

ORDINANCE NO. 3052

**AN ORDINANCE OF THE CITY OF BRADENTON,
FLORIDA, ADOPTING AN OFFICIAL CITY SEAL;
MAKING RELATED FINDINGS; PROVIDING FOR
CODIFICATION; PROVIDING FOR SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Florida Statute 165.043 authorizes a governing body of a City, by ordinance, to designate an official municipal seal to be affixed on all official actions or documents of the City and to identify and authenticate documents;

WHEREAS, Florida Statute 165.043 provides that it is a second degree misdemeanor, punishable as provided in Florida Statutes 775.082 and 775.083 to use the municipal seal, except by municipal officials or employees in the performance of their official duties, without express approval of the governing board;

WHEREAS, the City wishes to adopt a seal as the Official Seal of the City, and finds that it is in the City's best interest to ensure that its Official Seal has the legal protections afforded to seals by formal ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. A new Article IX, Section 2-402 shall be added to Chapter 2 of the City of Bradenton Code of Ordinances to read as follows:

Article IX. – OFFICIAL SEAL OF THE CITY OF BRADENTON.

Sec. 2-402. – Official Seal of the City of Bradenton.

(a) The Official Seal of the City of Bradenton shall be either of the following:



- (b) The legal effect of the Seal shall be the same whether it is affixed or rendered in color or black and white.
- (c) Wherever it shall be necessary for the City under the authority of its City Council, Mayor, City Charter, Code of Ordinances, or the general laws of the State of Florida, to execute contracts, deeds, or other documents on behalf of the City, the Official Seal of the City may be affixed to such contract, deed or other document, to authenticate and identify such document.
- (d) It shall be unlawful and a violation of this section for any person, firm, corporation or other legal entity to print for the purpose of sale or distribution or circulate, manufacture, publish, use, display, or offer for sale any letters, papers, documents, or items of merchandise which simulate the official seal of the City or the stationery or a real or fictitious agency, department or instrumentality of the City without the expressed written authority of the City Council for the City. The unauthorized use shall be punishable as provided in Florida Statutes 775.082 and 775.083.

Section 3. Severability. Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections,

sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 4. Effective Date. This Ordinance shall take effect as provided by Florida law.

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this 23rd, day of October, 2019.

CITY OF BRADENTON, FLORIDA

Wayne Poston, Mayor

ATTEST:

By: _____
Sharon Beauchamp, City Clerk

APPROVED AS TO FORM:

By: _____
Scott Rudacille, Interim City Attorney

First Reading: October 9, 2019

Published: October 12, 2019

Second Reading: October 23, 2019