

City Hall

wildwood-fl.gov  
Area Code: 352  
Zip Code: 34785

**CITY HALL**  
100 N. Main Street  
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**CITY MANAGER**  
Extension 109

**CITY CLERK/FINANCE**  
Extension 100

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(Utility Accounts/TDD)  
Extension 130

**DEVELOPMENT SERVICES**  
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COMMUNITY CENTER**  
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**WASTEWATER**  
1290 Industrial Drive  
330-1349  
330-1350 Fax

**WATER**  
801 E. Huey Street  
330-1346  
330-1347 Fax

## Citizens Advisory Committee

### AGENDA

June 18, 2014 at 7:00 pm

#### Opening

Call to Order  
Proper Noticing  
Determination of a Quorum

#### 1) Agenda Update

Proposed revisions to today's agenda

#### 2) Comments from the General Public

#### 3) Action Items

Approval of the May 21, 2014 Meeting Minutes

#### 4) Discussion Items

FRDAP Grants for MLK and Millennium Parks  
Bingo Hall Ordinance  
Wildwood Community Development Center Block Party  
Relocation of Public Works Facility

#### 5) Adjournment – Next Meeting: July 16, 2014 @ 7:00pm

**City of Wildwood  
Citizens Advisory Committee Meeting  
May 21, 2014**

The meeting of the Citizens Advisory Committee for the City of Wildwood convened on Wednesday, May 21, 2014, at 7:00 p.m. in Conference Room 124 of City Hall, 100 North Main Street, Wildwood, Florida.

**City Representatives Present:** Jason McHugh, Assistant City Manager/Director of Strategic Planning; and Kandi Harper, Senior Development Specialist.

**Citizens Advisory Committee Members Present:** Ron Reader; Cynthia Brunette; Sam Saleem; Karen Judd; and Robert Hannah.

**Members from the Public Present:** Carol Van Noy, League of Woman Voters; Joan Todd; and Meta Minton.

**Opening:** Call to Order: The hearing was called to order at 7:00 p.m.

**Agenda Update:** There were no agenda updates offered by any of the Committee members.

**Comments from the General Public:** There were no comments from the public.

**Action Items:**

**Selection of Chairperson:** Jason McHugh, AICP, Assistant City Manager / Director of Strategic Planning, began the meeting with direction that the Committee elect a Chairperson to steer and guide the Committee going forward. After some discussion, Ronald Reader was nominated and then elected as the Chairperson. Mr. Reader then stepped in as Chairperson and conducted the business of the committee.

**Discussion Items:**

**Update on CSX Overpass Issue:** Mr. Reader asked for an update of the CSX overpass. The Committee and Mr. McHugh discussed the CSX Overpass and many issues surrounding it; in particular, the difficulty in getting and maintaining contact with CSX and the Federal and State agency interface that must be navigated in communications. CSX will not fence the "yard." CSX and FDOT are working together on the design at the intersection at C-44A. The City will see those plans but has no jurisdiction; however will share the plan with the CAC. The CAC was dissatisfied with the response from CSX. Mr. McHugh suggested that citizens address these issues through community organizing and speak to their representatives at the State. CAC members remain concerned and frustrated about safety in their community regarding the RR R-O-W and the RR yard.

CAC Member suggested a traffic study at the intersection conducted by High School students counting cars turning at an intersection to support a Petition to elected officials.

**Update on C-472 and U.S. 301 Intersection:** Chairperson Reader asked for the update on the intersection of C-472 and U.S. 301 intersection. Mr. McHugh advised that the decisions regarding that intersection are Florida Department of Transportation's (FDOT) and that what is being recommended is a right, north-bound turn lane to go north on 301. FDOT's study did not produce the numbers necessary to warrant a signal. Sumter County Public Works Director and Mr. McHugh sent FDOT data regarding number of accidents at that intersection.

Mr. McHugh stated that eventually the numbers will warrant the traffic signal. The CAC discussed that there are big developments planned for that intersection and its use will become more intense as those projects are developed.

**Update on Voting District Initiative:** Chairperson Reader asked for the update on the Voting District Initiative. Mr. McHugh stated that staff continues to work with the map boundaries; that some areas were not counted properly; that boundaries change as more data is added; map is a tool to see what boundaries would look like; hurdles to get past first: 1) ordinance to amend city charter must be approved by City Commission with first reading on 6/2/14 and adoption at public hearing on 6/9/14; and 2) The City attorney is working on language for the Ordinance and the DRAFT Ordinance will be e-mailed to you for review. The Map remains in DRAFT form at this time.

CAC members were concerned about gerrymandering and favorably drawn lines for commission districts. Mr. McHugh stated that there are legal guidelines regarding boundary areas and discussed the guidelines in some detail. CAC members were concerned about the boundary shapes long after the conditions that created them no longer exist. Mr. McHugh explained that the boundaries are redrawn based on Census data. CAC members discussed how the map could be designed to make it clear as to boundary line and more easily read. Mr. McHugh discussed the difficulty in creating the boundary lines according to the legal requirements and based on the data.

