

ORDINANCE 27 - 25

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AMENDING THE CITY OF CAPE CORAL, FLORIDA, CODE OF ORDINANCES, CHAPTER 12, "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE XIV, "RESIDENTIAL RENTAL PROPERTY," BY CREATING SECTION 12-129.5, "TOURIST DEVELOPMENT FUND," TO ESTABLISH A TOURIST DEVELOPMENT FUND THAT IS FUNDED BY REVENUES COLLECTED UNDER SECTION 12-129 OF THE CODE OF ORDINANCES; PROVIDING FOR AUTHORIZED USES OF TOURIST DEVELOPMENT FUNDS; PROVIDING FOR CODIFICATION AND RESOLUTION OF CONFLICTING LAWS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral, Florida, ("City") has created a rental registration program, which is codified at Section 12-129, of the City of Cape Coral, Florida, Code of Ordinances; and

WHEREAS, Section 12-129 of the City's Code requires property owners that rent residential property in the City to pay an annual registration fee to the City; and

WHEREAS, the Mayor and City Council desire to create a dedicated fund to support, promote, and manage tourism development and related activities in the City; and

WHEREAS, the Mayor and City Council hereby find that this ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 12, Article IV, Section 12-129.5, Cape Coral Code of Ordinances, is hereby created as follows:

§ 12-129.5 – Tourist Development Fund.

a. The Tourist Development Fund ("Fund") is hereby established, into which funds from revenues collected under Section 12-129, City Code of Ordinances, "Residential Rental Property Registration" shall be deposited and from which expenditures related to tourism shall be paid. Amounts on deposit in the Fund shall be invested pursuant to applicable law. All investment earnings shall be retained in the Fund and used for the purposes thereof. All income, including investment earnings, shall be retained in the Fund, and used for tourism purposes set forth herein.

b. The Fund shall be used for the promotion and expansion of tourism in the City. The funds collected for deposit in the Fund, including investment earnings, shall be used for the following programs and activities:

1. Promotion and advertising to attract visitors.
2. Funding for local convention centers, sports stadiums, and art venues.
3. Capital improvements to tourist-related facilities.
4. Special events and cultural activities that drive tourism.
5. Conduct tourism research and data analysis.
6. Regulatory compliance, enforcement, and oversight related to tourism.

c. The Mayor and City Council may, from time to time by ordinance, authorize additional programs and activities which may be funded through the Fund. Expenditures for programs and activities that are not related to tourism in the City shall not be paid from the Fund.

d. The Fund shall be self-perpetuating from year to year unless expressly terminated by the Mayor and City Council by ordinance. Any balance in the Fund at the end of any fiscal year shall remain in the Fund at the end of the year and shall be available for carrying out the purposes of the Fund. Accounting and reporting procedures shall be consistent with state law and city policies, and reported to the Mayor and City Council by the City Manager, or designee, at least annually during the budgeting process. The City shall cause the Fund to be audited and shall report the results of such audit as required to the Mayor and City Council.

SECTION 2. Severability. In the event that any portion or Section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or Sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, AT THEIR REGULAR SESSION THIS _____ DAY OF _____, 2025.

JOHN GUNTER, MAYOR

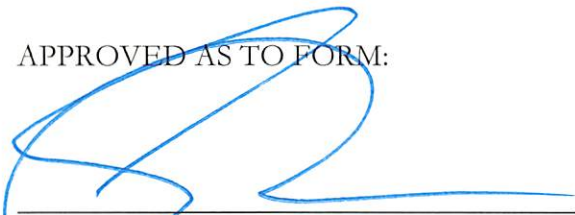
VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER	_____	LA STRA	_____
STEINKE	_____	KILRAINE	_____
LEHMANN	_____	LONG	_____
DONNELL	_____	KADUK	_____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2025.

KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:



ALEKSANDR BOKSNER
CITY ATTORNEY

ord/TouristDevFund

