the same rules of propriety, decorum and good conduct applicable to members of the Board. Persons making remarks or exhibiting behavior that disrupts the orderly conduct of this meeting will be subject to removal from the meeting.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

1. Meeting Called to Order

2. Discussion Item (s)

- a. Recodification of City Code

90 minutes

3. Adjournment



item type

Discussion Item (s)

meeting date

May 28, 2026

prepared by

Rene Cranis, City Clerk

approved by

Randy Knight, City Manager

subject

Recodification of City Code

motion | recommendation

background

Since October 2024, the City Code has undergone a comprehensive review conducted by Municipal Code Corporation staff attorneys, City staff, and the City Attorney. The proposed revisions, summarized in the attached spreadsheet, are intended to reflect current practices and applicable laws, as well as to clarify provisions and eliminate inconsistencies and conflicts within the Code.

Due to the size of the document, please use this link to access: <https://www.dropbox.com/scl/fi/q304m7bkz2owe3mexumg3/Code-Proof-5-21-26.pdf?rlkey=f7g67r1fjgq7dhc46wxqw38c9&st=idjuxfgv&dl=0>

The chapters below are under review and revision and will be presented for adoption at future meetings.

- Chapter 6, Advertising
- Chapter 30, Communications, Article II
- Chapter 40, Communications Systems
- Chapter 59, Multi-modal Transportation Impact Fee
- Chapter 74, Article III, Civil Service for Firefighters and Police Officers
- Chapter 82, Solid Waste
- Chapter 90, Streets, Sidewalks and Other Public Places, Articles I, II and III
- Chapter 102, Utilities
- Chapter 114, Waterways

The city attorney is drafting the ordinance to adopt this revised code will be presented to you for adoption in June.

alternatives | other considerations

fiscal impact

attachments

1. Summary of Changes

Chapter 1. General Provisions**COMMENTS**

p. 32	<u>Sec. 1-23. Classes and violations and penalties. (a) Violations/civil penalties</u>	Fees deleted. Language added "...penalties shall be in accordance with the city fee schedule.
p. 33	<u>Sec. 1-23. Classes and violations and penalties. (d) Revised re:prior recorded liens</u>	Edited language. Florida law does not authorize municipal code enforcement liens to take priority over previously recorded liens, any ordinance language implying such priority must be revised to reflect that these liens are subordinate unless state law explicitly provides otherwise.

Chapter 2. Administration

p. 37	<u>Sec. 2-2 Use of city-owned lands for commuter rail station</u>	Deleted. Referendum was held and commuter rail station was approved by electors since this was put in the code
p. 38	<u>Sec. 2-3 Appropriation of expenditures of city funds for commuter rail station</u>	
p. 38	<u>Sec. 2-4. Municipal Seal</u>	Edited to allow general penalty to control as municipal ordinance violations are not misdemeanors per F.S. § 775.08(2).
p. 38 - 55	<u>Article III. Subsidiary board of the City of Winter Park.</u>	No changes. Ordinance amending Article will be included in Supplement 1, after recodification ordinance is adopted.
p. 63	<u>Sec. 2-132 City manager; city clerk (a) and (b)</u>	Updated to reflect current structure. The term "data processing" is no longer used. IT is now a department, and no longer a separate division under the CM. Purchasing does not report directly to CM
p. 72-75	<u>Division 2. Interim Proprietary and General Services Fee</u>	Deleted. The Interim Proprietary and General Services Fees was struck down as unconstitutional by the FL Supreme Court in the early 1990s. Discontinued charging but it was not removed from the code.

Chapter 6. Advertising**Under revision.**

p. 83	<u>Sec. 6-1. Use of streets & sidewalks for advertising.</u>	Deleted. Unconstitutional. Permitting schemes must include narrow, objective, and definite standards to guide decision making.
p. 83	<u>Sec. 6-2, Placing signs on surface of streets or sidewalks</u>	This section is challengeable, if the city uses this exception to promote certain messages (e.g. commercial or political), this could be seen as viewpoint discrimination. Put classes in LDC - tie to use - separate ord.
p. 83	<u>Sec. 6-3. Posting on trees, poles or public property</u>	Edited to remove content-based restrictions as it selectively permits certain types of speech based on their subject matter. Deleted outdated term "telegraph."
p. 83	<u>Sec. 6-4, Posting advertisement on unoccupied buildings or temporary structures</u>	This section is challengeable as overbroad if it prohibits noncommercial speech on private property with owner consent. Edited to clarify that restriction only applies to unauthorized postings,.

