

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2008-20

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING CHAPTER 2 OF THE CITY CODE ENTITLED "ADMINISTRATION" ESTABLISHING A POLICY FOR THE USE OF THE CITY SEAL; PROVIDING PENALTIES FOR MISUSE OF THE CITY SEAL; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Coral Gables is one of the oldest and most historic cities in the State of Florida; and

WHEREAS, the City of Coral Gables is known for its strong cultural, historical, aesthetic and residential communities; and

WHEREAS, the City Seal represents the City of Coral Gables and its emblem; and

WHEREAS, the City Commission previously adopted general terms and conditions for the use of the City Seal under Resolution No. 2007-228 which amended Resolution No. 2004-226; and

WHEREAS, Florida Statutes 165.043 allows the governing body to adopt an ordinance designating an official county or municipal seal and provides penalties for the misuse of the seal as a second degree misdemeanor, punishable as provided in s. 775.082 and s. 775.083; and

WHEREAS, the City Commission wishes to adopt an ordinance in accordance with Florida Statutes 165.043 to ensure that the use of the City Seal is established with sufficient guidelines for its use;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City desires to set forth general terms and conditions for use of the City Seal.

SECTION 3. Chapter 2 of the Code of the City of Coral Gables, Florida, is hereby amended to read as follows:

2-____: City Seal

- a. Request and Approval. All use of the City Seal requires a request to the City Manager identifying:
 1. The name and type of organization;

2. The address of the organization including locations in Coral Gables;
 3. The length of time the organization intends to use the Seal;
 4. The City department or event for which the seal will be used;
 5. All material, products or media on which the Seal will be used.
- b. Upon approval of appropriate uses of the City Seal by the City Manager or designee, the City shall issue documentation authorizing use of the City Seal for the particular circumstance.
- c. No alterations. The City Seal shall not be modified, altered or changed in any way. Reproductions of the City Seal shall be of uniform shape and design, contain the same words, contain the same picture, and the color shall be consistent in each use of the Seal. Prior to the publication or dissemination of the intended use the applicant shall receive written approval from the City of Coral Gables of the camera ready proofs in proper PMS color.
- d. Used to identify the municipal government of Coral Gables. Use of the City Seal shall be limited to identifying the City of Coral Gables as a municipal entity (as opposed to the community). Only such use of the City Seal will be allowed as is necessary to designate the City of Coral Gables. Repetitive occurrences of the City Seal on each individual material, product, or medium are not permitted.
- e. No implication of affiliation. When the City Manager approves the use of the City Seal by other entities the following shall apply: The use of the City Seal shall not be so as to imply, confuse or mislead one to believe that the non-City organization is affiliated with or sponsored by the City. Non-affiliation may be indicated by space between the City Seal and any extraneous text or pictures so that it is apparent the City Seal is separate and apart from the other text or pictures. Non-affiliation with the City may also be demonstrated by using the City Seal only to indicate that an organization is located in the City.
- f. City use and officially sanctioned City events. The City Seal may be used by the City and in connection with officially sanctioned City events. Such use shall be in accordance with the above general terms and conditions for use of the City Seal and include the request for approval.
1. City use shall include:
 - (a) Regular and consistent use in connection with City Business, officially sanctioned City events and City-sponsored events.
 - (b) Letterhead, stationary, and brochures produced by or for the City.
 - (c) Local civic government organizations' promotional materials where sponsored by and approved by the City of Coral Gables.
 - (d) City property.
- g. Maintaining the City Seal.
1. The City Seal shall be registered as a federal trademark with the United States Patent and Trademark Office.
 2. As the Seal is used in connection with various materials and events, documents and samples evidencing the use of the City Seal shall be provided to the City Attorney and/or to outside intellectual property counsel to be maintained in counsel's files

so that ongoing use can be documented as necessary to maintain and to protect and enforce the City's rights in the Seal, and its trademark registrations.

- h. Not-for-Profit organizations. The City Seal may be used by not-for-profit organizations in specified circumstances as approved by the City Manager. Such use shall be in accordance with the above general terms and conditions for the use of the City Seal and approval of request:
 1. Specific allowable uses of the City Seal by not-for-profit organizations where the City has approved use of the City Seal are:
 - (a) Use of the City Seal in connection with an event, program, or festival sponsored by Coral Gables under the City's Cultural Grants Program guidelines.
 - (b) Use of the City Seal in connection with an event, program, or festival taking place in Coral Gables.
 2. Only organizations which receive City funding or are part of City-sponsored events.
 3. Approval may be revoked by the City Manager at any time as appropriate and in the best interest of the City of Coral Gables.

SECTION 4. That all sections or parts of sections of the City Code of the City of Coral Gables, all ordinances or parts of ordinances, and all laws of the City of Coral Gables in conflict herewith, shall be and they are hereby repealed insofar as there is a conflict or inconsistency.

SECTION 5. All ordinances or parts of ordinances in conflict herewith, be and the same, are hereby repealed.

SECTION 6. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. That said ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF SEPTEMBER , A.D., 2008.

(Moved: Anderson / Seconded: Kerdyk)

(Yeas: Kerdyk, Withers, Cabrera, Slesnick)

(Absent: Anderson)

(Majority: 4-0) Vote)

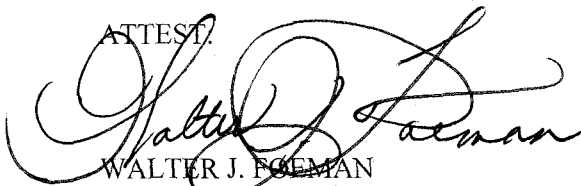
(Agenda Item: E-4)

APPROVED:



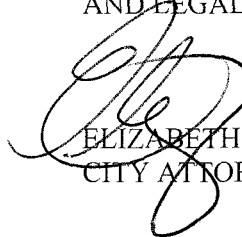
DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY