

Delete II C 2 Move to:

Meeting Date
July 7, 2015



AGENDA	
Section	New Business
Item No.	VI C 2

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval RE: Policy BCC-54
DEPT/OFFICE:	Central Services/Facilities Department

Requested Action:

It is requested that the Board of County Commissioners approve the changes and new review dates for County Policy BCC-54, Solicitation, Picketing, and Petitioning on County Property.

Summary Explanation & Background:

Per Sunset Review Policy BCC-31 Central Services and the County Attorney's Office reviewed Policy BCC-54 and made revisions for clarification of the objective, definitions, and directives. References were updated to reflect changes to the County's Code of Ordinances with regard to this policy. Changes include the following:

IV. Directives, A. Restrictions

- Commercial solicitation is prohibited on County property except by permit (Note Section 78-107, Brevard County Code of Ordinances relating to Parks/Recreational facilities).
- Designated picketing zone maps are available for courthouses, government centers, and service complexes. Maps are available from Facilities or can be downloaded from the BEACH (County intranet). All other County properties, picketing zones shall be designated by the property manager for each site (libraries, parks, senior centers, fire stations etc.). Specific areas of County property shall be designated by the Property Manager for solicitation, picketing and petitioning purposes. These areas will be available for expression to all individuals or groups. Only the Rules of Conduct set forth in Subsection (B) (2) of this policy shall apply to such activity on this property.
- Political candidates may walk through County buildings without disrupting the delivery of services to meet their constituents, as long they do not disrupt delivery of services to the public or interfere with personnel performing their work. However, per Florida Statute Chapter 106.15, no soliciting for campaign contributions is permitted in a building owned by a governmental entity.
- County employees may solicit on County property on behalf of non-profit entities (e.g., school fundraisers, walkathons, and bake sales) on their own time and without disruption of operations in the workplace. County employees are prohibited from soliciting, peddling or vending for individual or personal profit on County property, except on County approved methods.

IV. Directives, Standards and Procedures. Rules of Conduct: Solicitors, picketers and petitioners must:

2.C. Conduct their activity in an orderly and peaceable manner which does not interfere with the normal activities of County government or other citizen's rights or interfere with access of the public or public employees to County facilities.

FISCAL IMPACT: No fiscal impact.

Contact: Teresa Camarata; 637-5492 / teresa.camarata@brevardcounty.us

Clerk to the Board Instructions:

Exhibits Attached: BCC-54 Solicitation, Picketing, Petitioning on County Property

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager	<i>Teresa Camarata</i> Teresa Camarata, Central Services Director
	Frank Abbate, Public Safety and Support Services Group	



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

July 8, 2015

M E M O R A N D U M

TO: Stockton Whitten, County Manager

RE: Item VI.C.2., Approval of Policy BCC-54, Solicitation, Picketing, and Petitioning on County Property

The Board of County Commissioners, in regular session on July 7, 2015, tabled consideration of Policy BCC-54, Solicitation, Picketing, and Petitioning on County Property, to a future Board meeting.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

cc: Central Services Director



POLICY

TITLE: Solicitation, Picketing, Petitioning on County Property

NUMBER: BCC-54
CANCELS 7/29/2011

APPROVED: July 7, 2015
ORIGINATOR: Facilities Department
REVIEW: July 7, 2018

I. Objective

Authorize non-commercial solicitation, picketing, and petitioning to ensure that all citizens are fully able to enjoy their constitutional rights to petition their government, and express their rights to freedom of speech in an orderly fashion without impairing or hampering County functions and services..

II. References

- A. Brevard County Code of Ordinance Chapter 2, Section 2-68(a)(7) – Establishes the authority to the County Manager to supervise the care and custody of County buildings and property.
- B. Brevard County Code of Ordinances, Chapter 62, Article IX, Section 62-3301, Signs.
- C. Brevard County Code of Ordinances, Chapter 78, Article III, Division 2, Section 78-107 – prohibits commercial activity in Parks/Recreational facilities except by permit.
- D. Chapter 125.01(1)(c), Florida Statutes – Vests power to the Board to provide and maintain County buildings.

III. Definitions

- A. "County property" is real property owned or leased by the County and under the operational control of the County.
- B. "Solicitation" means one or more individuals seeking support for a particular cause or point of view.
- C. "Petitioning" means the written or verbal solicitation or expression by one or more individuals of a political, social, or religious viewpoint.
- D. "Picketing" means the display of placards or signs by one or more individuals whether or not accompanied by vocal or pedestrian demonstrations.
- E. "Property Manager" means that person designated by the County Manager to manage the control and use of (all or the respective) County-owned property.

IV. Directives

A. Restrictions

- 1. Commercial solicitation is prohibited on County property except by permit (Note Section 78-107, Brevard County Code of Ordinances relating to Parks/Recreational facilities).
- 2. Designated picketing zone maps are available for courthouses, government centers, and service complexes. Maps are available from Facilities or can be downloaded from the

BEACH (County intranet). All other County properties, picketing zones shall be designated by the property manager for each site (libraries, parks, senior centers, fire stations etc.). These areas will be available for expression to all individuals or groups. Only the Rules of Conduct set forth in Subsection (B)(2) of this policy shall apply to such activity on this property.

3. Nothing in this policy shall be construed to prohibit displaying signs (in a non-destructive manner) of a reasonable size at County property, except as outlined in Policy # BCC-55.
4. Political candidates may walk through County buildings to meet their constituents, as long they do not disrupt delivery of services to the public or interfere with personnel performing their work. However, per Florida Statute 106.15, no soliciting for campaign contributions is permitted in a building owned by a governmental entity.
5. Signage or other items may not be left unattended on the site (see Sign Ordinance). Unique signage in support of fund drives (United Way, etc.) may be approved on a case-by-case basis by the County Manager for the period of the drive.
6. County employees may solicit on County property on behalf of non-profit entities (e.g., school fundraisers, walkathons, and bake sales) on their own time and without disruption of operations in the workplace. County employees are prohibited from soliciting, peddling or vending for individual or personal profit on County property, except under County approved methods.

B. Standards and Procedures

1. Eligibility: Citizens, including not-for-profit groups and organizations, may solicit, picket, or petition on County-owned property for non-commercial purposes in areas designated by the Property Manager.
2. Rules of Conduct: Solicitors, picketers and petitioners must:
 - A. Keep the solicitation, picketing, or petitioning activity on designated areas and outside of buildings and parking lots, except for Commission meetings as outlined in Policy BCC-55.
 - B. Maintain their assigned area in an acceptable condition of orderliness and cleanliness, returning it to original condition when finished.
 - C. Conduct their activity in an orderly and peaceable manner which does not interfere with the normal activities of County government or other citizen's rights or interfere with access of the public or public employees to County facilities.
 - D. Conduct all activity during normal business hours or at such times as the County property is open to the public.
 - E. Remove all items after they are done, being sensitive that unattended items could be considered suspicious, and cause a potential security threat. Brevard County accepts no responsibility for items left on County property.

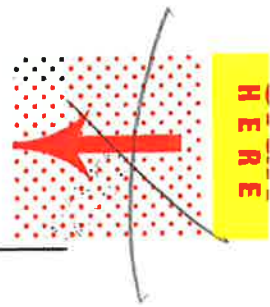
V. Reservation of Authority

The authority to issue and/or revise Policies is reserved to the Board of County Commissioners.

Attest:

Scott Ellis, Clerk

Robin Fisher, Chairman
Board of County Commissioners
Brevard County, Florida



Approved by the Board on _____



POLICY

TITLE: Solicitation, Picketing, Petitioning on County Property

NUMBER: BCC-54
CANCELS: ~~7/29/2011~~
~~4/14/2006~~
APPROVED: July 7,
~~2015~~7/29/2008
ORIGINATOR: Facilities Department
REVIEW: ~~7/29/2011~~

I. **Objective**

Authorize non-commercial solicitation, picketing, and petitioning ~~which does not impair or hamper County functions and services~~ to ensure that all citizens are fully able to enjoy their constitutional rights to petition their government, and express their rights to freedom of speech in an orderly fashion without impairing or hampering County functions and services.

II. **References**

- A. ~~Brevard County Code of Ordinance 71-7, Section 1-86 (6) Chapter 2, Section 2-68(a)(7) - Establishes the authority to the County Manager to supervise the care and for the control and use of custody of County buildings and property.~~
- B. Brevard County Code of Ordinances, Chapter 62, Article IX, Section 62-3301, Signs.
- C. Brevard County Code of Ordinances, Chapter 78, Article III, Division 2, Section 78-107 - prohibits commercial activity in Parks/Recreational facilities except by permit.
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- A. "County property" is real property owned or leased by the County and under the operational control of the County.
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- E. "Property Manager" means that person designated by the County Manager to manage the control and use of (all or the respective) County-owned property, ~~i.e., the Facilities Department for multi-use facilities, and the "tenant" for single-use facilities.~~ Formatted: Strikethrough

IV. **Directives**

- A. Restrictions

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V. Reservation of Authority

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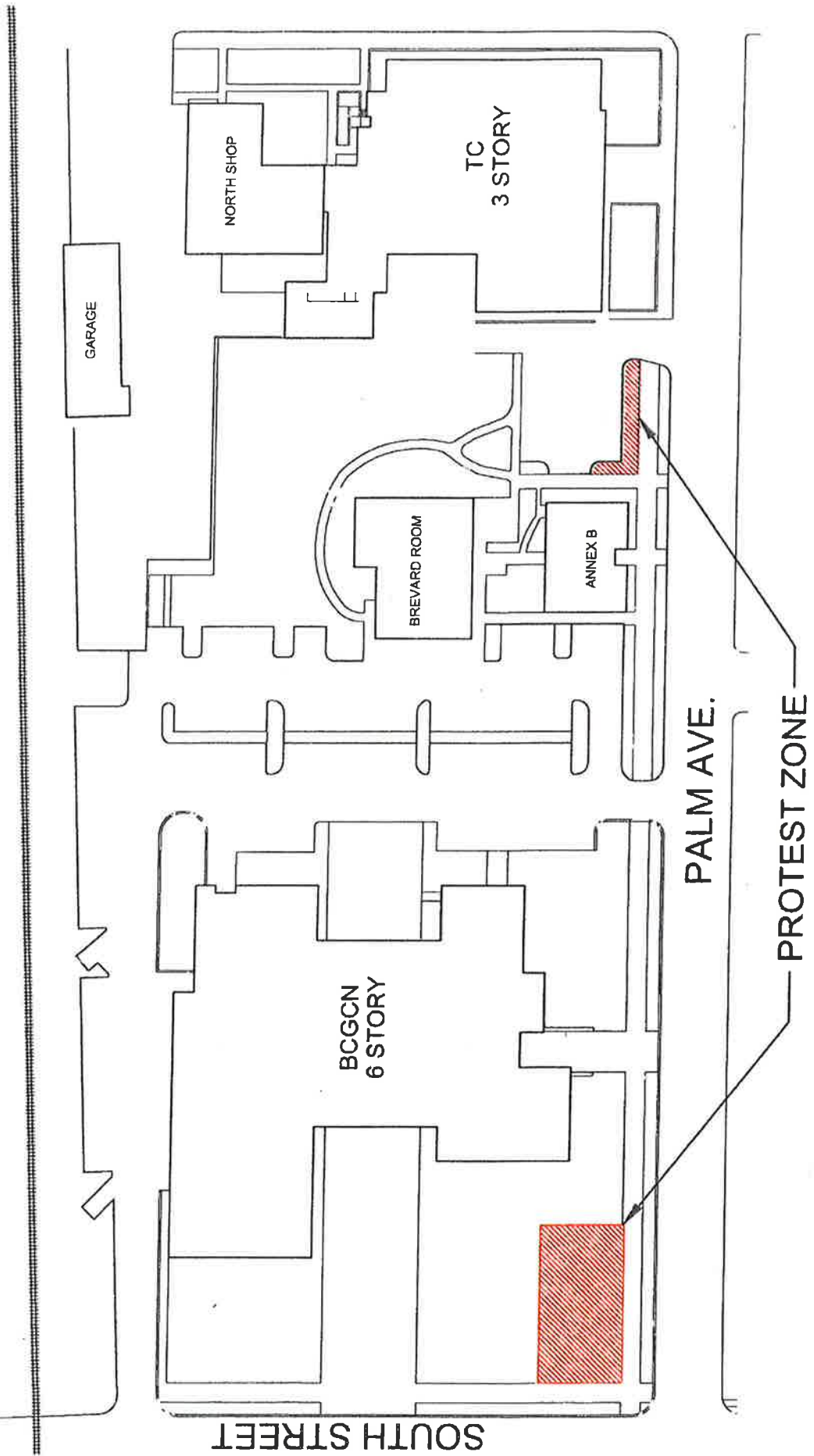
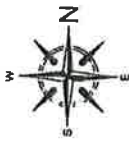
~~Robin Fisher~~ Chuck Neelen, Chairman
Board of County Commissioners
Brevard County, Florida