p. 83	<u>Sec. 6-5, Distribution of handbills</u>	Outdated terminology. Updated definition of Handbill. Changed "dodger" to "flyer"
p. 84	<u>Sec. 6-5 (b) Name & Address of distributor</u>	Requiring name and address of distributor is unconstitutional under the First Amendment. Edited to encourage distributors to provide contact information.
p. 84	<u>Section 6-6, Pasting advertising matter on vehicle of another.</u>	Removed content-based restriction. Updated term "dodger" to "flyer"

Chapter 7. Film Industry

p. 85	<u>Sec. 7-2 Definitions</u>	Changed Film Commissioner to Orlando Film Commission and Orlando Economic Development Commission.
p. 86	<u>Sec. 7-3 Film Commissioner</u>	Inconsistency between 7-7 and 7-3 regarding issuance of permits. Sec. 7-3 is correct. Designated authority to city manager "or his designee"
p. 87	<u>Sec. 7-7 City Manager Duties</u>	Revised to reflect the film commissioner issues the permits after city approval.

p. 87	<u>Sec. 7-5. Filming Requirements (5) and (6)</u>	Courts have consistently held that visibility alone does not justify banning protected expression, (5) and (6) are not narrowly tailored and likely unenforceable unless rewritten to target obscene conduct (as defined by <i>Miller</i>), or regulate time, place, and manner without reference to conduct. (5) Edited to "obscene conduct" as defined by applicable laws. (6) Removed
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p. 89	<u>Sec. 7-10. Approval Criteria (1)</u>	Updated to avoid risks violating due process and equal protection by allowing permit denial based on vague moral judgments without a clear nexus to public safety or objective rehabilitation standards. Added language relating to applicant conviction of a felony or misdemeanor directly relating to public safety and misuse of permit.
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p. 89	<u>Sec. 7-10. Approval Criteria (5)</u>	Deleted vague and subjective standard, as it raises First Amendment concerns.
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Chapter 10. Alcoholic Beverages

p. 92	<u>Sec. 10-1. Definitions</u>	Updated "Adult congregate living facility" "Assisted living facility" to comply with changes in state law. Updated state statute citation.
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p. 93	<u>Sec. 10-31. Inspection and search of premises without warrant (p. 3)</u>	Amended to reduce Fourth Amendment concerns. Local government officials, including code enforcement officers and police, are not authorized to enter private commercial or residential property without either the consent of the owner/occupant or a duly issues search or administrative inspection warrant.
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Sec. 10-33. Hours during which sales, consumption and service are prohibited.

p. 94	<u>(b)(1)</u>	Deleted outdated language.
p. 94	<u>(7) Permit suspension (d), (f)</u>	Edited to remove vague or subjective criteria without clear standards as this may violate procedural due process.
p. 95	<u>(7)(g). (p. 6)</u>	Edited to avoid vagueness and overbroad issues and to avoid issues of violating due process by failing to provide fair notice of what conduct triggers suspension .

p. 97-98	<u>Sec. 10-34. Location of vendors near school or church</u>	Edited by City Attorney: provides the exact same effect but relies on State license classifications rather than the City-based ones. This should also help alleviate some of the concerns that were raised in the review meeting about the City's ability to continue to regulate the locations of alcoholic beverage establishments.
p. 98-101	<u>Sec. 10-46 through 10-55</u>	Deleted. DBPR is now the sole licensing authority. Per City Attorney: These provisions deal specifically with "city beverage licenses" which are expressly preempted by the Florida Beverage Law. Even relabeling these licenses as "business certificates" would require that the City treat holders of Florida beverage licenses in a nondiscriminatory manner consistent with the treatment of any other lawful business transacted in the state, so having additional restrictions in the City Code for alcohol vendors would be preempted by the State.

