

**Sec. 2.191. - Definitions, Registration, and Reporting Requirements for Lobbyists; Penalties.**

(1)

*Definitions.*

*Compensation* means monetary consideration of any kind, either received or expected, including but not limited to, salary, payment, retainer, commission, consideration of any type, forbearance, forgiveness or any combination thereof. For purposes of this section, compensation shall only include something of monetary value.

*Lobbying* means any communication, written or oral, or any meeting or discussion by a Lobbyist with any member of City Council, Staff Decision Maker or board member wherein there is communicated, disclosed or discussed any matter which is or may be pending before City Council, Staff Decision Maker or the respective board in order to influence the action or inaction of the City Council, Staff Decision Maker or the respective board. The definition of lobbying includes appearances before City Council and boards but does not include the act of filing an application on behalf of or as authorized agent for another.

*Lobbyist* means any person who shall engage in lobbying as defined herein for compensation for (1) an entity other than his or her employer; or (2) for any entity including his or her employer if a principal function of his or her position is lobbying or governmental relations.

*Staff Decision Makers* means the following employees of the City of Orlando who have been delegated final decision making authority by ordinance to make decisions on behalf of the City, when they are acting within the scope of that final decision making authority: Appearance Review Officer, Building Official, Deputy Building Official, City Engineer, Fire Marshal, Historic Preservation Officer, Planning Official, Transportation Engineer, Vehicle for Hire Administrator and Zoning Official.

(2)

*Prohibitions on Lobbying of Board Members.* Lobbying of the members of all City boards by Lobbyists shall be prohibited outside of open, posted public meetings; provided however, in advance of any City board meeting, Lobbyists may provide written documents and information to the Recording Secretary of any City Board for dissemination to all Board members. Lobbying at public meetings shall be subject to the registration and reporting requirements set forth in paragraphs 3 and 4 of this section.

The prohibitions and requirements in this Article are in addition to the City's Public Works and Office of Purchasing & Materials Management policies that prohibit proposers from any and all communication regarding the procurement process with Council members, selection committee members, and City staff until Final Award is made, except through the assigned staff member.

(3)

*Registration.* All Lobbyists shall register at the time of lobbying or no later than the next City business day from the date of such lobbying. Such registration shall provide the Lobbyist's name and business address and the name and business address of the person, firm, corporation, principal or other entity providing compensation to the Lobbyist. Such registration shall be on forms provided by the City Clerk and maintained in the offices of the City Clerk for storage and public inspection. This registration requirement shall apply to all activity by Lobbyists whether it takes place in City offices or outside City offices.

(4)

*Reporting.* A Lobbyist shall on or before February 1 and August 1 of each year submit to the City Clerk's office a signed statement, executed under oath, listing all lobbying expenditures involving City Council, Staff Decision Makers, and/or City boards for the preceding six month

period (January—June, July—December), the source of the funds and an itemization of the amount expended for each member of City Council, Staff Decision Makers, and/or board member by each registered Lobbyist. Lobbyists who have incurred no City lobbying expenses during the preceding period shall not be required to file a report. It shall be the responsibility of the Lobbyist to obtain this form from the City Clerk's office. The City Clerk shall maintain such filings available and open for public inspection. Any Lobbyist required to file a report who fails to file on or before the due date for the previous period, in addition to any other penalty provided for herein shall not be permitted to engage in any Lobbying activity until their reports are brought current.

(5)

*Exceptions.* The following categories of persons shall be exempt from the registration and reporting requirements set forth in paragraph 3 of this section.

(A)

Employees or representatives of any federal, state, county, municipal or independent authority discussing the business of their government or authority;

(B)

An elected official or government employee acting in his official capacity or in connection with his job responsibilities;

(C)

Law enforcement personnel conducting an active investigation;

(D)

Persons or representatives of organizations contacted by the City Council member when such contact is initiated by the member;

(E)

A person who appears under compulsion or subpoena by the City Council, Board or staff member of a board;

(F)

Any person in contractual privity with the City who appears only in his or her official contractual capacity in connection with the performance of the current contract.

(6)

*Violations/penalties.* Violation of any provision of this section shall be punishable as provided in [section 1.08](#), Orlando City Code. Failure of any Lobbyist to comply with the provisions of this section shall not in any way effect the validity of any action taken by City Council or any City official.

(Ord. of 2-25-1991, Doc. #24611; Ord. of 12-19-1994, Doc. #28135; Ord. of 9-23-2002, § 1, Doc. #020923720)