**Elimination of the FTP/468 Interchange:** Chairperson Reader asked for the update on the elimination of the FTP/468 Interchange. Mr. McHugh stated that The Villages entered into a proportionate share agreement with Sumter County and FDOT to mitigate their impact on the transportation network to provide monetary contribution to improve the transportation network based on their impact on the system. The Villages agreed to construct a partial interchange that would connect C-468 to the Florida Turnpike as part of their prop share mitigation. The City and County believed that the intersection would occur and that the project is still moving forward with project bidding and design. However, Mr. McHugh as the Vice Chairman of the Lake-Sumter Metropolitan Planning Organization (MPO) Technical Advisory committee has been informed that Sumter County has asked the MPO to eliminate that interchange from their 5-year Transportation Improvement Plan (TIP) which the document that allows the MPO to access federal transportation funds. With the project off the TIP list and with The Villages and Sumter County allowed to renegotiate the terms of the proportionate share agreement, those funds could be utilize to improve the Turnpike and U.S. 301 interchange. The Villages have stated that they are not going to develop south of SR-44 so that they do not need the interchange. City staff supports this decision so that the

U.S. 301 bridge can be improved as there are safety issues with that interchange. CR 470 will become SR 470 in the future because of its connections to I-75 and U.S. 27. There was discussion that future development, some DRIs (Developments of Regional Impact), will be impacted because the interchange will not be constructed.

**Interlocal Service Boundary Agreement with Sumter County:** Chairperson Reader asked for the update on the Interlocal Service Boundary Agreement with Sumter County. Mr. McHugh discussed what the Interlocal agreement covers such as services between the City and the County in detail as to procedures, infrastructure provisions, road agreements and municipal jurisdiction as well as some negative impacts from the County's jurisdiction (tree destruction). Mr. McHugh discussed the various responsibilities of the City and the County in regard to municipal services such as parks, roads, work force housing, libraries, fire services, solid waste, storm water management, GIS systems, law enforcement, mosquito and animal control, transit, economic development. The City implemented the Comprehensive Plan and the Joint Planning Area and map which streamline development in the City through pre-planning. Other maps provided illustrated regionally significant corridors.

CAC discussion that things within the City seem to be going well within the City. Mr. McHugh discussed the details of economic growth and development details and the importance of having regulatory requirements streamlined for ease of use as development occurs. Development is master planned within the City.

CAC member questioned time of study of intersection of U.S. 301 and C-472.

**Development Services Update and Maps:** Chairperson Reader asked for the update on the development services update and maps. Mr. McHugh stated that the Development Services Department created update for City Commission of project's location and current status which was provided to the CAC members. Mr. McHugh explained how to use the information and that the report covered the last year and that development has slowed down recently in the City.

CAC member questioned flooding. Mr. McHugh stated that the City had applied for grants but that those grants were not awarded to the City. Some grant money is coming in for recreation through FRDAP grants for MLK and Millennium Park. The City would know the availability of these funds by July 1, 2014.

Chairperson Reader asked for a motion to adjourn the meeting.

**Motion** to adjourn by Mr. Saleem, seconded by Mr. Hannah. The Motion was carried and the Citizens Advisory Committee adjourned at 8:03 p.m.

Citizen's Advisory Committee

May 21, 2014

SIGN-IN Please

Name:

Contact information:

Carol Van Noy denny.carol@gmail.com

Cynthia Brunette usarmylady@gmail.com

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staff

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Joan Todd laddie37@comcast.net

Mts Minton mtaminton@villages-news.com

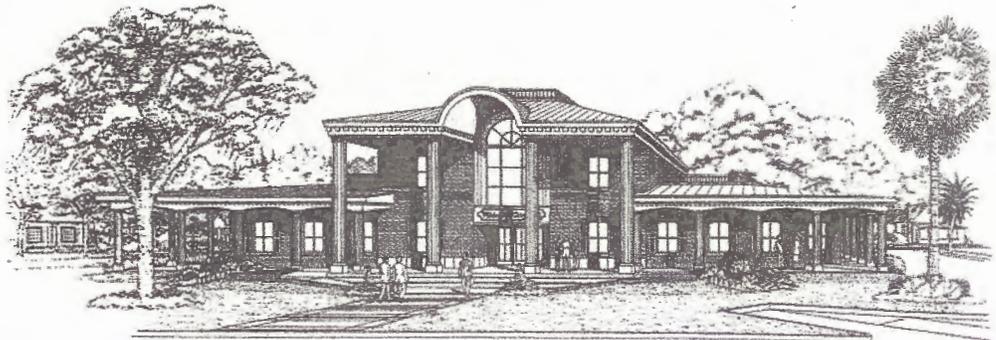
Sam Saleem peacemakerone@earthlink.net

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staff

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City of  
Wildwood,  
Florida



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**LIBRARY**  
310 Palmer Drive  
748-1158

**COMMUNITY CENTER**  
6500 County Road 139  
Reservations  
330-1330 Ext 108

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**WOOD WASTE**  
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330-1345

**REFUSE / STREETS**  
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**WASTEWATER**  
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330-1349  
330-1350 Fax

**WATER**  
801 E. Huey Street  
330-1346  
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**PARKS & RECREATION**  
6500 County Road 139  
303-8446

June 12, 2014

BY EMAIL TO: [angie.bright@dep.state.fl.us](mailto:angie.bright@dep.state.fl.us)

Ms. Angela Bright  
Community Assistance Consultant  
Land and Recreation, Grants  
3900 Commonwealth Blvd., MS 585  
Tallahassee, FL 32399-3000

RE: City of Wildwood FRDAP Grant Program

Dear Ms. Bright:

The City of Wildwood is pleased to submit the attached project work plans for your review and approval. Two work plans are attached. One is for MLK Park and one is for Millennium Park.

Also, please note that we are in the process of contacting our state elected officials to inform them of the pending FRDAP grant awards.

If you have any questions, please contact Melanie Peavy, Development Services Director at (352) 330-1330, extension 115.

Sincerely,  
CITY OF WILDWOOD

  
\_\_\_\_\_  
Bill Ed Cannon, City Manager

**ATTACHMENT 1  
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)  
DEVELOPMENT  
PROJECT WORK PLAN**

**Project Name: MLK PARK**

**Grantee Name: CITY OF WILDWOOD**

The project reimbursement is limited to one (1) invoice upon completion of all Project Elements listed below and submittal of all Deliverables and required documentation identified in the table below. Commencement Documentation required prior to Reimbursement Request

**Project Tasks, Deliverables and Required Documentation**

<b>TASK #1: Development of: MLK PARK</b>	<b>Amount of Costs to be Paid with Grant Funds</b>	<b>Amount of Costs to be Paid with Grantee Match</b>	<b>Deliverables and Documentation To Be Submitted Upon Completion And Before Reimbursement Can Be Approved</b>
Task Description: (list each project element)	<Provide Budget Detail>	< Not Applicable> No Match Required	
PRIMARY ELEMENTS			
Project Management (contractual)	\$7,500		
Element 1: Install new picnic table	1,400		Project Completion Certification
Element 2: Re-grade ball field, add bleachers & clay bases	6,000		Final as-built site plan
Element 3: Paint & enhance picnic pavilion	4,150		Florida Recreation and Parks Inventory Form
Element 4: Add rubber mulch to playground	5,700		
Element 5: Add new playground equipment	6,150		
Element 6: Restrip basketball court	900		Color Photographs of Project
Element 7: add new combo football/soccer field	8,000		Notice of Limitation of Use
Element 8: Widen walking trail	4,150		
SUPPORT ELEMENTS			
Element 1: Paint/enhance existing restroom	1,900		Boundary Survey
Element 2: Add park signs-trash cans & water fountain	4,150		
<b>TOTALS:</b>	<b>\$50,000</b>	<b>\$0</b>	

**Performance Standard:** Approval of deliverables is based upon review for compliance with the requirements for funding under the Florida Recreation Development Assistance Program (FRDAP); approved plans and application approved for funding.

**INSTRUCTIONS FOR COMPLETING PROJECT WORK PLAN:**

**DELIVERABLES/ELEMENTS/WORK TO BE COMPLETED:** Identify ALL elements that will be completed under this Agreement.

**DELIVERABLE/ELEMENT BUDGET AMOUNT FOR REIMBURSEMENT:** Must provide a budget for each element and identify the expense category and budget detail. Provide description of the costs as follows: **Salaries:** identify the position title/hourly rate/# of hours to complete the deliverable; **Fringe benefits:** identify the % used to calculate the fringe benefits; **Contractual Services:** identify what service will be paid for under the contract for services; **Equipment:** the purchase of equipment is not allowed under this Agreement, the rental of equipment is the only costs allowed that are associated with equipment; **Supplies and Materials:** identify what supplies/materials will be purchased; **Other costs:** identify what other costs are being requested (such as printing costs, other costs that do not fit into the other established cost categories (salaries, fringe benefits, equipment, supplies, indirect, contractual services); **Indirect Costs:** identify the percentage that is used for the indirect being claimed for reimbursement (cannot exceed 15% unless prior approval has been obtained by the Department)..

**MATCH AMOUNT TO BE CLAIMED:** The same level of detail must be provided for match as for reimbursement.

**DOCUMENTATION/DELIVERABLES TO BE SUBMITTED UPON COMPLETION:** All of these deliverables must be submitted before final reimbursement can be processed.

**Completion Documentation required prior to Reimbursement**

**ATTACHMENT 1  
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)  
DEVELOPMENT  
PROJECT WORK PLAN**

**Project Name: MILLENNIUM PARK**

**Grantee Name: CITY OF WILDWOOD**

The project reimbursement is limited to one (1) invoice upon completion of all Project Elements listed below and submittal of all Deliverables and required documentation identified in the table below. Commencement Documentation required prior to Reimbursement Request

**Project Tasks, Deliverables and Required Documentation**

<b>TASK #1: Development of: MILLENNIUM PARK</b>	<b>Amount of Costs to be Paid with Grant Funds</b>	<b>Amount of Costs to be Paid with Grantee Match</b>	<b>Deliverables and Documentation To Be Submitted Upon Completion And Before Reimbursement Can Be Approved</b>
Task Description: (list each project element)	<Provide Budget Detail>	< Not Applicable> No Match Required	
PRIMARY ELEMENTS			
Project Management (contractual)	\$7,500		
Element 1: Install new picnic table	1,900		Project Completion Certification
Element 2: Add roofing to existing baseball dugouts & add scoreboard to T-ball field	20,000		Final as-built site plan
Element 3: Construct new softball field	12,300		Florida Recreation and Parks Inventory Form
Element 4: Add rubber mulch to playground	2,600		Color Photographs of Project
SUPPORT ELEMENTS			
Element 1: Improve existing grass parking with parking stops and markings	1,900		Notice of Limitation of Use
Element 2: Paint/repair/enhance existing restrooms	1,900		
Element 3: Add park signage	1,900		Boundary Survey
<b>TOTALS:</b>	<b>\$50,000</b>	<b>\$0</b>	

**Performance Standard:** Approval of deliverables is based upon review for compliance with the requirements for funding under the Florida Recreation Development Assistance Program (FRDAP); approved plans and application approved for funding.