As approved by the Board on _____

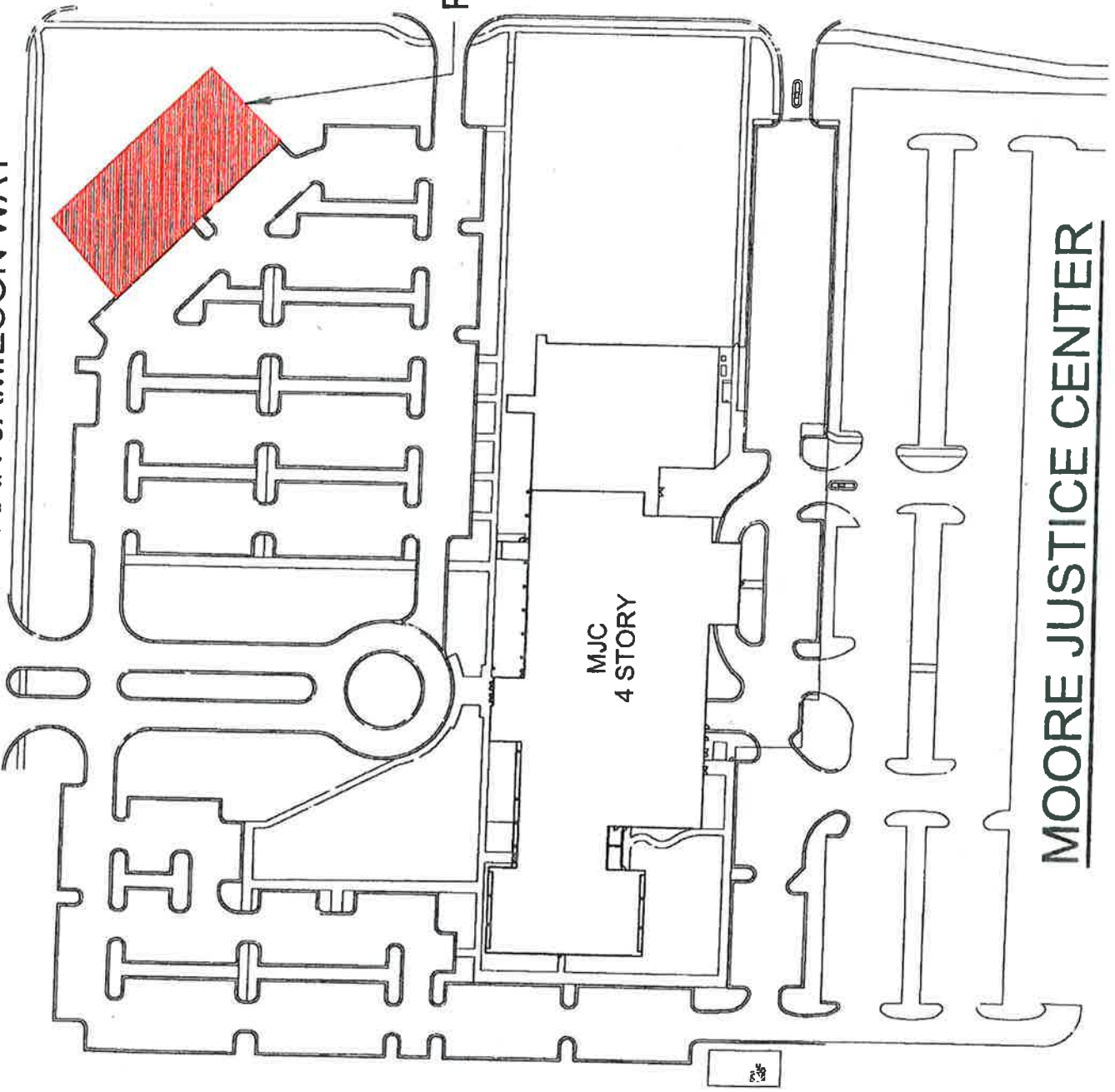
Attest:

