



CITY OF UMATILLA AGENDA COVER SHEET

DATE: January 16, 2014

MEETING DATE:

January 21, 2014

SUBJECT: Ordinance 2014-B, First Reading

ISSUE: Update ordinance to reflect new city logos and seal; proposed requirement allowing sale of items depicting city logo with express Council permission

BACKGROUND SUMMARY: Council approved the new city logo during a Special Meeting on October 29th and the logo was unveiled in Cadwell Park during the Cracker Christmas Festival. Welcome signs with the new logo have been installed at the northern and southern ends of the city, preparations are being made for painting of the logo on the water tower, and the logo has been placed on the city website.

Ordinance 2008-E, adopted on February 9, 2008, created Section 2.1 in the city Code of Ordinances to prohibit unauthorized use of city, police, and fire logos. The logo and city seal are all depicted in the ordinance and an update is in order to reflect the new city logo and seal. Additionally, the Volunteer Fire Department has updated their logo.

As Ordinance 2008-E was written, the manufacture, use, display, facsimile, or reproduction of any of the City logos or the city seal described in the ordinance was prohibited unless it was being used for official city business. The City Manager or designee was allowed to authorize use of the logos or seals for a proper purpose.

There has been interest by a non-profit organization to sell t-shirts with the new city logo. If there is interest by the Council in sanctioning this, proposed language on page 3, lines 91-94 [Section 2.1 (f)] would allow this type of endeavor only with express Council approval.

STAFF RECOMMENDATIONS: Approval of Ordinance 2014-B City Logos and City Seal.

FISCAL IMPACTS: N/A

COUNCIL ACTION:

Reviewed by City Attorney

Yes

No

N/A

Reviewed by City Engineer

Yes

No

vN/A

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ORDINANCE 2014 - B

AN ORDINANCE OF THE UMATILLA CITY COUNTY, LAKE COUNTY, FLORIDA, AMENDING SECTION 2.1, UMATILLA CODE OF ORDINANCES, ENTITLED CITY LOGOS AND SEAL; PROVIDING FOR DESIGNATION OF THE OFFICIAL CITY LOGO AND SEAL; PROVIDING FOR DESIGNATION OF UMATILLA FIRE DEPARTMENT LOGO; PROVIDING FOR AUTHORIZED AND PROHIBITED USES; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City logo is the primary visual representation of the City and is the center of the communicative branding that promotes a unique and positive image of the City of Umatilla; and

WHEREAS, the City’s Fire Department and Police Department have traditionally used their own logos to promote a positive and unique image as separate and distinct departments under the jurisdiction of the City of Umatilla;

WHEREAS, the City seal is used to authenticate official documents of the City of Umatilla; and

WHEREAS, Section 165.043, Florida Statutes, authorizes cities to adopt official seals and provides that unauthorized use is punishable as a second degree misdemeanor; and

WHEREAS, use of the City logo or seal, or the Umatilla Fire Department’s logo or the Umatilla Police Department’s logo (collectively referred to herein as the “City’s logos”) by unauthorized persons or entities may mislead or confuse the public; and

WHEREAS, the City has determined that enumerating the authorized and prohibited uses of the City’s logos and seal is in the best interests of the public, and

WHEREAS, the City logo and seal and the Umatilla Fire Department logo adopted under Ordinance 2008 – E have been replaced by updated images; and

WHEREAS, the City Council is desirous of protecting the use of the new images;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Umatilla, of Lake County, Florida that:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

46 **Section 2. Creation.** Section 2.1 of the City of Umatilla Code of Ordinances, entitled City
47 Logos and Seal, is created to read as follows with stricken language indicated with ~~strikethroughs~~
48 and new language indicated by underlines.

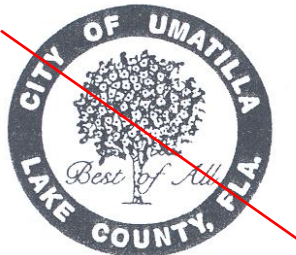
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50 **Sec. 2-1. City Logos and Seal.**

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52 (a) The Umatilla City Council hereby designates the following logo to be the official
53 logo of the City of Umatilla, Florida:
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58 The imagery for the logo features: ~~a circular design with an band in the color orange which includes~~
59 ~~the words “City of Umatilla, Lake County, Fla.”~~ a semi-circular design with a dark green outline in the upper portion containing
60 silhouettes of a black bear, a tree, and the city fountain in front of an orange sunburst. ~~The lower~~
61 ~~portion of the logo states “UMATILLA NATURE’S HOMETOWN”, est. 1904 and contains images~~
62 of oranges, orange blossoms, and leaves.
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65 (b) The Umatilla City Council designates the following seal to be the official seal of the
66 City of Umatilla, Florida:



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70 (c) The Umatilla City Council designates the following seal to be the official seal of
71 Umatilla Fire Department:



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(d) The Umatilla City Council designates the following seals to be the official seals of Umatilla Police Department:



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(e) The City logos and seal are to be used only for official City business by City officials, ~~or~~ employees, or consultants in the performance of their official duties, unless written approval is obtained from the City Manager or designee. The City Manager may authorize use of the logo upon request from any person or entity with a proper purpose for use of the logo. Approval for use of the City logos may be revoked upon written notice from the City Manager or designee. Persons or entities submitting a response to a city-issued invitation to bid, request for proposal, invitation to negotiate, or request for qualification may incorporate the city's logo into its response, and, if awarded the contract, that person or entity during the duration of said contract will be considered a city consultant for purposes of this subsection.

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(f) ~~Any manufacture, use, display, facsimile, or reproduction of any of the City logos described herein or the City seal other than as provided for above is prohibited. It shall be a violation of this section to manufacture, use, display, or other employment of any facsimile or reproduction of City logos or seals with the intent to profit without the express approval of the City Council.~~ A violation of this section shall be punishable as provided in Section 165.043, Florida Statutes, as a second degree misdemeanor.

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Section 3. Inclusion in Code. It is the intent of the Umatilla City Council that the provisions of this Ordinance shall become and be made a part of the Umatilla Code of Ordinances

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100 and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance"
101 may be changed to "section", "article", or such other appropriate word or phrase in order to
102 accomplish such intentions.

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104 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance is
105 held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall
106 in no way affect the validity of the remaining portion of this Ordinance.

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108 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon
109 passage by the City Council of the City of Umatilla.

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112 **PASSED AND ORDAINED** in regular session of the City Council of the City of Umatilla, Lake
113 County, Florida, this ____ day of _____, 2014.

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119 Laura K. Wright , Mayor
120 City of Umatilla

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122 ATTEST:

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126 _____
127 Glenn Irby
128 City Manager

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Approved as to Form:

Katrina Stone /Lewis Stone/Scott Gerken
City Attorney

Passed First Reading: _____

Passed Second Reading: _____