Chapter 14. Amusements and Entertainments

p. 104	<u>Sec. 14-44. Grant; denial, (a) Time period for granting or denying.</u>	Edited to avoid the issue if the county takes longer than 14 days to approve.
p. 108	<u>Sec. 14-91. Exterior of establishment. ©</u>	Edited to avoid First Amendment concerns.
p. 108-109	<u>Sec. 14-92. Signage (a), (c), (d) and (f)</u>	There are still potential issues, however, as the remaining rules (like requiring signs to be rectangular, flat, and of uniform color), could still be seen as targeting expressive conduct. Edited to make section content neutral .
p. 110	<u>Sec. 14-108. Immunity from prosecution</u>	Edited to avoid conflicts with due process protections and state tort law, (especially if the trespass is not authorized by a warrant or exigent circumstances).

Chapter 18, Animals

p. 112	<u>Sec. 18-5. Bird sanctuary (b)</u>	Updated department name to Florida Department of Environmental Protection
p. 113	<u>Sec. 18-8, Vaccination against rabies and other contagious and infectious diseases; evidence of inoculation or certificate of good health; exceptions (a)</u>	Edited to allow for the multi-year rabies vaccine. Removes requirement to provide evidence of vaccination.

p. 113	<u>Sec. 18-10 -Running at large - Generally</u>	As worded, this seems difficult to enforce. Deleted text after "city" (to the injury or annoyance of other persons or their property)
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Sec. 18-14, Prohibited in certain parks, playground area and streets and sidewalks.

p. 114	<u>Mead Botanical Garden</u>	Edited provide that fines are in accordance with the city fee schedule.
	<u>Phelps Park</u>	Athletic fields refer to the open green space at the rear of the park with no justification to prohibit leashed dog in the space. Delete "athletic fields."
	<u>Lake Island Park</u>	Changed to Martin Luther King, Jr. (MLK) Park
	<u>Howell Branch Park</u>	Allow leashed dog in the wetlands or stream unless there is some environmental concern. Delete "wetlands areas, and in streams."
	<u>Farmers Market</u>	Delete prohibitions in building, food court, patio and stairway. No longer applicable due to location change. Edited to add ADA exemptions to leash law.
p. 115	<u>Lake Baldwin Park (a)</u>	Dogs are not allowed in restrooms, playground, or picnic area. However, dogs are allowed under the pavilions/shelters within the off leash portion of the park. Delete last sentence. Rules for prohibitions are in (e).
	<u>(b) and (c)</u>	Added language to comply with the ADA
	<u>(e) Definitions</u>	Revise prohibitions to apply to Lake Baldwin Park. Deleted "** Excluding Lake Baldwin Park. Added language dogs must be leashed outside the fenced area.

p. 115-116	<u>Section 18-17. Noise; disturbances; destruction of property; chasing vehicles.(1) (p. 7)</u>	Added a reasonable person standard to reduce vagueness and improve enforceability.
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p. 116	<u>Section 18-18. General conditions for keeping of backyard chickens. (2) Requires review and evaluation for potential amendment on or about February 2025.</u>	Requires review and evaluation for potential amendment on or about February 2025. Delete last sentence. Evaluation was completed.
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p. 117	<u>Sec. 18-41 Registration of dogs.</u>	Requires registration of dogs. Deleted. City does not register dogs.
	<u>Sec. 18-42 Dog Licenses and tags; evidence of inoculation; tag.</u>	
	<u>Sec. 18-43 License Year</u>	

p. 117 - 118	<u>Sec. 18-45 Prohibited in certain parks, playground areas and streets and sidewalks.</u>	
	<u>(a)</u>	Deleted Lake Baldwin Park as it is home of the dog park and should not be listed a prohibited park.
	<u>(c)</u>	Broadened language to ensure full ADA compliance.
	<u>(d) (5)</u>	Added ADA exemptions to leash law

Chapter 22. Buildings and Building Regulations

p. 164 - 168	<u>Division I. Building Licensing. Sec. 22-401 through 22-431</u>	Unenforceable per F.S. § 163.211, which preempts local occupational licensing, including mechanical, electrical, plumbing, and other contractor licenses. Removed local licensing. No voluntary registration.
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Chapter 26. Businesses

p. 169 - 170	<u>Article II. Close-out Sales. Sec.26-26 -32</u>	Deleted. Permit not required.
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Chapter 30. Cable Communications

p.173- 184	Article II. Franchise	Deleted. Local governments no longer issue cable franchises per F.S. § 610.104. Franchising authority now lies with the Florida Dept of State. Article under full revision.
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Article III Operational Rules

p. 185	<u>Sec. 30-78. Conditions on street occupancy.(b) director of public works</u>	Change to director of public works and transportation.
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p. 188-189	<u>Sec. 30-90. Interconnection</u>	Mandating interconnection may violate federal rules on network design, technical feasibility, and operator autonomy. Remove mandate.
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p. 189-190	<u>Sec. 30-92 Governmental Access Sec. 30-93 Support for use of acces; and Sec. 30-94</u>	PEG obligations must fall within the 5% franchise fee cap unless exempted by federal law; imposing staffing, equipment, or channel use beyond this may violate federal law and F.S. § 610.106. Revised adding subject to and consistent with applicable laws.
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Chapter 34. Cemeteries

p. 200-201	<u>Sec. 34-30. Title and Ownership of Spaces</u>	Deleted. Covered by, and in conflict with, F.S. § 497.286.
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Chapter 38. Civil Emergencies

p. 202	<u>Sec. 38-1. State of emergency</u>	Florida law already governs emergency powers under F.S. §§ 870.041-870.047, and cities automatically have authority to act under those statutes without restating them. The appointment of “special members” is not authorized by state law and could expose the city to liability or constitutional challenges. Revised by city attorney. Further revisions to policy changes require adoption of a separate ordinance.
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Chapter 40. Communications Systems

Under full revision.

p. 207	<u>Sec. 40-30. Fees Imposed</u>	Added language that clarifies that the franchise fee does not apply to providers exempt under Florida’s state-issued franchise authority law, avoiding preemption.
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p. 208	<u>Sec. 40-31. Amount and payment of fees.(f)</u>	Added language that ensures that any fees or conditions in the franchise agreement are consistent with state law caps and exemptions, reducing legal risk.
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p. 208	<u>Sec. 40-32.1. Tax in lieu of permit fees.</u>	Deleted (b) and (c) (Staff edit)
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p. 209	<u>Sec. 40-34. Indemnification by grantee</u>	Edited to comply with F.S. § 337.401.
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p. 210	<u>Sec. 40-35. Grantee insurance(a)</u>	Edited to mirror edits made in 30-48, to ensure consistency in scope and to align with the public safety and ROW management justification.
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p. 210	<u>Sec. 40-36. Termination</u>	This section allows the city to declare a franchise forfeited and take ownership of facilities without a clear due process mechanism, which may violate constitutional protections under the Fifth and Fourteenth Amendments (due process and takings). Edited forfeiture language.
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p. 214	<u>Sec. 40-58. Removal. (a) and (b)(2) Revised re: abandoned underground cables and conduit.</u>	Subsections (a) and (b) allow the City to declare underground or aboveground facilities abandoned and vest title in the City without a formal abandonment process or due process protections, which may violate the Fifth Amendment (takings) and Fourteenth Amendment (due process). Added language regarding abandonment and due process.
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p. 215	<u>Sec 40-61 and Sec. 40-62. Accounting Standards</u>	Deleted. Auditing communications services tax is now primarily a Florida Department of Revenue function. Under specific circumstances, local governments may conduct their own audits for compliance within their jurisdictions.
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p. 234-236	<u>Sec. 40-96. Abandonment. (c) and (d).</u>	Subsections (c) and (d) allow the City or third parties to alter or remove abandoned facilities and charge the registrant without a formal abandonment determination or due process protections, which may violate the Fifth Amendment (takings) and Fourteenth Amendment (due process) if ownership or cost liability is imposed without notice and opportunity to respond. Edited to comply with applicable law.
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p. 236	<u>Sec. 40-99. Pass -through provider fees and charges.(a)</u>	Revised language aligns the annual ROW fee with the statutory cap and acknowledges exemptions, ensuring compliance with Florida’s preemption of municipal fee authority.
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Chapter 42. Elections

p. 240	<u>Sec. 42-7 Qualification of candidates and clerk's certification(a)(3)</u>	Revised. The requirement of 25 petition signatures in Sec. 42-7(a)(3) does not conflict with Florida law as long as: The city does not allow candidates to use this petition to waive the qualifying fee under F.S. § 99.095 and The petition is treated as a local ballot access requirement, not a substitute for the state petition method.
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p. 241	<u>Sec. 42-11. Campaign finance reporting.(b)</u>	Edited to avoid conflict with F.S. § 106.0705. if the city’s current system is not integrated with the state’s, this subpart could be unenforceable
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Chapter 54. Health and Sanitation