Scott Ellis ~~Mitch Needelman~~, Clerk

BREVARD COUNTY
GOVERNMENT CENTER NORTH &
TITUSVILLE COURTHOUSE



JUDGE FRAN JAMIESON WAY



PROTEST ZONE

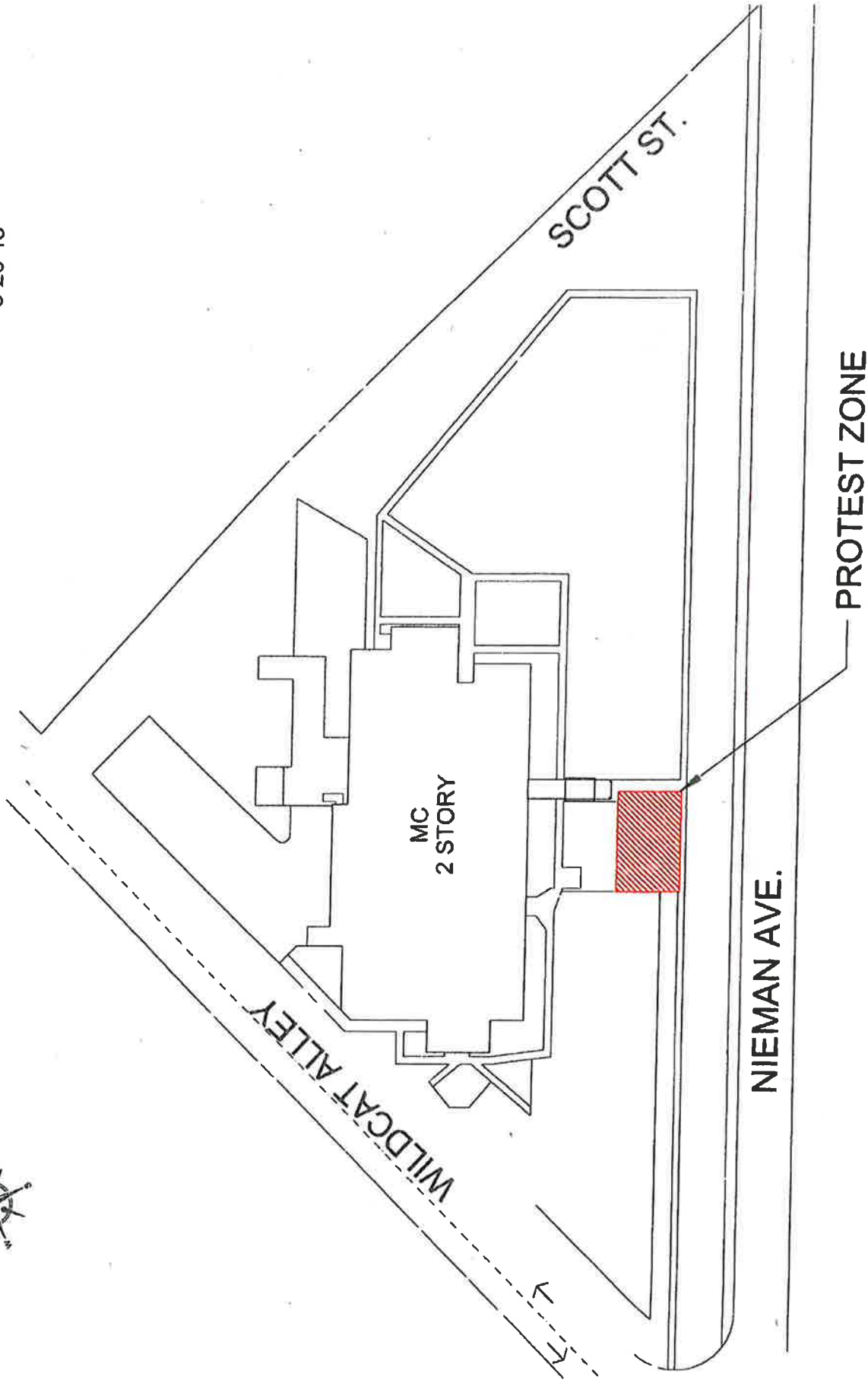
