

ADD ON

Meeting Date
January 10, 2017



AGENDA	
Section	New Business
Item No.	VIF 2

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Request to advertise public hearing on Ordinance relating to lobbyist registration.
DEPT/OFFICE:	District 3 Commissioner, John Tobia

Requested Action:
It is requested that the Board of County Commissioners authorize the County Manager's office to advertise a public hearing, to be held on the January 24, 2017 board meeting, on the attached ordinance relating to lobbyists registration. The ordinance specifically sets forth standards and conditions regarding registration and tracking of lobbyists and lobbyist activities.

Summary Explanation & Background:

Legislative Intent

The purpose of the ordinance is to set forth standards and conditions regarding the required registration of lobbyists engaging in lobbying activities with County officers and employees. The ordinance provides definitions, a process to track lobbyists and lobbying activities relating to their principals, as well as the range of compensation provided for such lobbying activities. In addition, the ordinance provides for the impact and effect on government action if a lobbyist fails to comply with the ordinance, as well as an investigation and notification process relating to violations. The ordinance also provides progressive penalties for violations of the ordinance.

Fiscal Impact: N/A at this time

Clerk to the Board Instructions:

Exhibits Attached: Proposed ordinance and public hearing advertisement.

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager		Department Director / Extension D3 Commissioner				
Stockton Whitten	Assistant County Manager						

ORDINANCE NO. 2017-____

AN ORDINANCE OF BREVARD COUNTY, FLORIDA RELATING TO LOBBYING; CREATING A NEW CHAPTER IN THE BREVARD COUNTY CODE OF ORDINANCES, CHAPTER 72, “LOBBYING”; PROVIDING FOR THE REGISTRATION OF LOBBYISTS; PROVIDING DEFINITIONS; CREATING A REGISTRATION PROCESS FOR LOBBYISTS; ESTABLISHING A PROCESS TO TRACK LOBBYISTS, LOBBYING ACTIVITIES, AND FUNDING FOR LOBBYING ACTIVITIES; PROVIDING FOR IMPACT OF FAILURE TO COMPLY ON GOVERNMENT ACTION; OUTLINING AN INVESTIGATION AND NOTIFICATION PROCESS FOR VIOLATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR INCLUSION IN THE BREVARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Section 1. Creation, Findings and Intent. Chapter 72 of the Brevard County Code of Ordinances is hereby created. The Board of County Commissioners of Brevard County, Florida, hereinafter referred to as the “Board,” hereby determines and declares that the operation of responsible government is to work for the benefit of citizens of Brevard County, hereinafter referred to as the “County.” In order to preserve and maintain the integrity of the governmental decision-making process, the Board finds it appropriate to require public registration and disclosure of the identity of certain persons and entities engaging in, or attempting to engage in, efforts to influence government action. The intent of the Board in adopting this Ordinance is to protect citizens’ rights guaranteed by the First Amendment to the United States Constitution to speak, publish, and petition governmental officials, while at the same time protecting citizens’ rights to open government as guaranteed by Article I, Sec. 24 of the Florida Constitution. In balancing the important yet competing rights of its citizens protected by both the Federal and State Constitutions, and to promote transparency and honesty in government, the Board finds it necessary to require disclosure of certain activities related to lobbying as more fully set forth herein.

Section 2. Construction. This Ordinance shall be broadly construed to affect its purpose of preserving transparent and ethical government for the benefit of all citizens of the County.

Section 3. Authority. Pursuant to Art. VIII, Section 1 of the Florida Constitution; Chapter 125, Florida Statutes; and Section 112.3148(2)(b), Florida Statutes, the Board is authorized to establish by ordinance a registration process for lobbyists. The Board finds that the registration process within this Ordinance fosters open government and serves to promote and protect governmental integrity.

Section 4. Definitions. As used in this Ordinance, unless the context otherwise requires:

Board or County Commission means the Board of County Commissioners of Brevard County, Florida as well as the governing body, collegial board, or board of directors of any other decision-making board, advisory board, or advisory committee.

Compensation includes any payment or in-kind services or property received, or to be received, by a lobbyist for the performance of lobbying activities, whether in the form of a fee, salary, retainer, forbearance, forgiveness, any other form of valuable recompense, or any combination thereof.

County means Brevard County, Florida.