**INSTRUCTIONS FOR COMPLETING PROJECT WORK PLAN:**

**DELIVERABLES/ELEMENTS/WORK TO BE COMPLETED:** Identify ALL elements that will be completed under this Agreement.

**DELIVERABLE/ELEMENT BUDGET AMOUNT FOR REIMBURSEMENT:** Must provide a budget for each element and identify the expense category and budget detail. Provide description of the costs as follows: **Salaries:** identify the position title/hourly rate/# of hours to complete the deliverable; **Fringe benefits:** identify the % used to calculate the fringe benefits; **Contractual Services:** identify what service will be paid for under the contract for services; **Equipment:** the purchase of equipment is not allowed under this Agreement, the rental of equipment is the only costs allowed that are associated with equipment; **Supplies and Materials:** identify what supplies/materials will be purchased; **Other costs:** identify what other costs are being requested (such as printing costs, other costs that do not fit into the other established cost categories (salaries, fringe benefits, equipment, supplies, indirect, contractual services); **Indirect Costs:** identify the percentage that is used for the indirect being claimed for reimbursement (cannot exceed 15% unless prior approval has been obtained by the Department)..

**MATCH AMOUNT TO BE CLAIMED:** The same level of detail must be provided for match as for reimbursement.

**DOCUMENTATION/DELIVERABLES TO BE SUBMITTED UPON COMPLETION:** All of these deliverables must be submitted before final reimbursement can be processed.

**Completion Documentation required prior to Reimbursement**

## ORDINANCE NO. O2014-31

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, REGULATING BINGO WITHIN THE CITY LIMITS OF THE CITY OF WILDWOOD; PROVIDING FOR FINDINGS; PROVIDING FOR DEFINITIONS; ESTABLISHING REQUIREMENTS FOR BINGO OPERATORS, LESSORS, PREMISES, AND EQUIPMENT, AND OTHER BINGO RELATED REQUIREMENTS; MAKING CERTAIN ACTS UNLAWFUL; PROVIDING PENALTIES; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

### **Section 1. Title.**

This article shall be known and may be cited as the “Wildwood Bingo Ordinance.”

### **Section 2. Findings**

The City Commission finds and determines that:

(a) Section 849.0931, Florida Statutes, was enacted by the legislature in order to authorize charitable, nonprofit and veterans organizations engaged in charitable, civic, community, benevolent, religious or scholastic works and other similar activities to conduct bingo games and to donate the entire proceeds derived from these games, less actual business expenses for articles designed for and essential to the operation, conduct and playing of bingo, to such endeavors, thus, bringing, aid and comfort to the community and its members.

(b) Section 849.0931(2)(a), Florida Statutes, prohibits the proceeds from bingo games from being used for any purpose whatsoever other than the enumerated purposes.

(c) Section 849.0931(3), Florida Statutes, authorizes nonprofit organizations not involved in the efforts listed above to conduct bingo games only upon the condition that the entire proceeds be returned to the players in the form of prizes.

(d) Section 849.0931, Florida Statutes, contains various other provisions intended to assure that only the groups, associations, and organizations referred to in the statute are involved in and receive and/or distribute the proceeds of these games, but the present law is inadequate to fully achieve this objective because of a lack of regulatory authority.

(e) Monies from bingo games are frequently retained illegally or taken for noncharitable purposes through various ruses such as abnormally high rentals or salaries.

(f) Arrangements between and among lessors of places where bingo games are conducted, actual or putative nonprofit organizations and concessionaires at such games have become commercialized to an extent not contemplated or intended by the legislature.

(g) Effective enforcement of any law regarding bingo games can only be brought about by local regulation of these games to insure that the proceeds from the games pass into the hands of the groups, organizations or associations identified in Section 849.0931, Florida Statutes, in the manner and for the purposes set forth in the statute.

### **Section 3. Intent.**

It is the City Commission's intent to require those associated with bingo games to comply fully with the statutory requirements for the conduct of such games, as well as to comply with the requirements set forth in this ordinance.

### **Section 4. Definitions.**

For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) **BINGO CARD.** The flat, usually rectangular piece of paper or thin pasteboard normally employed by players engaged in the game of bingo. More than one set of bingo numbers may be printed on any single piece of paper.

(b) **BINGO GAMES.** The activity commonly known as bingo wherein participants pay a sum of money for the use of one or more cards. When the game commences, numbers are drawn by chance one by one, and announced, the player covering or making those numbers on cards which they have purchased until the player who gets given numbers in the same pre-announced sequence for that particular game calls out "bingo" and is declared the winner of a predetermined prize.

(c) **CHARITY.** A nonprofit or veteran's organization having been in existence for three years or more, and engaged in charitable, civic, community, benevolent, religious, or scholastic works or similar activities.

(d) **LESSOR.** The person or persons, partnership, or corporation that rents to or provides space to an operator, as defined in this section.

(e) **OPERATOR.** The person or persons, partnership, or corporation that performs, conducts, or supervises a bingo game or a series of bingo games. The following described activities are not exclusive, but they shall constitute performing, conducting, or supervising a bingo game or a series of bingo games.

(1) Supply, distribution, and collection of bingo cards.

