

1 **ORDINANCE SUMMARY**

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3 The purpose of this Ordinance is to amend Lake County's policies regarding signs at public
4 meetings and repealing LCC-25 titled "Public Meetings in County Buildings."

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6 Changes are shown as follows: Strikethrough for deletions and Underline for additions to
7 existing Code sections. Renumbering and/or relettering were added as needed.

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10 **ORDINANCE 2014 – 26**

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13 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**
14 **LAKE COUNTY, FLORIDA; AMENDING SECTION 2-2 OF ARTICLE I,**
15 **CHAPTER 2, LAKE COUNTY CODE, ENTITLED "PUBLIC**
16 **PARTICIPATION"; REPEALING LAKE COUNTY POLICY LCC-25**
17 **ENTITLED "PUBLIC MEETINGS IN COUNTY BUILDINGS";**
18 **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN**
19 **THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF**
20 **STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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22
23 **WHEREAS**, the Board of County Commissioners adopted section 2-2 of the Lake
24 County Code setting forth procedures and rules that are to be used at Lake County public
25 meetings, and

26
27 **WHEREAS**, the Board of County Commissioners had previously adopted Lake County
28 Policy LCC-25, a part of which dealt with the same issues that are addressed in section 2-2 of the
29 Code, and

30
31 **WHEREAS**, the Board of County Commissioners has determined that a portion of LCC-
32 25 should be added to section 2-2 of the Code, and

33
34 **WHEREAS**, other portions of LCC-25 will be addressed in other parts of the Lake
35 County Code or are duplicative, outdated, or in conflict with Florida law.

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37 **NOW, THEREFORE, BE IT ORDAINED** by The Board of County Commissioners,
38 Lake County, Florida, as follows:

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40 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated
41 herein by reference.

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43 **Section 2. Amendment.** Section 2-2 of Article I, Chapter 2, Lake County Code,
44 titled Public Participation, is amended to read as follows:

1
2 **Sec. 2-2 Public Participation.**
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4 (a) Right to be Heard. Pursuant to Section 286.0114, Florida Statutes, members of
5 the public shall be given a reasonable opportunity to be heard on a proposition before official
6 action is taken by any board or committee under the auspices of Lake County government,
7 including the Board of County Commissioners. Public input shall be limited to three (3) minutes
8 per speaker, with the Chairman having the option of allowing additional time. This right does
9 not apply to:

10
11 (1) An official act that must be taken to deal with an emergency situation
12 affecting the public health, welfare, or safety, if compliance with the requirements
13 would cause an unreasonable delay in the ability of the Commission to act;

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15 (2) An official act involving no more than a ministerial act, including, but not
16 limited to, approval of minutes and ceremonial proclamations;

17
18 (3) A meeting that is exempt from Section 286.011, Florida Statutes; or

19
20 (4) A meeting during which the board or commission is acting in a quasi-
21 judicial capacity. This paragraph does not affect the right of a person to be heard
22 as otherwise provided by law.
23

24 (b) Time to be Heard. Each board and committee under the auspices of Lake County
25 government, including the Board of County Commissioners, shall allow members of the public
26 an opportunity to be heard prior to taking official action on any proposition. Such opportunity to
27 be heard need not be provided at the same meeting in which official action on the proposition is
28 to be made, but shall be provided at a meeting during the decision making process that is within
29 a reasonable proximity in time to the meeting in which the board or committee takes official
30 action.
31

32 (c) Request to be Heard. Members of the public who wish to provide comment to the
33 board or committee shall duly come before the board or committee during the designated period
34 of time on the agenda. If requested by the chair of the board or committee, persons requesting to
35 be heard shall submit a speaker card on forms provided by the County Manager or designee.
36 Advanced notice shall not be required, nor shall any member of the public be placed on the
37 official agenda other than having the ability to appear during the designated time for public
38 comment. Members of the public requesting to be heard on a proposition may designate a
39 representative to speak for them individually, or to speak on behalf of a group of concerned
40 citizens.
41

42 (d) Decorum. Members of the public addressing a board or committee shall provide,
43 in an audible voice, their full name and address on the record for the board or committee. All
44 remarks shall be addressed to the board or committee as a whole, and not to any one member
45 thereof, and such remarks shall indicate the speakers support, opposition or neutrality on a
46 proposition. No person, other than members of the board or committee and the person having

1 the floor, shall be permitted to enter into any discussion, either directly or indirectly with the
2 members of the board or committee unless specifically requested by the board or committee to
3 provide comment. Any person making personal, impertinent or slanderous remarks, or who shall
4 become boisterous, while addressing the board or committee, may be required to leave the
5 meeting and may be barred from further audience before the board or committee at the meeting
6 from which they were ejected.

7
8 (e) Signs at Public Meetings. Signs being displayed at public meetings in any public
9 building owned or leased by Lake County shall be of a size that they can be easily held and
10 controlled by one person and are not mounted on posts, poles or other devices or extensions that
11 could constitute a health or safety hazard to other attendees. In the alternative, signs may be
12 displayed on a tripod in an area established for such display as part of a presentation to the Board
13 of County Commissioners or other deliberative body in the Board Chambers or other public
14 meeting room. No signs shall be mounted or adhered to any wall, window, door, pillar, support,
15 post, elevator, or part of any building or structure of Lake County without the permission of the
16 County Manager or a designee.

17
18 (ef) Agenda. All boards and committees shall have an agenda that is available at least
19 four (4) days in advance of any meeting. Unless exempted as set forth under subsection (a)
20 above, official action on a proposition cannot be taken at a meeting unless it was included in
21 such agenda. Items not on the agenda may still be discussed at a meeting, but official action on
22 the matter shall be re-scheduled for the next available meeting so as to provide the public a
23 reasonable opportunity to be heard.

24 **Section 3. Amendment.** Lake County Policy LCC-25, Public Meetings In County
25 Buildings, is hereby repealed.

26 **Section 4. Severability.** If any section, sentence, clause or phrase of the Ordinance
27 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
28 shall in no way affect the validity of the remaining portions of this Ordinance.

29
30 **Section 5. Inclusion in the Code.** It is the intent of the Board of County
31 Commissioners that the provisions of this Ordinance shall become and be made a part of the
32 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
33 the word "ordinance" may be changed to "section", "article" or such other appropriate word or
34 phrase in order to accomplish such intentions.

35
36 **Section 6. Filing with the Department of State.** The clerk shall be and is hereby
37 directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of
38 Florida in accordance with Section 125.66, Florida Statutes.

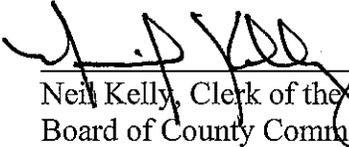
1 **Section 7. Effective Date.** This Ordinance shall become effective as provided for by
2 law.

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4 Enacted this 24th day of June, 2014.

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6 Filed with the Secretary of State July 2nd, 2014.
7

8 ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

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11 
12 _____
13 Neil Kelly, Clerk of the
14 Board of County Commissioners
15 of Lake County, Florida

16
17
18 
19 _____
20 Jimmy Conner, Chairman
21 This 27th day of June, 2014.

18 Approved to as to form and legality:

19
20 
21 _____
22 Sanford A. Minkoff
23 County Attorney



FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 2, 2014

Honorable Neil Kelly
Clerk of the Circuit Court
Lake County
550 West Main Street
P. O. Box 7800
Tavares, Florida 32778-7800

Attention: Susan Boyajan

Dear Mr. Kelly:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge of your electronic copy of Lake County Ordinance No. 2014-26, which was filed in this office on July 2, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/mrh

Enclosure