



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.3.

2/9/2021

Subject:

Legislative Intent and Permission to Advertise an Ordinance Repealing Section 6-2, Brevard County Code of Ordinances

Fiscal Impact:

None

Dept/Office:

District 3

Requested Action:

Board discussion of and issuance of legislative intent and permission to advertise an ordinance repealing Section 6-2 of Brevard County Code of Ordinances

Summary Explanation and Background:

Section 6-2, instituted in its current form in 1979, restricts the possession of open containers in certain areas of unincorporated Brevard County.

Florida Statute, including Sec. 856.011, currently regulates similar behavior. There is no rational reason for Brevard County to be more restrictive on such activity.

Critically, this ordinance does not reach any dangerous behavior, such as drinking while intoxicated or acting in a violent or threatening manner while intoxicated. This ordinance deals only with the act of having access to an open container of an alcoholic beverage. In essence, this ordinance is a relic.

As such, it is proposed that Section 6-2 of Brevard County Code of Ordinances be repealed.

Clerk to the Board Instructions:



February 10, 2021

M E M O R A N D U M

TO: John Tobia, District 3 Commissioner

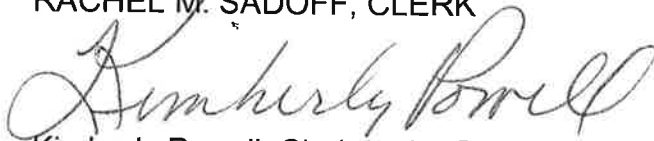
RE: Item J.3., Legislative Intent and Permission to Advertise an Ordinance Repealing Section 6-2, Brevard County Code of Ordinances

The Board of County Commissioners, in regular session on February 9, 2021, discussed and granted legislative intent and permission to advertise an ordinance repealing Section 6-2 of Brevard County Code of Ordinances.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/ds

cc: County Manager