County employee or employee means all personnel employed by the County, including, but not limited to:

- (1) the County Manager and Assistant County Managers;
- (2) the County Attorney, Deputy County Attorneys, and Assistant County Attorneys;
- (3) Executive directors of entities under the jurisdiction of the Board; and
- (4) County department directors, assistant directors, or division directors.

County fiscal year means the period between October 1 in any year and September 30 of the following year.

County officer means any elected or appointed County official or County employee serving on a County decision-making board, advisory board, or advisory committee, including any County Commissioner or County Commission staff member serving on such a board or committee.

Decision-making board, advisory board, or advisory committee means the voting members of:

- (1) any elected County board, including the Brevard County Board of County Commissioners, or
- (2) any collegial body engaged in the decision-making process on issues or matters within the jurisdiction or authority of the County Commission where
 - a. such collegial body acts in the role of either a final decision-maker under authority lawfully delegated by the County Commission or in an advisory role to the County Commission; and

- b. the majority of the voting members of such collegial body is appointed by the County Commission; an individual County Commissioner; the County Manager; a combination of the County Commission and one or more individual County Commissioners; or a combination of the County Commission and another local government entity within Brevard County.

Government action means any legislative, quasi-judicial, or administrative matter that may foreseeably be considered and acted upon by a decision-making or advisory board, but shall not include an action which is ministerial in nature.

Lobbying or Lobbying activities means any communication, whether oral or written, direct or indirect, from a lobbyist made to any member or members of any decision-making or advisory board or County officer in a location other than a duly noticed and recorded public meeting or public hearing where such communication is intended to or could reasonably be expected to encourage or influence the passage, defeat, or modification of any agenda item or County action which may (1) foreseeably come before a decision-making or advisory board for a vote or other formal action or (2) before a County official for an administrative approval or action.

Lobbying firm means a business entity, including any entity consisting of an individual lobbyist that receives, agrees to receive or is entitled to receive any compensation for the purpose of lobbying, whether through a partner, owner, officer, or employee of the business.

Lobbyist means any person, firm, corporation, partnership, limited liability company, or any other legal entity who or which receives compensation from a person for in lobbying or lobbying activities on behalf of that person. "Lobbyist" does not include:

- (1) a County officer, County employee, or any other person affiliated with the County while acting in his or her official capacity or in connection with his or her official job responsibilities;
- (2) any County officers or employees who are acting in their official capacity or in the normal course of their duties;
- (3) a person who only addresses the Board or an advisory board during the "Public Comment" or "Public Hearings" portion of its meeting agenda;
- (4) a person or entity requested or compelled by a County officer, County employee or by a decision-making or advisory board member to appear before a decision-making or advisory board; or
- (5) a person or entity, including an expert witness, who does not meet with an individual County officer or County employee prior to a meeting of the decision-making or advisory board

considering a matter or measure but later appears before a decision-making or advisory board to present or give factual or opinion testimony about that matter or measure.

Person means any natural person or any sole proprietor, corporation, partnership, limited liability company, joint venture, trust, or other legal entity in whatever form it has been created or named.

Principal means the person, firm, corporation, or other entity which has employed or retained a lobbyist.

Registration statement means a document maintained on the County website for the purposes of lobbyist registration containing:

- (1) the lobbyist's name, phone number, mailing address, and email address;
- (2) the name, phone number, and address of each principal represented;
- (3) the date of submission;
- (4) an oath or affirmation attesting that the information contained in the registration statement is true to the best of the lobbyist's knowledge and belief.

Section 5. Registration of Lobbyists.

- (a) *General Requirements.* Prior to engaging in lobbying directed to any County officer, County employee, decision-making board, advisory board, or advisory committee, a lobbyist shall fill out the registration statement maintained on the Brevard County website in the form of a written declaration conforming with Section 92.525, Florida Statutes, a copy of which form is incorporated into this Ordinance as Form A(1). In order to continue lobbying activities in any succeeding years, such registration statement must be renewed annually before October 1 in each year. Hard copies of registration statement forms may also be provided by the County Manager, or his/her designee, to any lobbyist requesting the same, provided the completed form is maintained as a PDF document on the County's website.
- (b) *Corrections and/or Amendments.*
 - (1) A registration statement may be corrected or amended by the registrant at any time within ten (10) days prior to the hearing date on a matter for which registration was required by the submission of a subsequent registration statement and oath setting forth the correct or additional information that the registrant wishes to place on file. The substance of the correction or amendment and a note that the subsequent registration statement corrects or amends the lobbyist's previous registration statement shall be inserted in the body of the amended statement.