(2) Acceptance or collection of money from players for the purpose of participating in a bingo game or a series of bingo games

(3) Distribution of prizes to players.

(4) Selecting or announcing numbers of other characters involved in playing the game of bingo.

(f) OWNER. The person or persons, partnership, or corporation that holds legal title to the physical premises in which a bingo game or a series of bingo games is played.

(g) PLAYER. Any person who has paid some amount of money to the operator for one or more bingo cards, and who has some expectation of receiving a prize if one or more of his bingo cards contains a sufficient number of numbers which are the same as those announced by the operator during a bingo game.

(h) PRIZES. Any cash or other thing of value awarded to a player of a bingo game or players in a series of bingo games.

(i) ORGANIZATION. A charitable, nonprofit or veterans' organization as defined in Fla.Stat. § 849.0931(1)(c), or a condominium association, cooperative association, homeowner association as defined in Fla.Stat. § 720.301, mobile home park owner's association, and residents of mobile home parks and recreational vehicle parks as defined in chapter 723 of the Florida Statutes.

## **Section 5. Permits.**

(a) **Class A Permit** - It shall be unlawful for any operator to perform, conduct, or supervise a bingo game or a series of bingo games without having first obtained a valid annual Class A permit. Every operator shall obtain an annual Class A permit from the city manager. In order to receive the Class A permit, the operator shall tender to the city manager the sum of \$100.00 and in addition shall provide the following information under oath:

(1) If the operator is a corporation, the names and addresses of its officers and directors and a true and correct copy of its articles of incorporation and bylaws. If the operator is a partnership, the names and addresses of all the partners and a copy of the partnership agreement. If the operator is not a corporation or partnership, the names and addresses of all persons who constitute the operator and any agreement or document under which the operator exists or conducts itself.

(2) A detailed description of the charitable, civic, community, benevolent, religious, or scholastic works or other similar activities in which the operator is involved and the specific endeavors to which the proceeds from the bingo games shall be donated.

(3) The address of the premises in which the operator performs, conducts, or supervises bingo games, and the days of the week on which the operator performs, conducts, or supervises bingo games. If the days are changed, a supplemental statement must be filed with the City Manager prior to the change.

(4) The names and addresses of all persons, firms, corporations, or business entities owning directly or indirectly 10% or more of the operator.

(5) A financial statement of the operator, evidencing the amount and sources of the previous year's gross revenue and the distributees with the amount of the previous year's distributions. This statement must be certified as correct by the officers of the corporation, one of the partners, or one who controls the operator, but need not be audited. The information supplied shall cover the period of the operator's most recently concluded fiscal year.

(6) In the case where an operator is a condominium association, cooperative association, or mobile home park created pursuant to law, the operator is not required to tender the sum of \$100.00, and the provisions of subsections (2), (4), and (5) above shall not be applicable, provided only residents of the condominium, cooperative, or mobile home park are allowed to participate or play in such bingo games; and all of the proceeds from the bingo games are returned to the players in the form of prizes.

(b) **Class B Permit** - It shall be unlawful for any owner or lessor to rent or provide space to or permit its premises to be utilized by an operator without having first obtained a valid annual Class B permit from the city manager. This requirement for a Class B permit shall not apply when an operator, charity, or organization, holding a Class A permit is the owner of the premises upon which it conducts bingo games only and solely for its own benefit. In order to receive the Class B permit, the lessor or owner shall tender to the city manager the sum of \$2,000.00 and in addition shall provide the following information under oath:

(1) Complete information as to the rentals and other financial benefits received from any operators using the premises during the preceding 12 months. In the event that this is the first year of operation, the owner or lessor must provide an estimate, or projection, based on their business plan for the initial year of operation.

(2) If the owner or lessor is a corporation, it shall supply the names and addresses of its officers and directors and a true and correct copy of its articles of incorporation and bylaws; if the owner or lessor is a partnership, the partnership shall supply the names and addresses of all the partners and a copy of the partnership agreement; and if the owner or lessor is not a corporation or partnership, the names and addresses of all persons who constitute the owner or lessor, and any agreement or document under which the owner or lessor exists or conducts itself shall be supplied.

(3) The address of all premises held by the owner or lessor in which the operator or any operator performs, conducts, or supervises bingo games and the days of the week in which any and all operators perform, conduct, or supervise bingo games.

(4) The names and addresses of all persons, firms, corporations, or business entities owning directly or indirectly 10% or more of the owner or lessor.

(5) A financial statement of the owner or lessor, evidencing the amount and sources of the previous year's gross revenue. This statement must be certified as correct by the officers of the corporation, one of the partners, or one who controls the owner or lessor, but need not be audited. If the operator is the owner or lessor, it shall not be required to pay the \$2,000.00 owner or lessor fee or supply the other information required of owners or lessors under this section.

(6) An affidavit, sworn to under penalties of perjury, that the owner or lessor has complied with the requirements of Florida Statute § 849.0931, as well as this ordinance.

(7) In the case where a condominium association, cooperative association, or mobile home park qualifies for the exemption provision of subsection (a)(6) above, no owner's or lessor's permit shall be required, provided the owner or lessor of the space or premises to be utilized by an operator is one of the following.

- a. The unit owners of the associations.
- b. The mobile home owners of the park.
- c. The developer of the associations.
- d. The mobile home park owner of the park.

