AN ORDINANCE PERTAINING TO CRIME PREVENTION IN ORANGE COUNTY, FLORIDA; AMENDING A CERTAIN SECTION IN ARTICLE I, CHAPTER 14 OF THE ORANGE COUNTY CODE, PERTAINING TO THE "SAFE NEIGHBORHOOD CRIME PREVENTION FUND"; AMENDING SECTION 14-8 TO CHANGE THE SECTION TITLE AND TO DISTINGUISH BETWEEN SAFE NEIGHBORHOOD PROGRAMS DESIGNATED UNDER THE FLORIDA STATUTES AND CRIME PREVENTION PROGRAMS IN ORANGE COUNTY; FURTHER AMENDING SECTION 14-8 TO CLARIFY THE PROCESS FOR DISBURSING AND ALLOCATING FUNDS FOR BOTH PROGRAMS AND TO REQUIRE CRIME PREVENTION PROGRAMS AND SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS TO SUBMIT A BUDGET TO ORANGE COUNTY PRIOR TO THE RECEIPT OF FUNDS; PROVIDING FOR CODIFICATION; PROVIDING A SEVERABILITY CLAUSE; AND SPECIFYING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Amendments. Chapter 14, Article I, Section 14-8 of the Orange County Code, otherwise known as the "Orange County Safe Neighborhood Crime Prevention Fund Ordinance," is amended as set forth in this ordinance, with additions shown by underlines and deletions shown by strikethroughs.

Section 2. Amendments to Section 14-8. Section 14-8, "Safe neighborhood crime prevention fund," is amended to read as follows:


(a) Findings. The board of county commissioners (the "board") hereby makes the following findings of fact:

(1) Counties are authorized by F.S. § 775.083 to
adopt ordinances imposing additional fines upon criminal offenders to provide funding for (i) crime prevention programs in the county and (ii) safe neighborhood programs improvement district designated under F.S. §§ 163.501 through 163.523.

(2) The provision of funding to for safe neighborhood improvement districts programs under F.S. §§ 163.501 through 163.523 and crime prevention programs in the county is in the public interest of the residents of the county.

(b) Authority. This section is enacted pursuant to the authority granted to the board in F.S. § 775.083.

(c) Imposition of fines. Pursuant to F.S. § 775.083, the board hereby imposes, in addition to any other fine, penalty, or cost imposed by any other provision of law, a fine upon any person who, with respect to a charge, indictment, or prosecution commenced in the county, pleads guilty or nolo contendere to, or is convicted or adjudicated delinquent for, a felony, a misdemeanor, or a criminal traffic offense under state law, or a violation of any municipal or county ordinance if the violation constitutes a misdemeanor under state law. The fine shall be fifty dollars ($50.00) for a felony and twenty dollars ($20.00) for any other offense. The fine shall be imposed by the court in accordance with the provisions of F.S. § 775.083.

(d) Collection of fine; administrative fee. The clerk of the court shall collect and deposit the fines in the appropriate county account for disbursement in accordance with the provisions of this section. The clerk of the court will retain an administrative fee of five (5) percent of each fine collected to provide for, maintain and operate the circuit and county courts.

(e) Disbursement of funds. The funds collected from fines imposed by this section shall be accounted for and retained in a separate county special revenue fund designated as the “crime prevention fund.” Such funds shall be disbursed in accordance with the provisions of F.S. § 775.083, and the provisions of this section. Such funds shall be disbursed in accordance with the provisions of F.S. § 775.083, and the provisions of this section. The board, in consultation with the county sheriff, shall expend such funds for the costs of collecting the fines, and—
improvement districts programs, and crime prevention programs in the county, including county safe neighborhood improvement districts.

(f) Allocation of funds. The funds collected from the fines imposed by this section shall annually be allocated by the board to county safe neighborhood improvement districts. The funds collected from the fines imposed by this section shall annually be allocated by the board to crime prevention programs in the county and county safe neighborhood improvement districts in the county. For the first ten years period following the effective date of this section ordinance, the board shall annually disburse the board shall reserve annually the first one hundred twenty-five thousand dollars ($125,000.00) of crime prevention funds collected pursuant to this section, shall be reserved annually for allocation collected pursuant to this section, shall be reserved annually for allocation to the Orange Blossom Trail Local Government Neighborhood Improvement District ("District"), for the establishment of a safe neighborhood program in the District. After allocating crime prevention funds to the District, prior to any other allocation of crime prevention funds collected pursuant to this section. Following such allocation of funds to the Orange Blossom Trail Local Government Neighborhood Improvement District, the board may disburse the shall allocate remaining crime prevention funds for the establishment of safe neighborhood programs, and, effective October 1, 2000, crime prevention programs throughout Orange County. Following such allocation of funds to the Orange Blossom Trail Local Government Neighborhood Improvement District, the board shall allocate the remaining crime prevention funds to any other safe neighborhood improvement district in the county, the Orange Blossom Trail Local Government Neighborhood Improvement District and/or, effective October 1, 2000, crime prevention programs throughout Orange County, to any other county safe neighborhood improvement district and to the Orange Blossom Trail Local Government Neighborhood Improvement District. At the expiration of each annual period within the ten year period, any allocated funds which have not been disbursed shall be returned to the crime prevention fund established by this section. At the expiration of each annual period within the ten year period, any allocated funds which have not been disbursed shall be returned to the crime prevention fund established by this section. Upon expiration of the ten-year period described above, the board
may allocate and disburse such crime prevention funds to county safe neighborhood improvement districts as the board deems appropriate. Upon expiration of the ten year period described above, the board, in consultation with the Sheriff, may allocate and disburse such crime prevention funds to any crime prevention programs in the county and safe neighborhood improvement districts in the county, as the board deems appropriate, in accordance with Section 775.083, Florida Statutes. Priority funding will be given to those crime prevention programs and safe neighborhood improvement districts that benefit targeted areas and/or address elimination of specific criminal activity. Crime prevention activities may include, but are not limited to those activities described in Section 163.513(5), Florida Statutes.

(g) Annual budget. Prior to receipt of funds as provided in this section, any county safe neighborhood improvement district in the county or crime prevention program in the county must submit an annual budget to the county office of management and budget upon the date set by the county office of management and budget.

Section 3. Codification. The publisher of the Orange County Code is directed to codify only section 2 of this ordinance.

Section 4. Severability. If any provision of this ordinance or application thereof to any person, entity, or circumstance is deemed invalid, such invalidity shall not affect the applicability or validity of other provisions or applications of this ordinance and to this end, the provisions of this ordinance are declared severable.
Section 5. Effective Date. This ordinance shall take effect pursuant to general law.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

Richard T. Crotty
Orange County Chairman

ATTEST: Martha O. Haynie, Orange County Comptroller,
As Clerk of the Board of County Commissioners

By: Deputy Clerk