- (2) A lobbyist shall amend the registration statement prior to engaging in any lobbying activities in behalf of any principal not listed on the registration statement or if any material fact changes related to a specific principal, including, but not limited to, the issues and purpose for which the registration statement was submitted.
- (c) *Expiration of Registration Statement.* Registration statements are effective from October 1 of a given year to September 30 of the following year.
- (d) *Registration Fee.* All lobbyists shall, at the time of initial registration pay a registration fee, in an amount provided for by Board resolution, payable to the County Manager's Office. No lobbyist shall be required in any County fiscal year to pay more than the amount specified by resolution, regardless of the number of principals represented and/or amendments filed.
- (e) *Initial Registration.*
1. Following Brevard County's receipt of official acknowledgement from the Office of Secretary of State of Florida that this Ordinance has been filed with said office, all lobbyists who are or desire to be actively involved in lobbying or lobbying activities during the current County fiscal year shall be given thirty (30) days grace period to file the registration form and submit the registration fee required by this Ordinance. This initial registration fee shall only be valid through September 30, 2017.
 2. After the Initial Registration, every person who desires to qualify as an active lobbyist at any time during an upcoming County fiscal year shall, prior to October 1 of that fiscal year, pay the annual lobbying registration fee, as established by resolution, to the County Manager's Office.
 3. *List of Current Lobbyists.* The County Manager's Office shall maintain a current list of registered lobbyists and the registration statements required under this Ordinance, all of which shall be open for public inspection.

Section 6. Record of Contacts.

- (a) A lobbyist is prohibited from lobbying any County officer or County employee without signing a digital visitor log located and maintained on the County website within twenty-four (24) hours of meeting with or lobbying such County officer or employee.
- (b) When filling out a digital visitor contact log, the lobbyist shall provide: the lobbyist's name; the principal's name, the name of the County officer or employee contacted; any additional participants present at the meeting; the mode of communication (in person or telephonic); the meeting date; the location of the meeting; and the subject of the meeting. *The log shall be in substantially the format of Form C attached to this Ordinance.*
- (c) Each County officer and employee shall be responsible for maintaining a written log or calendar with notes documenting the issues discussed during each oral lobbying communication or meeting, excluding a duly noticed and recorded public meeting or hearing.

- (d) The County Manager's Office shall make digital visitor contact logs available for public inspection on the County website.

Section 7. Compensation Reports.

- (a) Annually on or before September 30, all lobbyists shall submit to the County Manager's Office a statement signed under oath listing total compensation ranges received by the lobbyist from each principal for lobbying activities involving the lobbyist's contact with County officers and/or County employees during the preceding calendar year. The County Manager's Office shall maintain the compensation reports in a manner which shall be open for public inspection online.
- (b) Any lobbyist that fails to file the compensation report on or before September 30, in addition to any other penalty provided for herein, shall not be permitted to re-register as a lobbyist or to engage in any further lobbying activities until the lobbyist complies with the provisions of this section.

Section 8. Validity of Action.

- (a) The validity of any action taken by any Board or a County employee, shall not be affected by the failure of any person to comply with the provisions of this Ordinance unless:
 - 1. a decision-making board determines that a lobbyist was lobbying on a matter for which the lobbyist failed to record a contact with a County officer or County employee; and
 - 2. during the meeting at which an action on that matter is taken, a decision-making board, advisory board, or advisory committee specifically denies, invalidates or reconsiders and rescinds an action on the matter which involved undisclosed lobbying activities.
- (b) At the time of preparation of each agenda report, the County Manager or his/her designee shall be responsible for indicating on that agenda report whether or not a lobbyist has recorded a contact on the matter coming before the Board.

Section 9. Investigation of Violations. Any violations of this Ordinance shall be reported to the County Manager's Office. The County Manager, or his or her designee, shall be informed of any person engaged in lobbying activities who has failed to comply with any requirements of this Ordinance, including the requirement to file an amended registration statement. The County Manager, or his or her designee, shall conduct an investigation he or she deems necessary under the circumstances. The results of each investigation shall be reported to the Board.