## **Section 6. Requirements for organizations; records; financial requirements**

(a) Separate bank account required. The entire proceeds derived from the conduct of bingo by an organization shall be deposited on or before the close of business of the next business day in a checking account in a bank located within the city, which shall be maintained separate and apart from all other accounts of the organization and which shall not be used for the deposit of funds received from any other activity other than the conduct of bingo. Two of the principal officers of the organization shall be required to sign all checks, drafts and other instruments withdrawing or transferring funds from the checking account, without exception. The provisions of this subsection shall not preclude:

(1) In the case of an organization, the periodic transfer of the entire net proceeds derived from the conduct of bingo into a savings or other account established

for the charitable, religious, educational, fraternal, patriotic, civic, community or benevolent endeavor for which the bingo games were played.

(2) In the case of an organization, the withdrawal of the entire net proceeds, or the necessary portion thereof, to be used on the next scheduled day of play as prizes.

(b) Financial statement; other reports. Annually, each organization shall file with the code enforcement department a financial statement, in the form prescribed by the code enforcement department, containing the sources and amount of the gross revenue derived by the organization from the conduct of bingo during the 12-month or other period for which the statement is being filed and stating the names of the distributees of the net revenues and the amounts received by each. The financial statement shall be certified as correct by a principal officer, one of the partners or one who controls the organization, but need not be audited; provided that the foregoing language shall not prohibit an operation from filing an audited financial statement nor the code enforcement department from requiring the filing of an audited financial statement whenever he determines that an audited financial statement is necessary to ascertain whether the organization is obeying the law and rules promulgated under this ordinance. The code enforcement department may also require an organization to submit other reports, on a periodic basis, covering the activities connected with or related to the conduct of bingo, which reports shall be certified as prescribed for financial statements as set forth in this subsection.

(c) *Compensation prohibited.* No salary, compensation, tip or reward in any form whatsoever shall be offered, solicited, paid or given, before, during or after, directly or indirectly, to any person conducting or assisting in the conduct of bingo.

(d) The principal officers of any charity, or organization conducting bingo, and all persons conducting or assisting in the conduct of bingo shall sign an acknowledgment form provided by the city which describes the penalties for violating state and local regulations pertaining to bingo, and violations pertaining to embezzlement, money laundering and racketeering. A copy of each acknowledgment form shall be provided to the Wildwood Police Department.

(e) Each operator shall maintain adequate records for a minimum of three years of all bingo activity on a per game basis which shall include the following: gross game receipts and all income from any source, including, but not limited to, admission charges; all payout for prizes whether in cash or merchandise; any and all operating expenses; and net proceeds.

(f) The records required to be kept under this ordinance shall be made available on demand for immediate inspection by any law enforcement officer or by the city or its authorized representative at reasonable times during normal business hours and whenever bingo games are in progress, but law enforcement officers shall not interrupt an actual bingo game in progress or

interfere with the operation of the premises where bingo is played unless necessary in order to make an inspection.

### **Section 7. Requirements for Owners and Lessors; records; financial requirements.**

(a) No owner or lessor and no officer, director, stockholder, employee or any other person having an interest in the lessor shall conduct, assist or participate in the conduct of bingo or render any service or offer, distribute or give anything of value to anyone conducting, assisting or participating in the conduct of bingo or to any member of a permitted organization.

(b) Separate bank account. The entire proceeds derived by an owner or lessor from the leasing of premises upon which bingo is conducted shall be deposited in a checking account in a bank which shall be maintained separate and apart from all other amounts of the lessor and shall not be used for the deposit of funds received from any other activity than the leasing of premises for the conduct of bingo. If the owner or lessor is other than an individual, two (2) of the required principal officers or partners shall be required to sign all checks, drafts and other instruments withdrawing or transferring funds from the checking account, without exception. The provisions of this subsection shall not preclude the periodic withdrawal or transfer of the net proceeds, after payment of the actual business expenses related to the premises from which the funds were derived, for the use of the owner or lessor.

(c) An owner or lessor shall maintain adequate records according to generally accepted accounting practices, which records shall show all income from the leases or rentals, all gross proceeds, actual business expenses and the entire or net proceeds from leases or rentals of premises for the conduct of bingo, and which shall also include copies of the executed leases or agreements, if any, for such premises. All records shall be maintained by the lessor for a minimum of three (3) years.

(d) The records required to be kept under this ordinance shall be made available on demand for immediate inspection by any law enforcement officer or by the city or its authorized representative at reasonable times during normal business hours and whenever bingo games are in progress, but law enforcement officers shall not interrupt an actual bingo game in progress or interfere with the operation of the premises where bingo is played unless necessary in order to make an inspection.

(e) Financial statement; other reports. Annually, each owner or lessor shall file with the city a financial statement, in the form prescribed by the city, containing the sources and the amount of the gross revenue derived by the lessor from the leasing of premises for the conduct of bingo during the twelve-month or other period for which the statement is being filed, and stating the actual business expenses related to the premises. The financial statement shall be certified as correct by a principal officer, one of the partners or one who controls the lessor, but need not be audited; provided, that the foregoing language shall not prohibit a lessor from filing an audited financial statement.

(f) All leases and agreements with any operator, charity, or organization shall be in writing and shall be kept and maintained according to the record requirements of this ordinance.

(g) The principal officers of any owner or lessor shall sign an acknowledgment form provided by the city which describes the penalties for violating state and local regulations pertaining to bingo, and violations pertaining to embezzlement, money laundering and racketeering. A copy of each acknowledgment form shall be provided to the Wildwood Police Department.