p. 257	<u>Sec. 54-1. Smoking</u>	Deleted. Preempted by F.S. § 386.209.
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p. 259	<u>Sec. 54-22. Definitions Exceptions (5)</u>	Remove brackets. "... of service [to] a governmental entity."
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Chapter 58. Land Development Code

p. 277	<u>Sec. 58-64 (c) (2) and (4)</u>	Language was revised under Ordinance 3362-15, adopted 12/10/2025 to eliminate Subsections (c)(2) and (c)(4) conflict.
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p. 278-279	<u>(g) (2).</u>	The criteria for granting special permits are broad and subjective and are therefore challengeable. Edited to add requirement for findings of fact.
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Chapter 59. Multi-Modal Transportation Impact Fee

p. 586-598	<u>No changes recommended.</u>	Under full revision.
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Chapter 62, Offenses and Miscellaneous Provisions

p. 601	<u>Section 62-79, Prohibition against picketing before or about a dwelling unit.(d). Enforcement and penalty for violation.</u>	Edited to allow general penalty to control, as municipal ordinance violations are not misdemeanors per F.S. § 775.08(2). Add reference to fee schedule.
p. 607	<u>Sec. 62-97. Specific provisions (a)(2)(c).</u>	Sec. 62-97(a)(2)(c) is inconsistent with 62-98(b)(3). 62-97 uses 50 feet and “plainly audible” as presumptive thresholds, and 62-98 uses 50 dBA as a measurable threshold. Added audible sound standard of 60 dBA.
p. 609	<u>Sec. 62-99 (e), Sounding of railroad train horns prohibited during certain hours.(e). Effective date; exception.</u>	Delete. These conditions have been met.
p. 609	<u>Sect. 62-121, Nudity</u>	Deleted. Covered by F.S. § 800.3 (adopted by reference in 62-1).
p. 610	<u>Section 62-123, Massage practices in violation of Section 58-84</u>	Deleted. Covered by state law (adopted by reference in 62-1). If the city elects to keep, recommend diting to allow general penalty to control, as municipal ordinance violations are not misdemeanors per F.S. § 775.08(2).
p. 610	<u>Section 62-147, False call to police</u>	Deleted. Covered by state law (adopted by reference in 62-1).
p. 610	<u>Section 62-148, False information of serious hazard</u>	Deleted. Covered by state law (adopted by reference in 62-1).
p. 613	<u>Sec. 62-194. Sexual offender and sexual predator residence prohibition; measurement; penalties; requirements; measurement; violation; application(c). Penalties.</u>	Edited to allow general penalty to control, as municipal ordinance violations are not misdemeanors per F.S. § 775.08(2)

Chapter 70, Peddlers, Hawkers and Solicitors**Article II**

p.621-623	<u>Sec. 70-43. Occupational License</u> <u>Sec. 70-44. Rebate of occupational license fee upon rejection of temporary interim permit.</u> <u>Sec. 70-48. Occupational license fees</u>	Deleted. Per F.S. § 163.211, Occupational license sunset on July 1, 2025
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Chapter 74. Personnel

p. 626	<u>Article III. Civil Service.</u>	Under revision.
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Article V. Retirement and Pension Plans

p. 661	<u>Sec 74-171. Forfeiture of pension (3)</u>	This section authorizes pension forfeiture without requiring the formal administrative process mandated by F.S. § 112.3173, including a final order issued after a hearing conducted by the Division of Administrative Hearings. Added provision to comply with state statute.
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p. 662	<u>Sec. 74-172. Conviction and forfeiture; false, misleading or fraudulent statements. 3.</u>	Section 74-172 allows forfeiture of benefits for making false or misleading statements to obtain benefits, upon conviction of a misdemeanor. However, F.S. § 112.3173(2)(e) limits forfeiture to specific felony offenses committed with intent to defraud the public or employer. A misdemeanor conviction (even for fraud) does not qualify for pension forfeiture under the statute. Added provision for formal hearing in accordance with state statute.
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p. 701	<u>Sec. 74-222. Conviction and forfeiture; false, misleading or fraudulent statements. 2.</u>	Edited to allow general penalty to control, as municipal ordinance violations are not misdemeanors per F.S. § 775.08(2).
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Article III. Garage Sales