Section 10. Notice of Violation. If the County Manager, or his or her designee, determines that any person engaged in, or attempting to engage in, lobbying or lobbying

activities has failed to comply with the requirements of this Ordinance, a notice of violation shall be sent to the violator by regular mail and by certified mail, return receipt requested. The notice shall inform the person(s) or entity(ies) of the requirements of this Ordinance, outline the process by which the violator can comply with the Ordinance, and provide the violator with the right to contest the violation. Such a notice shall not be a condition precedent to a Board taking an action described in Section 8 if such a violation is determined before or during a meeting of the Board.

Section 11. Penalties.

- (a) A first violation of the provisions of this Ordinance shall result in the issuance of a warning to the lobbyist by the County Manager's Office.
- (b) A second violation within a period of twelve (12) months shall be punishable by a fine imposed on the lobbyist in the amount of \$250.00.
- (c) A third violation within a period of twelve (12) months shall result in the violator being prohibited from lobbying for six (6) months.
- (d) A fourth violation within a period of twelve (12) months shall result in the violator being prohibited from lobbying for twelve (12) months.
- (e) The County Manager, or his or her designee, shall notify all affected County personnel should a lobbyist be suspended under this section.
- (f) Each incident of a lobbyist engaging in lobbyist activities with a County officer or County employee while prohibited from doing so under the terms of this Ordinance shall constitute a separate violation.

Section 12. Conflict. Unless preempted by state or federal law, to the extent that the provisions of this Ordinance are more stringent than those of State law, then this Ordinance shall apply. In the case of a direct conflict between any provision of this Ordinance and a provision of any Federal, State, or County law, rule, or regulation, the more restrictive shall apply.

Section 13. Inclusion in Code. It is the intention of the Board that the provisions of this Ordinance shall become and be made part of the Brevard County Code of Ordinances; and that the sections of this chapter may be renumbered or re-lettered and that the word "Ordinance" may be changed to "Chapter," "Section," "Ordinance," or such other appropriate word or phrase in order to accomplish such intentions.

Section 14. Severability. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 15. Effective Date. This Ordinance shall become effective upon filing with the Office of Secretary of State of Florida.

DONE, ORDERED, AND ADOPTED in Regular Session, this ____ day of _____, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: Scott Ellis, Clerk of Court

By: Curt Smith, Chairman
(as approved by the Board on _____)



BOARD OF COUNTY COMMISSIONERS

FORM A(1)

ANNUAL LOBBYIST REGISTRATION STATEMENT

FOR THE PERIOD OCTOBER 1, _____ THRU SEPTEMBER 30, _____

LOBBYIST NAME _____ DATE _____
PHONE NUMBER _____ EMAIL ADDRESS _____
MAILING ADDRESS _____

LIST THE NAME, PHONE NUMBER, AND ADDRESS OF EACH PRINCIPAL REPRESENTED.

- 1) NAME: _____ PHONE: _____ ADDRESS: _____
2) NAME: _____ PHONE: _____ ADDRESS: _____
3) NAME: _____ PHONE: _____ ADDRESS: _____
4) NAME: _____ PHONE: _____ ADDRESS: _____
5) NAME: _____ PHONE: _____ ADDRESS: _____
6) NAME: _____ PHONE: _____ ADDRESS: _____
7) NAME: _____ PHONE: _____ ADDRESS: _____

STATE OF FLORIDA
COUNTY OF BREVARD

UNDER PENALTIES OF PERJURY, I declare that I have read the foregoing information and that the facts stated in it are true to the best of my knowledge and belief. I further certify and acknowledge that I understand that it is my responsibility to file my annual statements and that I will not be notified by the County Manager's Office of my failure to do so.

DATED this _____ day of _____ Lobbyist signature _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____

My commission expires: _____ Notary Public _____



FORM A(2)

BOARD OF COUNTY COMMISSIONERS

AMENDMENT TO LOBBYIST REGISTRATION STATEMENT

FOR THE PERIOD OCTOBER 1, _____ THRU SEPTEMBER 30, _____

LOBBYIST NAME _____ DATE _____
PHONE NUMBER _____ EMAIL ADDRESS _____
MAILING ADDRESS _____
REASON FOR AMENDMENT _____

IF NECESSARY, PROVIDE THE FOLLOWING INFORMATION FOR ANY ADDITIONAL PRINCIPAL(S) REPRESENTED.

