

1 **ORDINANCE SUMMARY**
2 **PUBLIC USE OF THE LAKE COUNTY COURTHOUSE**
3

4 This ordinance proposes to amend Chapter 9, Courts and Law Enforcement, Article I, General Provisions,
5 Section 9-4 of the Lake County Code entitled Public Use of the Lake County Judicial Center regarding
6 public use and access to the Lake County Courthouse
7

8 Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code
9 sections. Renumbering and re-lettering shown as needed.
10

11 **ORDINANCE NO. 2013 - _____**

12 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
13 **COUNTY, FLORIDA; AMENDING THE LAKE COUNTY CODE, AMENDING**
14 **CHAPTER 9 ENTITLED COURTS AND LAKE ENFORCEMENT, ARTICLE I,**
15 **SECTION 9-4, ENTITLED "PUBLIC USE OF THE LAKE COUNTY JUDICIAL**
16 **CENTER"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION**
17 **IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF**
18 **STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**
19

20 **WHEREAS**, the Board of County Commissioners recently completed an expansion and
21 renovation of the building known as the Lake County Judicial Center, and

22 **WHEREAS**, as part of such expansion and renovation parking areas were removed and
23 or modified, the entranceways were relocated, and the name of the building was changed from
24 Lake County Judicial Center to Lake County Courthouse, and

25 **WHEREAS**, because of such changes, it is necessary to update s. 9-4 of the Lake County
26 Code.

27 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
28 Lake County, Florida as follows:

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

31 **Section 2.** **Amendment.** Chapter 9, Lake County Code, entitled Courts and
32 Law Enforcement, Section 9-4, Public Use of the Lake County Judicial Center, shall be amended
33 to read as follows:

34 | Sec. 9-4. - Public use of the Lake County ~~Judicial Center~~Courthouse.

35 (a) Definitions. For the purposes of this section, the following words shall mean:

36 (1) Designated public forum. A forum created by government designation of a place
37 or channel of communication for use by the public at large for assembly and speech, for use by
38 certain speakers, or for the discussion of certain subjects.

1 (2) Designated non-public forum. Government property that is not by tradition or
2 designation a forum for public communication.

3 (b) Designated non-public forum areas.

4 (1) ~~The interior of the Lake County Judicial Center~~Courthouse located at 550 West Main
5 Street, Tavares, Florida is a designated non-public forum. Except as otherwise provided, the
6 ~~Judicial Center~~ Courthouse shall be open to the general public during the normal working hours
7 of 8:30 a.m. to 5:00 p.m. Monday through Friday. Admission during periods when the ~~Judicial~~
8 ~~Center~~ Courthouse is closed will be limited as herein provided. The following rules shall govern
9 the interior of the ~~Judicial Center~~ Courthouse:

10 (i~~1~~) The public, ~~including employees and vendors~~, shall enter, and in non-
11 emergency situations, exit the building through the ~~east south~~ entranceway Main Street entrance.
12 ~~However, employees should ordinarily~~may also enter through the north ~~entranceway of the~~
13 ~~building~~ employee entrance located in the non-public area on the Alfred Street side of the
14 building; however employees may also enter through the south ~~entranceway~~ Main Street
15 entrance. ~~and~~ Vendors may make arrangements with the bailiffs to enter through the loading
16 dock area on the west side of the building.

17 (ii~~2~~) Employees are permitted after-hours access to the ~~Judicial Center~~
18 Courthouse through the ~~north~~ entranceway on the Alfred Street side of the building using their
19 electronic key ~~via the electronic keypad~~. A data log shall be maintained by the bailiffs' office
20 indicating usage of this entrance after hours ~~keypad~~. After-hours access is limited to business
21 purposes only.

22 (iii~~3~~) All visitors and employees to the ~~Judicial Center~~ Courthouse shall be
23 appropriately dressed, including but not limited to, shirts and shoes.

24 (iv~~4~~) All packages and mail being brought into the ~~Judicial Center~~ Courthouse,
25 regardless of which entranceway is used, shall be subject to inspection and x-ray screening. The
26 addressee of any questionable package or mailing shall be required to report to the ~~east south~~
27 entranceway bailiff station to either remove the package or mailing from the building, or to
28 attend its opening and inspection.