p. 717	<u>Sec 78-29 Sign.</u>	Section revised and moved to general sign provisions. The location and content of this section raises content neutrality issues under the First Amendment (see <i>Reed v. Town of Gilbert (2015)</i> ; <i>City of Austin v. Reagan National Advertising (2022)</i>). Even if we edit this section to be facially neutral, its application is limited to signs advertising a specific type of event (garage sale or estate sales), thus making it content-based on its face. To mitigate constitutional risk, we recommend moving this section to a general sign or zoning chapter <i>or</i> reframing the section to be content-neutral, time-place-manner criteria
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Chapter 82. Solid Waste

Under full revision

p. 721-722	<u>Sec. 82-7. Prohibited acts.(a)(1)</u>	Added clarifying language to avoid vagueness and overbroad issues.
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p. 723	<u>Sec. 82-34. Nonexclusive permitting process (1)</u>	Revised to comply with F.S. § 403.7046, as permits for recovered materials dealers are preempted unless collecting residential curbside.
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p. 725	<u>Sec. 82-35. Exclusive franchise agreement.(c)</u>	Revised to comply with F.S. § 403.7046, as applied to recovered materials from commercial sources.
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p. 726	<u>Sec. 82-37 Use of franchise services required (c)</u>	Revised to exempt source-separated recovered materials per F.S. § 403.7046.
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Chapter 86. Special Assessments

p. 737	<u>Sec. 86-65 (p. 6)</u>	Edited to comply with city's Debt Management Policy.
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Chapter 90. Streets, sidewalks and other public places

p. 745-748	Articles, I, II & III re: sidewalks	Under revision.
p. 748-756	Article IV. Newsrack Code	This article is challengeable as it conflicts with First Amendment protections (as overly restrictive and content-based) (see secs. 90-91 and the priorities listed in 90-91). Conflicting language revised by Code Attorney.

Article V. Parades and Processions

p. 756-759		Deleted Article V. Added language that parades require a special event permit.
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Article VI Sidewalk Cafes

p. 761	<u>Sec. 90-157, Additional enforcement(a)</u> <u>Deleted misdemeanor language</u>	Edited to allow general penalty to control, as municipal ordinance violations are not misdemeanors per F.S. § 775.08(2).
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p. 765	<u>Sec. 90-161. Liability and insurance(b)(4)</u>	Best's Key Rating Guide was discontinued in 2022,. Changed to new service, "Best's Alert Service.
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Chapter 94 Taxation

Article II. Business tax.

p. 771	<u>Sec. 94-1. Tax on casualty insurance premiums.</u>	Modified to comply with F.S. 185.08
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p. 771	<u>Sec. 94-2. Tax on property insurance premiums</u>	Modified to comply with Chapter 175 minimum standards.
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p. 772-774	<u>Sec. 94-32 and 94-34</u>	Updated to "local business tax receipt" to comply with F.S. ch. 205.
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p. 776	<u>Sec. 94-39 . Duties of tax receipt holder(b)(2)a.</u>	Clarifying language has been added to exempt state issued vehicle registration fees.
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p. 777	<u>Sec. 94-40 Transfer of tax receipt (b)(2).</u>	As currently written, this is compliant with state law only if the annual business tax is \$150 or more. If the annual tax is less than \$150, then 10% of the tax would be less than \$15, and this would exceed the statutory cap set in F.S. § 205.043. Revised to comply with state statute.
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p. 780	<u>Sec 94-43. Schedule</u>	Some categories (e.g., "Escort service," "Telephone solicitor") have unusually high fees (e.g., \$765.50) that may be challenged as discriminatory or punitive unless justified by administrative cost or regulatory burden. Added "These rates reflect the administrative and enforcement costs associated with these business types."
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p. 786-787	Sec. 94-76. Levy of tax; when payable (b) and (c).	Deleted. Replaced by Communications Services Tax
	Sec. 94-77. Duty of seller to collect tax; failure of purchaser to pay bill. (b) and (d).	