- 1) NAME: _____ PHONE: _____ ADDRESS: _____
2) NAME: _____ PHONE: _____ ADDRESS: _____
3) NAME: _____ PHONE: _____ ADDRESS: _____
4) NAME: _____ PHONE: _____ ADDRESS: _____
5) NAME: _____ PHONE: _____ ADDRESS: _____
6) NAME: _____ PHONE: _____ ADDRESS: _____

STATE OF FLORIDA
COUNTY OF BREVARD

UNDER PENALTIES OF PERJURY, I declare that I have read the foregoing information and that the facts stated in it are true to the best of my knowledge and belief. I further certify and acknowledge that I understand that it is my responsibility to file my annual statements and that I will not be notified by the County Manager's Office of my failure to do so.

DATED this _____ day of _____ Lobbyist signature _____

SWORN TO AND SUBSCRIBED before me this _____ day of _____

My commission expires: _____ Notary Public _____



FORM B

BOARD OF COUNTY COMMISSIONERS

ANNUAL LOBBYING COMPENSATION REPORT

FOR THE PERIOD _____ THRU _____

LOBBYIST NAME _____ DATE _____

PHONE NUMBER _____ EMAIL ADDRESS _____

MAILING ADDRESS _____

(1) PRINCIPAL NAME _____

ADDRESS _____

Compensation ranges (check applicable range):

- \$0.01 - \$5,000.00
- \$5,000.01 - \$10,000.00
- \$10,000.01 - \$20,000.00
- \$20,000.01 - \$50,000.00
- \$50,000.01+

THE INDIVIDUAL LOBBIED (COMMISSIONER/COUNTY EMPLOYEE/PERSON ON A DECISION-MAKING BOARD UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS)

(2) PRINCIPAL NAME _____

ADDRESS _____

Compensation ranges (check applicable range):

- \$0.01 - \$5,000.00
- \$5,000.00 - \$10,000.01
- \$10,000.00 - \$20,000.00
- \$20,000.00 - \$50,000.00
- \$50,000.00+

THE INDIVIDUAL LOBBIED (COMMISSIONER/COUNTY EMPLOYEE/PERSON ON A DECISION-MAKING BOARD UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS)

(3) PRINCIPAL NAME _____

ADDRESS _____

Compensation ranges (check applicable range):

- \$0.01 - \$5,000.00
- \$5,000.00 - \$10,000.01
- \$10,000.00 - \$20,000.00
- \$20,000.00 - \$50,000.00
- \$50,000.00+

THE INDIVIDUAL LOBBIED (COMMISSIONER/COUNTY EMPLOYEE/PERSON ON A DECISION-MAKING BOARD UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS)

(4) PRINCIPAL NAME _____

ADDRESS _____

Compensation ranges (check applicable range):

- ___ \$0.01 - \$5,000.00
- ___ \$5,000.00 - \$10,000.01
- ___ \$10,000.00 - \$20,000.00
- ___ \$20,000.00 - \$50,000.00
- ___ \$50,000.00+

THE INDIVIDUAL LOBBIED (COMMISSIONER/COUNTY EMPLOYEE/PERSON ON A DECISION-MAKING BOARD UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS)

(5) PRINCIPAL NAME _____

ADDRESS _____

Compensation ranges (check applicable range):

- ___ \$0.01 - \$5,000.00
- ___ \$5,000.00 - \$10,000.01
- ___ \$10,000.00 - \$20,000.00
- ___ \$20,000.00 - \$50,000.00
- ___ \$50,000.00+

THE INDIVIDUAL LOBBIED (COMMISSIONER/COUNTY EMPLOYEE/PERSON ON A DECISION-MAKING BOARD UNDER THE JURISDICTION OF THE BOARD OF COUNTY COMMISSIONERS)

STATE OF FLORIDA
COUNTY OF BREVARD

UNDER PENALTIES OF PERJURY, I declare that I have read the foregoing information and that the facts stated in it are true to the best of my knowledge and belief. I further certify and acknowledge that I understand that it is my responsibility to file my annual statements and that I will not be notified by the County Manager's Office of my failure to do so.

DATED this _____ day of _____

County Manager or Designee

Lobbyist

SWORN TO AND SUBSCRIBED before me this _____ day of _____

My commission expires: _____

Notary Public



BOARD OF COUNTY COMMISSIONERS

FORM C
(information to be submitted online)

LOBBYIST DIGITAL VISITOR CONTACT LOG

By way of illustration, the information below must be submitted by the lobbyist within twenty-four (24) hours of lobbying a County officer or County employee. The digital visitor contact log is located on the County website.