29 (v~~5~~) No food or drink shall be permitted in the public areas of the interior of
30 the building. However, this limitation does not apply to individual employee work space or
31 offices or to areas designated to allow food or drink.

32 (vi~~6~~) The building shall be pre-keyed by departmental design and the chief
33 bailiff shall distribute keys according to those designations, and shall maintain all spare keys in a
34 secure location. The chief bailiff shall maintain any and all "grand master" keys for the building.

35 (vii~~7~~) The administrative judge may enact further rules or regulations through
36 issuance of administrative orders in accordance with Florida Rule of Judicial Administration
37 2.050.

1 (2) The area to the north of the Courthouse located at 550 West Main Street, Tavares,
2 Florida is a designated non-public forum. This area includes the entire area west of the east
3 entrance gate, south of the north entrance gate and the Lake County Emergency Operations and
4 Communications Center and east of the fencing located on the west property line. This area
5 includes secure parking, open parking, sidewalks, limited park area, and the employee entrance
6 to the Courthouse. The following rules shall govern this area:

7 (i) This area shall not be accessible to the general public.

8 (ii) Parking in this area, whether in the secure parking area or the open
9 parking area, shall require approval of the administrative judge or the Sheriff. Vehicles that are
10 parked in this area are subject to being towed away, and the parking lot shall be signed in
11 accordance with Florida Statutes on towing of vehicles.

12 (iii) Employees, other than those who are authorized to park in this area, shall
13 enter this area through the locked gate utilizing their electronic key. This area shall only be
14 utilized by employees going to or returning from work, during lunch hours and breaks, and to
15 enter the Courthouse after hours for business purposes.

16 (iv) Employees of and visitors to the Lake County Emergency Operations and
17 Communications Center shall access outside of the gated area through the front door or
18 employee entrance door to the Center, unless the administrative judge or Sheriff has authorized
19 parking in this area.

20 (v) The administrative judge is authorized to allow use of this area for
21 employee or other court related events. The administrative judge may enact further rules or
22 regulations through issuance of administrative orders in accordance with Florida Rule of Judicial
23 Administration 2.050.

24 (c) ~~Designated public forum areas. Areas located outside the Judicial Center Courthouse and~~
25 ~~the designated non-public forum to the north of the Courthouse, including but not limited to,~~
26 ~~sidewalks and grassy areas, shall be designated public forums. The administrative judge may~~
27 ~~enact rules or regulations governing activities in the designated public forum areas through~~
28 ~~issuance of administrative orders in accordance with Florida Rule of Judicial Administration~~
29 ~~2.050. Any person or entity desiring to use the public forum area shall deliver a written request~~
30 ~~to the chief bailiff no later than three (3) working days prior to the anticipated date of use, to~~
31 ~~allow for coordination of activities. Lesser notice will be accepted only if time is adequate for~~
32 ~~review and coordination requirements. All such requests shall:~~

33 ~~(1) Identify the person or entity desiring to use the public forum; and~~

34 ~~(2) Describe the particular area of the public forum desired to be used and the use intended to~~
35 ~~be made of such area; and~~

36 ~~(3) Identify the respective dates and times which such use is planned to commence and~~
37 ~~terminate.~~

Ordinance 2013-___; Judicial Center

~~Authorization, when granted, shall be granted on a first come, first serve basis. This subsection guarantees the opportunity for freedom of expression consistent with the first and fourteenth amendments of the United States Constitution in the public forum areas. However, all persons engaged in peacefully exercising their freedom of expression within such areas are requested to comply with this subsection.~~

Section 3. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 4. Effective. This Ordinance shall become effective upon filing with the Secretary of the State.

Section 5. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of Florida.

Enacted this _____ day of _____, 2013.

Filed with the Secretary of State _____, 2013.

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

ATTEST:

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Leslie Campione, Chairman

This ____ day of _____, 2013.

Approved as to form and legality:

Sanford A. Minkoff
County Attorney