### **Section 8. Display of Information.**

(a) During the course of any and all bingo games, the operator shall post in a conspicuous place, in letters and numbers no smaller than three inches in height, the following information:

(1) Names of all persons operating or assisting in the operation of the bingo game, together with the name of the charity, or organization, with which they are associated.

(2) The total gross receipts collected per bingo game.

(3) The total retail value of all prizes, whether in money or merchandise to be awarded per each bingo game.

(4) The net receipts collected but not awarded as prizes.

(5) The information in subsections (2) through (4) above shall be posted after each game is completed and indicate separate entries for game. All figures shall remain posted until the last bingo game is played for that day.

### **Section 9. Identification and Name Tags.**

All persons operating or assisting in the operation of any bingo game shall wear legible tags evidencing their name and the charity, or organization, with which they are associated. The person shall not conduct bingo for any other charity, or organization, organization, or lessor licensed under this ordinance.

### **Section 10. Conduct of Bingo Games.**

The following rules and regulations shall govern bingo games:

(a) No individual bingo card shall be used for more than one bingo game and it shall be identified by a unique combination of numbers consisting of card number and the number of the particular series or lot. These numbers shall be imprinted on one side of the card, along with the trade name or logo of the manufacturer. No prizes shall be awarded unless the player

surrenders his signed bingo card to the operator who shall indicate thereon the amount, character, and value of the prize awarded. Operators shall retain surrendered bingo cards for a period of at least 90 days.

(b) Operators of bingo games on premises owned by a charity, or organization, or leased from a charity, or organization, as defined in Section 4 above who owns the premises, shall be exempt from the provisions of subsection (a) of this Section to the extent that they may reuse cardboard bingo cards and the winner will not have to surrender the winning card. In such cases the winner must sign a receipt for the prize that is won. To qualify for this exemption, the premises may not be used for bingo activities more often than six hours per a 24-hour period for a total of no more than 18 hours in one seven-day period or no more than three days per week.

(c) It shall be unlawful for any operator to employ, distribute, or sell bingo cards other than the type described in subsection (a) of this Section. The operator is further required to maintain adequate records of its purchase of bingo cards from whatever source acquired showing the serial number systems as described in subsection (a) of this Section above of all the cards. The records will be subject to the same inspection provisions as stated in this ordinance. All cards shall be sold to players at a flat price throughout any bingo session, and no quantity discounts will be allowed to players.

(d) Supplies and equipment bought by operators for all games shall be purchased from a bona-fide distributor authorized to do business in the state and maintaining an office therein.

(e) A distributor of bingo equipment and supplies who sells equipment or supplies to an operator of a game to be held in the city, shall provide the operator with a card having dimensions of no less than 24 inches by 36 inches stating thereon the name and address of the manufacturer of the bingo cards supplied by the distributor. The operator shall affix and permanently display the card or place card on a wall during each game the supplied cards are used.

### **Section 11. Additional Requirements.**

(a) Every person involved and present in the conduct of a bingo game must be a bona fide member of the organization for at least a period of one year and resident of Sumter County for at least six months prior to his or her involvement with the conduct of any bingo game. It shall be unlawful for any person or any member of any organization to falsely represent the membership status of any person involved in the conduct of a bingo game.

(b) Bingo shall not be played on any premises during more than four (4) days per week.

(c) There shall not be more than three (3) jackpots on any premises during any day.

(d) The hours of operation for bingo games for a Class B permit holder shall be restricted to 7:00 a.m. through 5:00 p.m.

(e) Indoor recreation/Bingo operation uses shall be located no closer than fifteen hundred (1500) feet to any other Bingo operation use, or to the following uses; park, school, church, establishment selling or serving alcoholic beverages for consumption on or off premises, or child day care.

(f) The sale or consumption of alcohol on the premises shall be prohibited.

(g) The game of bingo shall not be conducted or played under any other name, designation, title label, term or pseudonym.

### **Section 12. Prohibition of Minors.**

(a) No person under the age of eighteen (18) years shall:

(1) Participate or be allowed to participate in any bingo game; and

(2) Be present or allowed to be present in that part of the premises where a bingo game is being conducted.

### **Section 13. Dates for Issuance of Permits.**

All permits required by this section shall be issued by the city manager beginning October 1 of each year and expiring on September 30 of the succeeding year. Any operator, lessor, or owner required to have a permit pursuant to this section, shall obtain the permit prior to commencing any bingo game.

### **Section 14. Security Requirements.**

All Owners or Lessors possessing a permit shall maintain the following security devices and standards at their premises:

(a) A security camera system with inside and outside visual monitoring operating twenty-four (24) hours a day and capable of recording and retrieving an identifiable image both inside and outside the premises;

(b) A safe or cash management device for restricted access to cash receipts;

(c) A conspicuous notice at all public entrances to premises stating cash register contains limited amount of cash;

(d) At exits to premises, height markers displaying height measures;

(e) A silent alarm system capable of notifying law enforcement;

(f) At least one Florida state licensed, armed security guard, when the premises is open for business; and

(g) A steel bullet resistant UL 752 Level 1 rated entry door with bullet resistant security glass Type for viewing customers entering the premises including exterior automatic locking and interior panic push hardware.

(h) Tinted windows or other obstructions of the view through the glass of any Bingo operation shall be prohibited for purposes of visual security of police offices.