LOBBYIST NAME	PRINCIPAL NAME	COUNTY OFFICER/EMPLOYEE CONTACTED	OTHER PARTICIPANTS	MODE OF COMMUNICATION (in person or telephonic)	MEETING DATE	MEETING PLACE	SUBJECT OF MEETING

RESOLUTION NO. 2017-_____

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF BREVARD COUNTY, FLORIDA,
ESTABLISHING A LOBBYIST REGISTRATION FEE.

WHEREAS, pursuant to Section 72-5 of the Brevard County Code of Ordinances, lobbyists are required to register with Brevard County (the “County”) prior to engaging in lobbying or lobbying activities; and

WHEREAS, Section 72-5(d) of the Brevard County Code of Ordinances provides that the Brevard County Board of County Commissioners may establish a lobbyist registration fee by resolution; and

WHEREAS, the lobbyist registration fee shall be used to offset the cost(s) of recording, transcription, administration, or any other costs incurred in compiling and maintaining lobbyist records and making them available to the public;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that:

Section 1. Establishment of Lobbyist Registration Fee. In order to lobby County officers and/or County employees, each lobbyist shall be required to pay the sum of two hundred and fifty dollars (\$250.00) for each County fiscal year. No lobbyist shall be required in any County fiscal year to pay more than \$250.00, regardless of the number of principals represented and/or amendments filed.

Section 2. Initial Registration Fee. Following Brevard County’s receipt of official acknowledgement from the Office of Secretary of State of Florida that this Ordinance has been filed with said office, all lobbyists who are or desire to be actively involved in lobbying or lobbying activities during the current County fiscal year shall be given thirty (30) days grace period to file the registration form and submit the registration fee required by this Ordinance. This initial registration fee shall only be valid through September 30, 2017.

Section 3. Subsequent Registration Fees. After the Initial Registration, every person who desires to qualify as an active lobbyist at any time during an upcoming County fiscal year shall, prior to October 1 of that fiscal year, pay the annual lobbying registration fee of \$250.00 to the County Manager’s Office.

Section 4. Failure to Pay. No person shall be permitted to lobby any County officer or County employee until the \$250.00 registration fee has been paid. If lobbying or lobbying activities are conducted by a person that has not paid their registration fee, he or she shall be in violation of Section 72-5 of the County Code of Ordinances and shall be punished in accordance with Section 72-11 of the County Code of Ordinances.

Section 4. Effective Date. This Resolution shall take effect on the _____ day of _____, 2017.

DONE, ORDERED, AND ADOPTED in session the _____ day of _____, 2017.

ATTEST

BREVARD COUNTY BOARD OF
COUNTY COMISSIONERS

Scott Ellis, Clerk

Curt Smith, Chairman
(As approved by the Board of County
Commissioners on ___/___/___)

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Brevard County, Florida, on January 24, 2017 at 9:00 a.m., in the Commission Room at 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, FL, 32940, will hold a public hearing on the following ordinance:

ORDINANCE NO. 17- _____

AN ORDINANCE OF BREVARD COUNTY, FLORIDA RELATING TO LOBBYING; CREATING A NEW CHAPTER IN THE BREVARD COUNTY CODE OF ORDINANCES, CHAPTER 72, "LOBBYING"; PROVIDING FOR THE REGISTRATION OF LOBBYISTS; PROVIDING DEFINITIONS; CREATING A REGISTRATION PROCESS FOR LOBBYISTS; ESTABLISHING A PROCESS TO TRACK LOBBYISTS, LOBBYING ACTIVITIES, AND FUNDING FOR LOBBYING ACTIVITIES; PROVIDING FOR IMPACT OF FAILURE TO COMPLY ON GOVERNMENT ACTION; OUTLINING AN INVESTIGATION AND NOTIFICATION PROCESS FOR VIOLATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR INCLUSION IN THE BREVARD COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

All persons for or against said ordinance can be heard at said time and place. If a person decides to appeal any decision made by the Board with respect to such hearing or meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The needs of hearing or visually impaired persons shall be met if the department sponsoring the meeting hearing is contacted at least 48 hours prior to the public meeting hearing by any person wishing assistance. The sponsoring department is the District 3 Commission Office, 321-633-2075. A copy of the ordinance may be inspected at the following location:

www.brevardcounty.us

Clerk to the Board Office

Central Library

North Brevard Library

Franklin T. DeGroodt Library

By order of the Board of County Commissioners of Brevard County, Florida