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EFFECTIVE DATE:

2 JANUARY 29, 2002

ORDINANCE NO. 2002- 02

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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.

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

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**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.

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

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**Sec. 14-8. Safe-neighborhood Cerime prevention fund.**

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

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(1) Counties are authorized by F.S. § 775.083 to

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

44 (2) The provision of funding ~~to~~ for safe  
neighborhood improvement districts programs ~~under F.S. §§~~  
46 ~~163.501 through 163.523~~ 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.

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

52 (c) *Imposition of fines.* Pursuant to F.S. § 775.083, the  
board hereby imposes, in addition to any other fine, penalty, or cost  
54 imposed by any other provision of law, a fine upon any person who,  
with respect to a charge, indictment, or prosecution commenced in the  
56 county, pleads guilty or nolo contendere to, or is convicted or  
adjudicated delinquent for, a felony, a misdemeanor, or a criminal  
58 traffic offense under state law, or a violation of any municipal or  
county ordinance if the violation constitutes a misdemeanor under  
60 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  
62 imposed by the court in accordance with the provisions of F.S. §  
775.083.

64 (d) *Collection of fine; administrative fee.* The clerk of the  
66 court shall collect and deposit the fines in the appropriate county  
account for disbursement in accordance with the provisions of this  
68 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  
70 the circuit and county courts.

72 (e) *Disbursement of funds.* The funds collected from fines  
imposed by this section shall be accounted for and retained in a  
74 separate county special revenue fund designated as the “crime  
prevention fund.” ~~Such funds shall be disbursed in accordance with~~  
76 ~~the provisions of F.S. § 775.083, and the provisions of this section.~~  
Such funds shall be disbursed in accordance with the provisions  
78 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  
80 costs of collecting the fines, ~~and for~~ safe neighborhood

82 improvement districts programs, and crime prevention programs in  
the county, ~~including county safe neighborhood improvement~~  
84 ~~districts.~~

86 (f) *Allocation of funds.* ~~The funds collected from the~~  
88 ~~finances imposed by this section shall annually be allocated by the board~~  
90 ~~to county safe neighborhood improvement districts. The funds~~  
92 ~~collected from the fines imposed by this section shall annually be~~  
94 ~~allocated by the board to crime prevention programs in the~~  
96 ~~county and county safe neighborhood improvement districts in~~  
98 ~~the county. For the first the first ten years period following the~~  
100 ~~effective date of this section ordinance, the board shall annually~~  
102 ~~disburse the board shall reserve annually~~ the first one hundred  
104 ~~twenty-five thousand dollars (\$125,000.00) of crime prevention funds~~  
106 ~~collected pursuant to this section, shall be reserved annually for~~  
108 ~~allocation collected pursuant to this section, shall be reserved~~  
110 ~~annually for allocation~~ to the Orange Blossom Trail Local  
112 ~~Government Neighborhood Improvement District (“District”), for the~~  
114 ~~establishment of a safe neighborhood program in the District.~~  
116 ~~After allocating crime prevention funds to the District, prior to~~  
118 ~~any other allocation of crime prevention funds collected pursuant~~  
120 ~~to this section. Following such allocation of funds to the Orange~~  
122 ~~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

124 may allocate and disburse such crime prevention funds to county safe  
neighborhood improvement districts as the board deems appropriate.  
126 Upon expiration of the ten year period described above, the  
128 board, in consultation with the Sheriff, may shall allocate and  
130 disburse such crime prevention funds to any crime prevention  
132 programs in the county and safe neighborhood improvement  
134 districts in the county, as the board deems appropriate, in  
136 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.

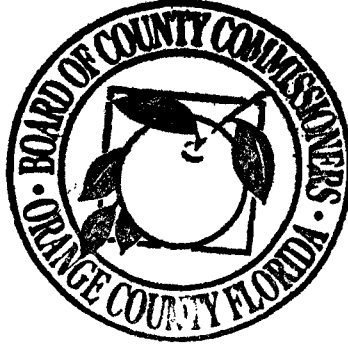
138 (g) *Annual budget.* Prior to receipt of funds as provided  
140 ~~in this section~~, any county safe neighborhood improvement district in  
142 the county or crime prevention program in the county must submit an  
annual budget to the county office of management and budget upon  
the date set by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

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

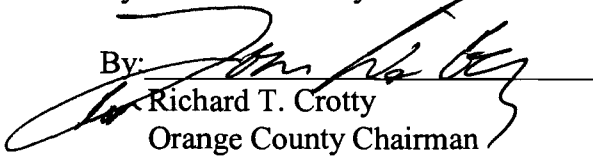
146 **Section 4. Severability.** If any provision of this ordinance or application thereof to any  
148 person, entity, or circumstance is deemed invalid, such invalidity shall not affect the applicability or  
validity of other provisions or applications of this ordinance and to this end, the provisions of this  
ordinance are declared severable.

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150            **Section 5.    Effective Date.** This ordinance shall take effect pursuant to general law.



152            **ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

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156            By:   
Richard T. Crotty  
Orange County Chairman

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

162            By:   
164            Deputy Clerk

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168            O:/Neighborhoods/ReNEW/neighborhd crime prev ordinance 1/11/02