STADIUM PARKWAY

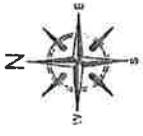
MJC
4 STORY

MOORE JUSTICE CENTER

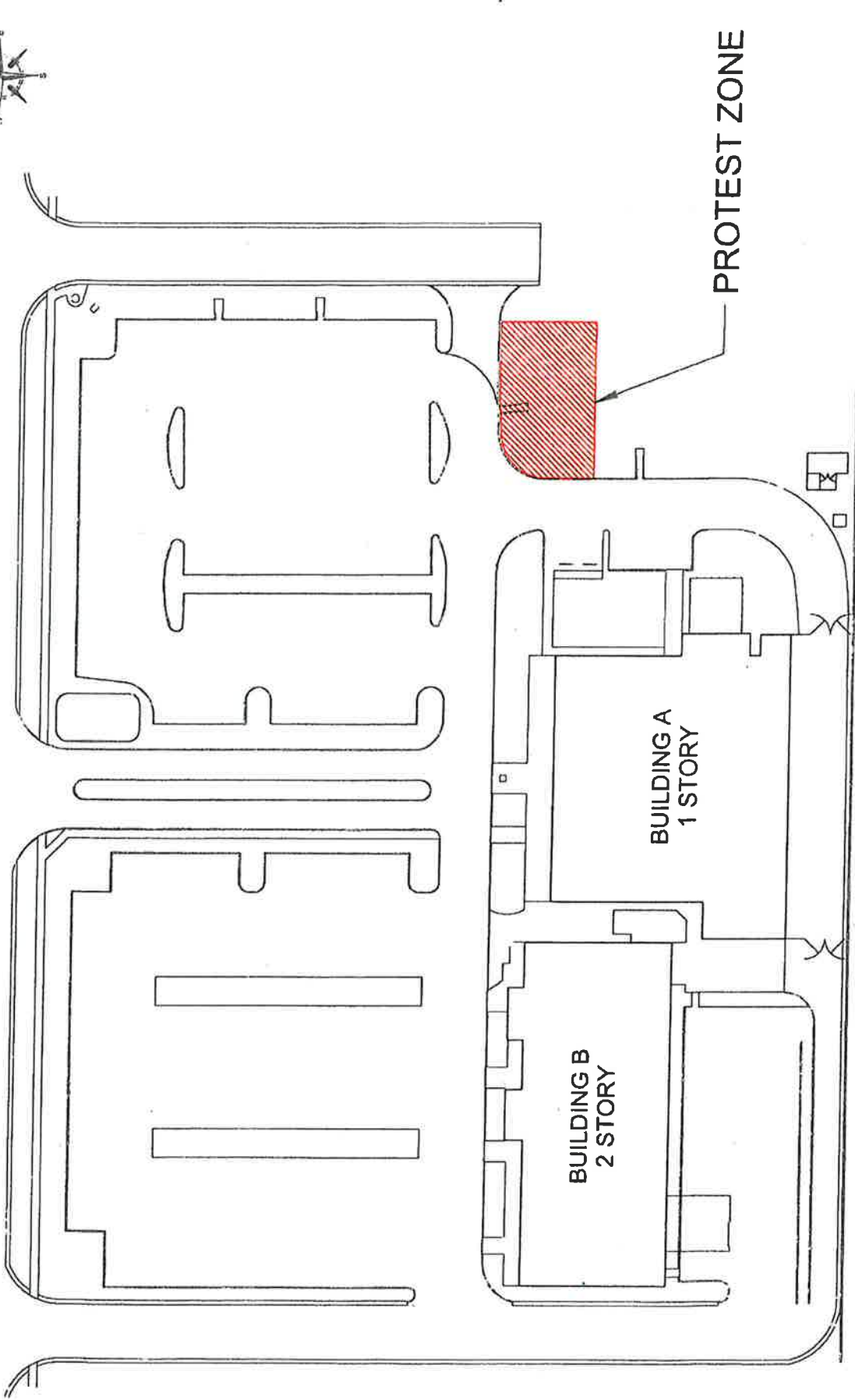
MELBOURNE COURTHOUSE

3-26-15





SARNO ROAD