Chapter 98, Traffic and Vehicles

Article I. In General

p. 794	Sec. 98-2. Definitions -Traffic Division	Changed "traffic division to "traffic unit"
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Article IV. Stopping, standing and parking

p. 806	Sec 98-142 Parking at Lake Baldwin	Deleted. No fee to park at Lake Baldwin Park.
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p. 807-808	Sec. 98-144 Use of proceeds from parking devices	Deleted. No pay for parking.
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Article V. Abandoned and Disabled Motor Vehicles

p. 812	Sec. 98-188. Enforcement (disabled or abandoned motor vehicles on public property)	Changed to "police department or code compliance division"
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p. 812	Sec. 98-190. Disposal of vehicles; entrance upon private property.	Added language to avoid Fourth Amendment concerns.
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Chapter 102, Utilities

Under full revision

Article II. Cross Connection Control

p. 820	Sec. 102-26. Manual (a) Cross Connection Control Manual	Deleted referemce to 1990 version the manual. Changed to "... adopted a cross connection control manual." Delete sentence stating manual is on file in city clerk's office.
	(b)	Changed department from public works to water and wastewater utilities.

p. 820-821	Sec. 102-30 Expenses and records.	Changed department from public works to water and wastewater utilities
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Article II. Water Service

p. 821-824	Sec. 102-56. Rates and Charges (a).	Rates are listed for FY05-FY07 only. Deleted and added reference to city fee schedule.
	(c)	Deleted. Redundant language from first paragraph in section

p. 825	Sec. 102-59. Charges for meters and service installation	Deleted text and fees. Added reference to fee schedule.
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p. 827-828	Sec. 102-86. Definitions	Changed to water and wastewater "utilities" department.
		Superintendent. Changed to director of water and wastewater utilities

Chapter 110. Vehicles for hire

p. 874	Sec 110-1 Reciprocity of vehicle-for-hire licenses	Added text to comply with the new F.S. § 320.0603
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p. 875	<u>Sec. 110-31. Driver's permit</u>	Edited to comply with the new F.S. § 320.0603.
p.875	<u>Sec. 110-41. Required</u>	Edited to comply with the new F.S. § 320.0603.
p. 883	<u>Sec. 110-97. Requirement for operation of business</u>	Edited (b) to remove the now-preempted driver permit system.

p. 884	<u>Sec. 110-98. Compliance with safety standards (4)</u>	Added language to apply to reciprocal operators under F.S. § 320.0603?
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p. 885	<u>Sec. 110-103. Nonresident owners</u>	Deleted. Unenforceable under F.S. § 163.211 and interstate commerce principles.
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Division 2. Business License

p. 874	<u>Sec.110-121. Required</u>	Edited to comply with the new F.S. § 320.0603.
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Division 3. Driver's permit

p. 888	<u>Sec. 110-136. Required</u>	Deleted. Implementing a city-level occupational license for drivers, which is preempted by F.S. § 163.211. They also conflict with F.S. § 320.0603 by imposing additional requirements on reciprocal operators.
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p. 888	<u>Sec. 110-137. Reciprocity with City of Orlando</u>	Deleted. Redundant and narrower than the statewide reciprocity required by F.S. § 320.0603. It could cause confusion or imply that reciprocity is limited to Orlando.
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p. 888-889	<u>Sec. 110-138. Application; issuance.</u>	Deleted. Implementing a city-level occupational license for drivers, which is preempted by F.S. § 163.211. They also conflict with F.S. § 320.0603 by imposing additional requirements on reciprocal operators.
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p. 889	<u>Sec. 110-139. Altering</u>	Deleted. Implementing a city-level occupational license for drivers, which is preempted by F.S. § 163.211. They also conflict with F.S. § 320.0603 by imposing additional requirements on reciprocal operators.
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p. 890	<u>Sec. 110-140. Display</u>	Deleted. Implementing a city-level occupational license for drivers, which is preempted by F.S. § 163.211. They also conflict with F.S. § 320.0603 by imposing additional requirements on reciprocal operators.
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p. 890	<u>Sec. 110-141. Revocation</u>	Deleted. Implementing a city-level occupational license for drivers, which is preempted by F.S. § 163.211. They also conflict with F.S. § 320.0603 by imposing additional requirements on reciprocal operators.
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Chapter 114. Waterways

Under full revision.

p. 891-909	<u>All sections</u>	Change Director of PW to Natural Resources and Sustainability.
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p. 910-974	<u>Appendix A Franchises</u>	Deleted all expired franchises:. Cable Communications Systems, Electric Power, Telephone Company.
		Revised Gas Franchise