**Section 15. Providing false information.**

No person shall knowingly make a false, untrue, or misleading oral statement to any code enforcement officer, or any other city official, as to any matter investigated in relation to the provisions or enforcement of this ordinance.

**Section 16. Violations.**

Any person, firm, corporation, or business entity violating any of the provisions of this section shall be guilty of a punishable violation. Upon conviction of such a violation, any operator, lessor, or owner shall automatically have its permit revoked.

**Section 17. Incorporation clause.**

Section 849.0931, Florida Statutes, is hereby incorporated by reference into this ordinance, except that (1) where this ordinance provides additional or more specific regulations, the provisions of this ordinance shall govern; and (2) violations of this ordinance shall be prosecuted as per the provisions of this ordinance.

**Section 18. Severability.**

If any Section, subsection, sentence, clause, phrase or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

**Section 19. Effective date.**

This ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2014, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Cassandra Lippincott, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Ashley S. Hunt, City Attorney

DRAFT



Existing  
Public  
Works  
Facility

High Street

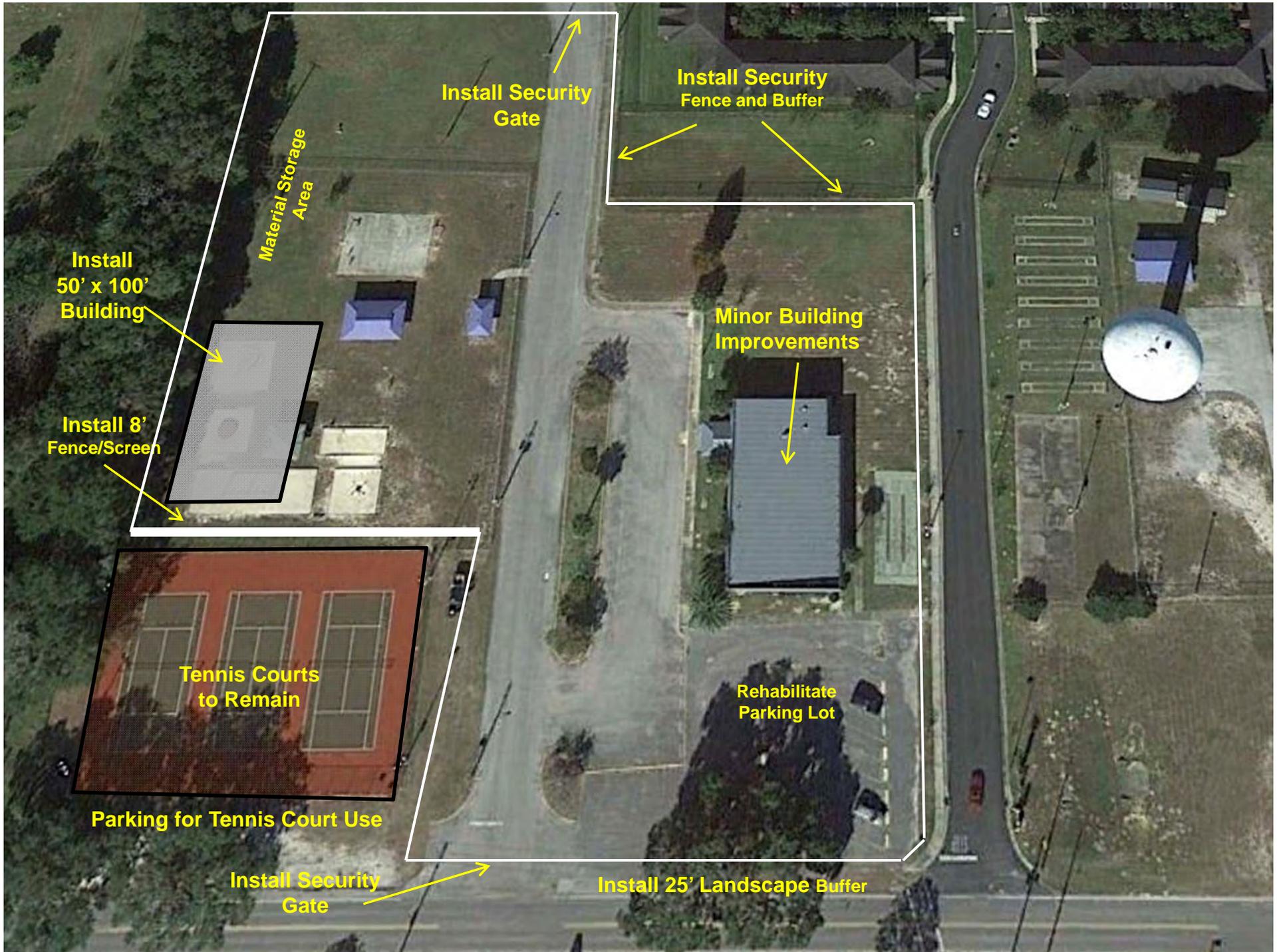
Grey Street

Dr. Martin Luther King Jr. Ave/ C-44A

CSX Railroad

Main Street/ US 301

C-44A



Install Security Gate

Install Security Fence and Buffer

Install 50' x 100' Building

Install 8' Fence/Screen

Material Storage Area

Minor Building Improvements

Tennis Courts to Remain

Parking for Tennis Court Use

Rehabilitate Parking Lot

Install Security Gate

Install 25' Landscape Buffer