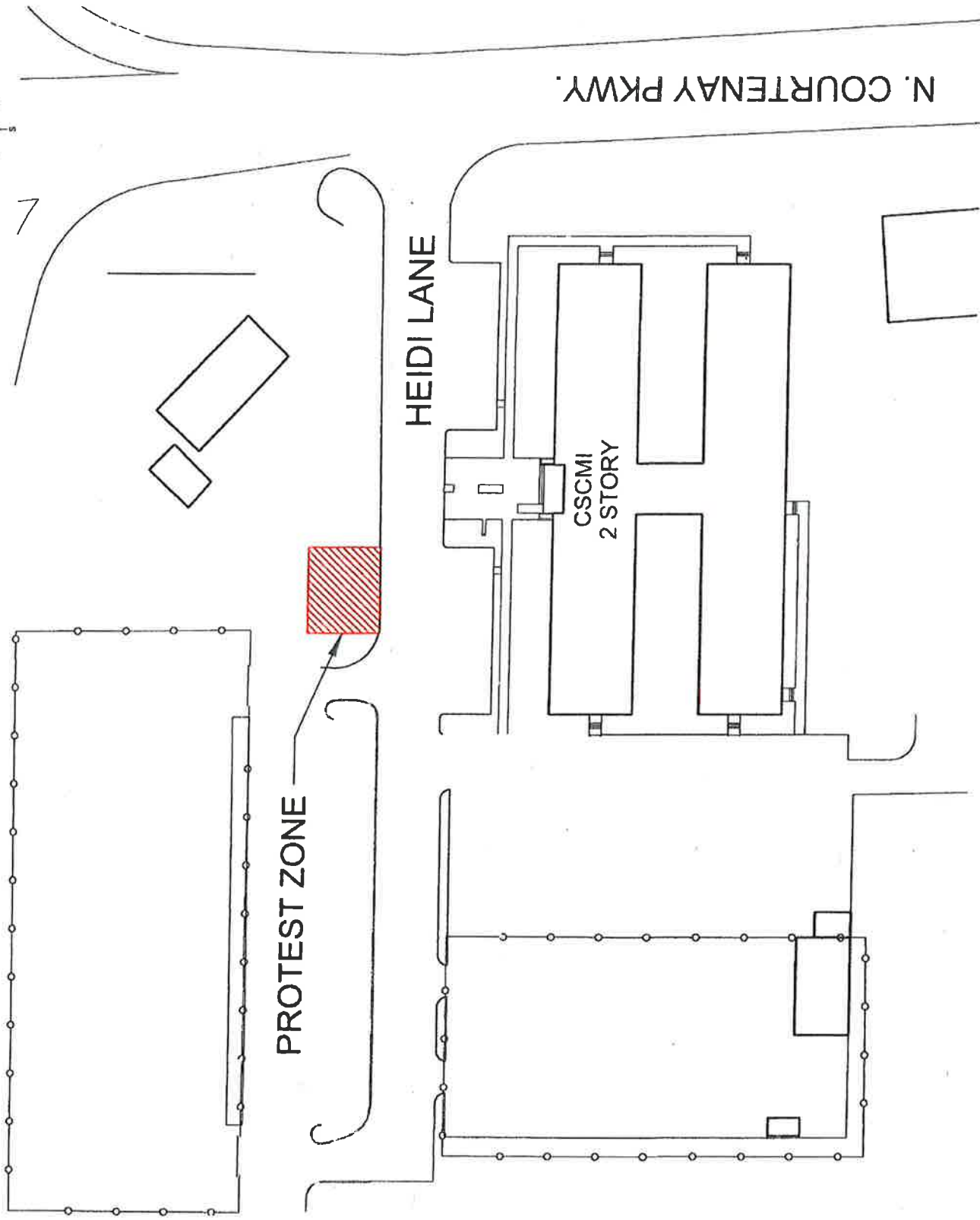


COUNTY SERVICE COMPLEX MELBOURNE

3-26-15

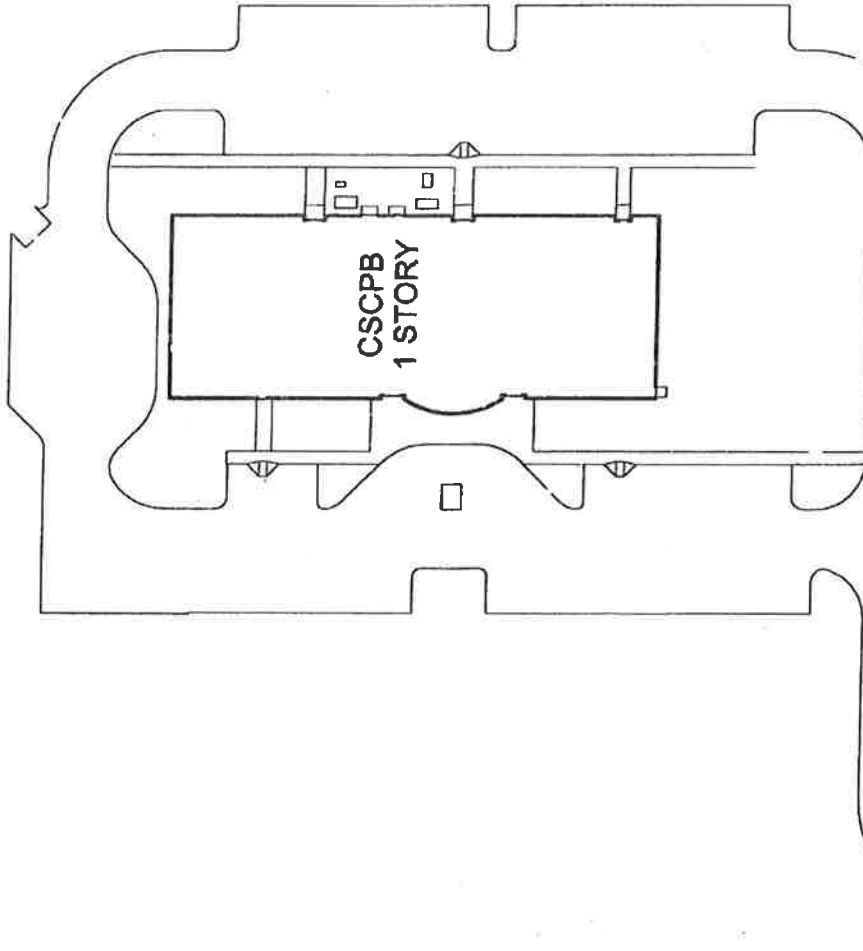
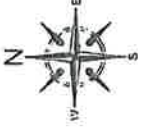
COUNTY SERVICE COMPLEX MERRITT ISLAND

3-26-15



COUNTY SERVICE COMPLEX PALM BAY

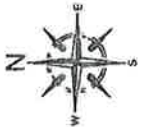
3-26-15



PROTEST ZONE

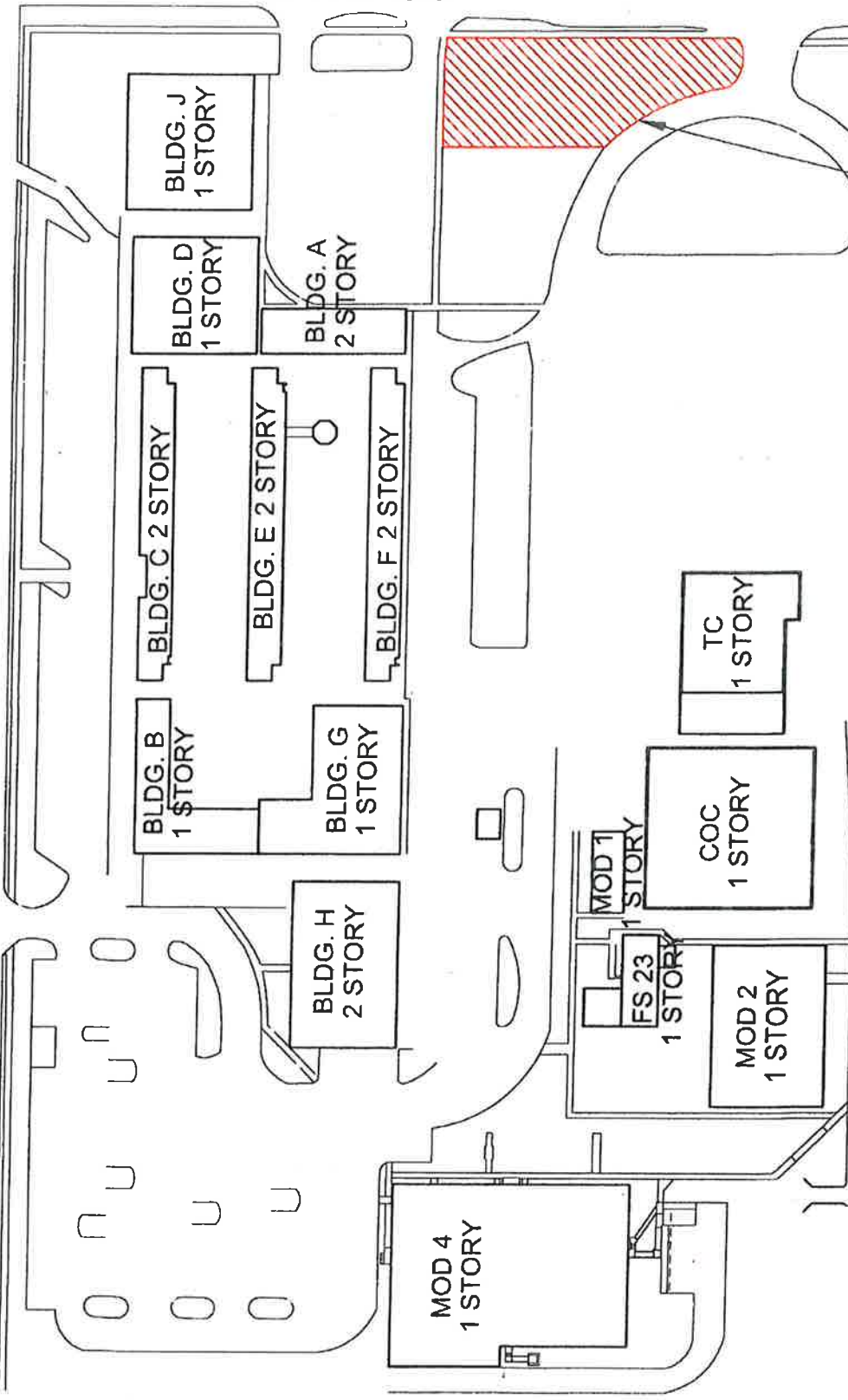


ELDRON BLVD.



SOUTH STREET

SOUTH PARK AVE.



PROTEST ZONE

JOE'S CLUB

COUNTY SERVICE COMPLEX TITUSVILLE

3-26-15



JUDGE FRAN JAMIESON WAY

PROTEST ZONE

BUILDING A
2 STORY

BUILDING B
2 STORY

COMMISSION
CHAMBERS

BUILDING C
3 STORY

FIRE LANE

FIRE LANE

BUILDING E
2 STORY

BUILDING D
2 STORY

STADIUM PARKWAY

BREVARD COUNTY GOVERNMENT CENTER