

Meeting Date
November 3, 2015



AGENDA	
Section	Unfinished Business
Item No.	V A

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Revision to firearms policy/public comments			
DEPT/OFFICE:	County Attorney			
Requested Action:	It is requested that the Board consider adopting the attached revision to the firearms/public comment policy			
Summary Explanation & Background:	<p>The Board authorized preparation of a firearms "concealed carry" policy that is consistent with state law. The attached revision accomplishes that goal.</p> <p>In addition, the County Attorney's office recommends deletion of the Public Comment provision since it differs slightly from the Public Comment enacted by the Board in superseding resolutions adopted in 2014 and 2015.</p> <p>Options:</p> <ol style="list-style-type: none"> 1. Approve policy 2. Decline to approve policy 3. Modify policy <p>Fiscal Impact: N/A</p>			
Clerk to the Board Instructions:				
Exhibits Attached:				
Contract /Agreement (If attached):	Reviewed by County Attorney	Yes	<input type="checkbox"/>	No
County Manager	Stockton Whitten	<input type="checkbox"/>	<input type="checkbox"/>	PR <input type="checkbox"/>
		County Attorney x2090		



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

November 4, 2015

MEMORANDUM

TO: Stockton Whitten, County Manager

RE: Item V.A., Revision to Policy BCC-55 – Firearms/Public Comment

The Board of County Commissioners, in regular session on November 3, 2015, executed Policy BCC-55, revising Firearms/Public Comment. Enclosed is the fully-executed Policy.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

Encl. (1)

cc: Central Services

POLICY

NUMBER: BCC-55
CANCELS May 12, 2015

APPROVED: November 3, 2015
ORIGINATOR: Facilities Department

REVIEW: November 3, 2018

TITLE: **Public Meetings at Brevard County Government Buildings/Facilities**

I. Objective

To ensure orderly, safe and informative proceedings for all members of the public who attend public meetings, whether conducted by the Board of County Commissioners or other public board or advisory committee/board, in the meeting rooms at the various Brevard County Government buildings.

II. Definitions and References

- a. Weapons and Firearms, Florida State Statute 790
- b. Florida Clean Indoor Air Act, Florida Statute Chapter 386, Part II
- c. Resolution 05-332 Board Operating Procedures.
- d. "Government buildings" shall mean Brevard County government buildings owned or leased by the Brevard County Board of County Commissioners (including its various departments and agencies).
- e. "Board" shall mean the Board of County Commissioners, or any other state, county or local board or committee or advisory board or committee which is required to meet in accordance with the State of Florida "Sunshine law", Florida Statute 286.011, unless otherwise specifically identified herein.

III. Directives

- a. Smoking shall be prohibited inside all Government buildings in accordance with State law, the Florida Clean Indoor Air Act. Persons smoking tobacco or other products inside any Government building shall be in violation of State law.
- b. Possession, consuming, serving or imbibing or being under the influence of alcoholic beverages on any portion of the public property, either within or outside of the Government buildings, shall be prohibited. Any exceptions to the serving, consuming, or possession of alcoholic beverages for a public event must be authorized by the County Manager.
- c. Suitable attire shall be required to be worn at all public meetings in Government buildings.

- d. Any signs to be displayed at public meetings in Government buildings shall be of a size that they can be easily held and controlled by one person, and are not mounted on posts, poles or other devices or extensions that could constitute a health or safety hazard to other attendees in the event that they were dropped, waived, turned or fell. In the alternative, signs may be displayed on a tripod in an area established for such display as part of a presentation to the Board of County Commissioners or other public meeting room. NO signs shall be mounted or adhered to any wall, window, door, pillar, support, post or part of any building or structures in the Government buildings without the permission of the County Manager or his/her designee.
- e. Packages, signs, boxes, attaché cases, etc., may not be left unattended in a government building or its surrounding property. Unattended packages, etc., may be treated as suspicious and removed.
- f. If seating in the public meeting rooms is available, meeting attendees should be encouraged to utilize available seating and not to stand and/or converse in rear areas or in aisles so as to avoid distracting from or disrupting the conducting of public business at public meetings.
- g. It shall be unlawful for any person, other than a sworn police officer or deputy sheriff with jurisdiction in Brevard County, to have on his or her person or in his or her possession a firearm or other weapon defined in Chapter 790, Florida Statutes, while in any meeting of the Board of County Commissioners, or as prohibited by Florida Statute 790.06(12)(a), or any other applicable state or federal law.

IV. Reservation of Authority

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

ATTEST:



Scott Ellis, Clerk of Court



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

As approved by the Board on: 11/3/2015

TITLE: Public Meetings at Brevard County Government Centers
Buildings/facilities

NUMBER: BCC-55
CANCELS: December 16, 2011
APPROVED: March 20, 2012
ORIGINATOR: Facilities Department
REVIEW: March 20, 2015

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IV. — Public Comment

~~Public presentations to the Board shall be in accordance with the following rules and guidelines which shall be enforced by the Chairman of the Board of County Commissioners or other presiding officer.~~

- ~~a. Written communication shall be received by the Chairman/presiding officer and entered into the record of the meeting.~~
- ~~b. Speakers shall come to the podium and clearly state their name and address for the record.~~
- ~~c. Groups are encouraged to select a representative to conserve time and avoid repetition. NO person will be denied the privilege of speaking, as long as they meet the requirements of this policy.~~
- ~~d. It shall be the prerogative of the Board to utilize a five-minute limit on all speakers to ensure that all speakers receive an equal opportunity to be heard. The Board reserves the right to lengthen or shorten a speaker's time.~~
- ~~e. All speakers shall address the Board as a body, not an individual member of the Board or the audience.~~
- ~~f. All questions directed to members of the Board shall be addressed through the Chairman/presiding officer.~~
- ~~g. Personal, obscene, or slanderous remarks shall not be permitted.~~
- ~~h. All speakers are asked to secure and complete a speaker's card so that an orderly coordination of speakers can be assured.~~
- ~~i. Public comment shall be limited to items NOT appearing on the printed Board meeting agenda.~~

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~~j. The Chairman is authorized to implement other rules of procedure to assure fair hearing to all who are present as speakers and members of the audience.~~

~~k.a. Video presentations to be made to the Board of County Commissioners are to be limited to no longer than five (5) minutes and must be reviewed by Production Staff and the County Manager no later than thirty minutes prior to the meeting to ensure that the Board, live and broadcast audiences are not subjected to unsuitable videos which could contain material considered in conflict with accepted community standards regarding obscenity and pornography.~~

V. IV. Reservation of Authority

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ATTEST:

Scott Ellis, Clerk

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

As approved by the Board on: _____