

ORDINANCE 2021-__

AN ORDINANCE PERTAINING TO FINES IMPOSED
UPON CRIMINAL OFFENDERS IN ORANGE COUNTY,
FLORIDA; AMENDING SECTION 14-8 OF THE ORANGE
COUNTY CODE RELATING TO THE "CRIME
PREVENTION FUND" TO CONTINUE THE ALLOCATION
OF SUCH FUNDS TO THE ORANGE BLOSSOM TRAIL
LOCAL GOVERNMENT NEIGHBORHOOD
IMPROVEMENT DISTRICT AND THE PINE HILLS
LOCAL GOVERNMENT NEIGHBORHOOD
IMPROVEMENT DISTRICT FOR AN ADDITIONAL 10
YEARS; REMOVING THE REQUIREMENT THAT FUNDS
NOT DISBURSED BY THE DISTRICTS BE RETURNED TO
THE FUND; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Orange County, Florida (the
"Board") has previously created the Pine Hills Local Government Neighborhood Improvement
District and the Orange Blossom Trail Local Government Neighborhood Improvement District
pursuant to Section 33-201 of the Orange County Code and the Safe Neighborhoods Act, Sections
163.501-163.526, Florida Statutes (the "Act"); and

WHEREAS, neighborhood improvement districts are eligible to receive disbursements of
Crime Prevention Funds derived from fines imposed upon criminal offenders in Orange County
pursuant to Section 14-8 of the Orange County Code and Section 775.083, Florida Statutes; and

WHEREAS, in Ordinance No. 2011-22, the Board allocated a portion of such Crime
Prevention Funds to both such neighborhood improvement districts for a ten-year period expiring
December 31, 2021; and

WHEREAS, the Board has determined it is in the public interest to continue such
allocation for an additional ten-year period.

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

Section 1. Amendment to Section 14-8. Subsection (f) of Section 14-8, "Crime
Prevention Fund" is amended to read as follows, with additions being shown by underlines and
deletions being shown by strikethroughs:

44 **Sec. 14-8. Crime prevention fund.**

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

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

56 (2) The provision of funding for safe
58 neighborhood improvement districts under F.S. §§ 163.501 through
60 163.523 and crime prevention programs in the county is in the public
62 interest of the residents of the county.

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

64 (c) *Imposition of fines.* Pursuant to F.S. § 775.083, the
66 board hereby imposes, in addition to any other fine, penalty, or cost
68 imposed by any other provision of law, a fine upon any person who,
70 with respect to a charge, indictment, or prosecution commenced in
72 the county, pleads guilty or nolo contendere to, or is convicted or
74 adjudicated delinquent for, a felony, a misdemeanor, or a criminal
76 traffic offense under state law, or a violation of any municipal or
78 county ordinance if the violation constitutes a misdemeanor under
80 state law. The fine shall be fifty dollars (\$50.00) for a felony and
82 twenty dollars (\$20.00) for any other offense. The fine shall be
84 imposed by the court in accordance with the provisions of F.S. §
86 775.083.

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

84 (e) *Disbursement of funds.* The funds collected from
86 fines imposed by this section shall be accounted for and retained in
88 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.
The board, in consultation with the county sheriff, shall expend such

funds for the costs of collecting the fines, safe neighborhood improvement districts, and crime prevention programs in the county.

(f) *Allocation of funds.* 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 safe neighborhood improvement districts in the county. Beginning January 01, ~~2012~~ 2022 and continuing for the ensuing ten-year period, the board shall reserve annually the first two hundred fifty thousand dollars (\$250,000) of crime prevention funds collected pursuant to this section, for equal allocation to the Orange Blossom Trail Local Government Neighborhood Improvement District and the Pine Hills Local Government Neighborhood Improvement District, prior to any other allocation of crime prevention funds. Following such allocation of funds to the Orange Blossom Trail Local Government Neighborhood Improvement District and the Pine Hills 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, the Pine Hills Local Government Neighborhood Improvement District and/or, crime prevention programs throughout Orange County. ~~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, in consultation with the Sheriff, shall 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 F.S. § 775.083. 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 F.S. § 163.513(5).

(g) *Annual budget.* Prior to receipt of funds any 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 2. Effective Date. This ordinance shall take effect on January 1, 2022.

ADOPTED THIS _____ DAY OF _____, 2021.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____

Jerry L. Demings

Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk