

1 LEON COUNTY ORDINANCE NO. 2020- 23

2
3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF LEON COUNTY, FLORIDA,
5 AMENDING CHAPTER 2, ARTICLE XII OF THE CODE OF
6 LAWS OF LEON COUNTY, FLORIDA, ENTITLED "CODE OF
7 ETHICS"; PROVIDING FOR CONFLICTS; PROVIDING FOR
8 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

9
10 RECITALS

11
12 WHEREAS, at the November 6, 2018 General Election the Leon County electorate voted
13 affirmatively to amend the Leon County Home Rule Charter to provide for enactment by ordinance of
14 a Code of Ethics to prescribe standards of conduct for members of the Board of County Commissioners,
15 county employees, and members of boards and committees created by the Board, no later than the first
16 Board meeting in December of 2019; and

17
18 WHEREAS, on June 18, 2019, the Board adopted Ordinance No. 19-07 to provide for a Code
19 of Ethics; and

20
21 WHEREAS, on December 10, 2019, the Board adopted Ordinance No. 19-11, which amended
22 the Code of Ethics; and

23
24 WHEREAS, the Code of Ethics is codified at Chapter 2, Article XII, of the Leon County Code
25 of Laws; and

26
27 WHEREAS, the Board desires to adopt an ordinance to amend Chapter 2, Article XII of the
28 Leon County Code of Laws;

29
30 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
31 **COMMISSIONERS OF LEON COUNTY, FLORIDA, that:**

32
33 **Section 1. Amendments.**

34
35 Chapter 2, Article XII of the Code of Laws of Leon County, Florida, is hereby amended to read
36 as follows:

37
38 **ARTICLE XII. CODE OF ETHICS**

39
40 **DIVISION 1. GENERAL PROVISIONS**

41
42 **Sec. 2-650. Title; purpose.**

43
44 (a) This article shall be known as the Leon County Code of Ethics.

45
46 (b) The purpose of this article is to continue to provide a high level of transparency and
47 ethical conduct in Leon County government.

1 **Sec. 2-651. Definitions.**

2
3 The following words, terms and phrases, when used in this article, shall have the meanings
4 ascribed to them in this section, except where the context clearly indicates a different meaning:
5

6 *Advisory body* means any board, committee, commission, council, or authority, however
7 selected, whose total budget, appropriations, or authorized expenditures constitute less than \$100,000
8 annually and whose powers, jurisdiction, and authority are solely advisory to the Leon County Board
9 of County Commissioners and do not include the final determination or adjudication of any personal
10 or property rights, duties, or obligations, other than those relating to its internal operations.
11

12 *Agency* means any state, regional, county, local, or municipal government entity of this state,
13 whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or
14 political subdivision of this state therein; or any public school, community college, or state university;
15 or any special district as defined in F.S. § 189.012.
16

17 *Business associate* means any person or entity engaged in or carrying on a business enterprise
18 with a County Commissioner, member of an advisory body, or county employee as a partner, joint
19 venturer, corporate shareholder where the shares of such corporation are not listed on any national or
20 regional stock exchange, or co-owner of property.
21

22 *Business entity* means any corporation, partnership, limited partnership, proprietorship, firm,
23 enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not,
24 doing business in this state.
25

26 *Communicate* or *communication* shall include one-on-one meetings, discussions, telephone
27 calls, e-mails, text messages, and the use of other persons or electronic communications to convey
28 information or receive information.
29

30 *Conflict of interest* means a situation in which regard for a private interest tends to lead to
31 disregard of a public duty or interest.
32

33 *County Commissioner* means any member of the Leon County Board of County
34 Commissioners.
35

36 *County employee* means any person employed by the Leon County Board of County
37 Commissioners.
38

39 *County real estate transaction* means any existing or proposed real estate transaction in which
40 the County is involved as either a buyer, seller, lessee, lessor, or is otherwise involved as a party.
41

42 *Gift* means that which is accepted by a donee or by another on the donee's behalf, or that which
43 is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's
44 benefit or by any other means, for which equal or greater consideration is not given within 90 days.
45 The term "consideration" does not include a promise to pay or otherwise provide something of value
46 unless the promise is in writing and enforceable through the courts. "Gift" would include the following:

- 1
2 (a) Real property.
3
4 (b) The use of real property.
5
6 (c) Tangible or intangible personal property.
7
8 (d) The use of tangible or intangible personal property.
9
10 (e) A preferential rate or terms on a debt, loan, goods, or services, which rate is below the
11 customary rate and is not either a government rate available to all other similarly
12 situated government employees or officials or a rate which is available to similarly
13 situated members of the public by virtue of occupation, affiliation, age, religion, sex, or
14 national origin.
15
16 (f) Forgiveness of an indebtedness.
17
18 (g) Transportation, other than that provided in relation to officially approved governmental
19 business, lodging, or parking.
20
21 (h) Food or beverage.
22
23 (i) Membership dues.
24
25 (j) Entrance fees, admission fees, or tickets to events, performances, or facilities.
26
27 (k) Plants, flowers, or floral arrangements.
28
29 (l) Services provided by persons pursuant to a professional license or certificate.
30
31 (m) Other personal services for which a fee is normally charged by the person providing the
32 services.
33
34 (n) Any other similar service or thing having an attributable value not already provided for
35 in this section.

36
37 “Gift” does not include:

- 38
39 (a) Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily
40 with the donee’s employment, business, or service as an officer or director of a
41 corporation or organization.
42
43 (b) Contributions or expenditures reported pursuant to F.S. ch. 106, campaign-related
44 personal services provided without compensation by individuals volunteering their
45 time, or any other contribution or expenditure by a political party.
46

- 1 (c) An honorarium or an expense related to an honorarium event paid to a person or the
2 person's spouse for an honorarium event held outside of Leon County.
- 3
- 4 (d) An award, plaque, certificate, or similar personalized item given in recognition of the
5 donee's public, civic, charitable, or professional service.
- 6
- 7 (e) An honorary membership in a service or fraternal organization presented merely as a
8 courtesy by such organization.
- 9
- 10 (f) The use of a public facility or public property, made available by an agency, for a public
11 purpose.
- 12
- 13 (g) Transportation provided by an agency in relation to officially approved governmental
14 business.
- 15
- 16 (h) Gifts provided directly or indirectly by a state, regional, or national organization which
17 promotes the exchange of ideas between, or the professional development of,
18 governmental officials or employees, and whose membership is primarily composed of
19 elected or appointed public officials or staff, to members of that organization or officials
20 or staff of an agency that is a member of that organization.
- 21

22 *Honorarium* means a payment of money or anything of value, directly or indirectly, as
23 consideration for a speech, address, oration, or other oral presentation, regardless of whether presented
24 in person, recorded, or broadcast over the media, or a writing, other than a book, which has been or is
25 intended to be published.

26
27 *Intangible personal property* means intangible personal property as defined in F.S. §
28 192.001(11)(b).

29
30 *Lobby or lobbying* means communications by a lobbyist, whether written or oral, with a County
31 Commissioner, county employee, or member of an advisory body, whereby the lobbyist seeks to
32 encourage or influence the passage, defeat, modification, or repeal of any item which may be presented
33 for a vote before the Board of County Commissioners or any advisory body, or which may be presented
34 for consideration by a county employee as a recommendation to the Board or advisory body.

35
36 *Lobbyist* means a person who is employed and receives payment for lobbying, or who contracts
37 for economic consideration for the purpose of lobbying, or a person who is principally employed for
38 governmental affairs by another person or agency to lobby on behalf of that other person or agency.

39
40 The following persons are not lobbyists as defined in this article and shall not be required to
41 register as lobbyists or file compensation reports:

- 42
- 43 (1) Leon County employees discussing government business;
- 44
- 45 (2) Law enforcement personnel conducting an investigation;
- 46

1 (3) A person who communicates with a County Commissioner, member of an advisory
2 body, or county employee in an individual capacity for the purpose of self-representation, or on behalf
3 of a family member, or who volunteers, without compensation or reimbursement;
4

5 (4) Consultants under contract with Leon County who communicate with County
6 Commissioners or county employees regarding issues related to the scope of services in their contract;
7

8 (5) Any government officials or employees who are acting in their official capacity or in
9 the normal course of their duties, unless they are submitting a bid or proposal in a competitive
10 procurement, or are government employees principally employed for, or whose substantial duties
11 pertain to, governmental affairs lobbying; or
12

13 (6) Persons or representatives of organizations contacted by a County Commissioner,
14 member of an advisory body, or county employee, when the contact is initiated by that County
15 Commissioner, member of an advisory body, or county employee in his or her official capacity and in
16 the normal course of his or her duties, to obtain or communicate factual or technical information.
17

18 *Lobbying firm* means a business entity, including an individual contract lobbyist, that receives
19 or becomes entitled to receive any compensation for lobbying, where any partner, owner, officer, or
20 employee of the business entity is a lobbyist.
21

22 *Outside or concurrent employment* means engaging in employment with any person or entity,
23 other than the County, in exchange for remuneration.
24

25 *Material interest* means direct or indirect ownership of more than five percent (5%) of the total
26 assets or capital stock of any business entity.
27

28 *Principal* means a person, firm, corporation, or other legal entity.
29

30 *Property Manager* means the individual or entity retained by the Board of County
31 Commissioners to lease and manage any County-owned property.
32

33 *Purchasing agent* means a County Commissioner, member of an advisory body, or county
34 employee having the authority to commit the expenditure of public funds through a contract for, or the
35 purchase of, any goods, services, or interest in real property for the County, as opposed to the authority
36 to request or requisition a contract or purchase by another person.
37

38 *Relative*, unless otherwise specified in this article, means an individual who is related to a
39 County Commissioner, member of an advisory body, or county employee as: father; mother; son;
40 daughter; brother; sister; uncle; aunt; first cousin; nephew; niece; husband; wife; registered domestic
41 partner; same-sex spouse; father, mother, brother, sister, or children of the registered domestic partner
42 or same-sex spouse; father-in-law; mother-in-law; son-in-law; daughter-in-law; brother-in-law; sister-
43 in-law; stepfather; stepmother; stepson; stepdaughter; stepbrother; stepsister; half brother; half sister;
44 sister; grandparent; great grandparent; grandchild; great grandchild; step grandparent; step great
45 grandparent; step grandchild; step great grandchild; person who is engaged to be married to the officer
46 or employee or who otherwise holds himself or herself out as or is generally known as the person whom

1 the officer or employee intends to marry or with whom the officer or employee intends to form a
2 household; or any other natural person having the same legal residence as the officer or employee.

3
4 Reporting period means each calendar quarter during any portion of which a lobbyist or
5 lobbyist firm was registered under division 3 of this article to represent a principal.

6
7 Represent or representation means actual physical attendance on behalf of a client in a County
8 meeting or proceeding, the writing of letters or filing of documents on behalf of a client, or other written
9 or oral personal communications made with a County Commissioner, member of an advisory body, or
10 county employee on behalf of a client.

11
12 **Sec. 2-652. Advisory opinions.**

13
14 (a) When in doubt as to the applicability and interpretation of the Leon County Code of
15 Ethics, the County Administrator or any County Commissioner may request an advisory opinion from
16 the County Attorney's Office. Requests for advisory opinions shall be in writing and shall state all
17 material facts necessary for the County Attorney to understand the circumstances and render the
18 advisory opinion.

19
20 (b) The County Attorney's Office shall keep a file, open to the public, of all advisory
21 opinions issued.

22
23 **Sec. 2-653. Investigation; prosecution.**

24
25 (a) With the exception of the complaint procedures set forth in section 2-666 on workplace
26 harassment, a complaint concerning an alleged violation of division 2 of this article pertaining to
27 standards of conduct shall be in writing and filed with the County Attorney. The investigation or
28 prosecution of any alleged violation of division 2 of this article shall be as provided by law.

29
30 (b) The investigation and enforcement procedures for any alleged violation of division 3 of
31 this article pertaining to lobbyist regulations shall be those set forth in division 3 of this article.

32
33 **Sec. 2-654. Penalties.**

34
35 (a) The penalty for a violation of division 2 of this article pertaining to standards of conduct
36 shall be those specified in F.S. § 125.69(1), as may be amended from time to time, and shall be deemed
37 supplemental to the penalties set forth in section 1-9 of the Leon County Code of Laws.

38
39 (b) ~~The penalty for a violation of division 3 of this article pertaining to lobbyist regulations~~
40 ~~shall be those set forth in division 3 of this article. The failure of a lobbying firm to file the required~~
41 ~~quarterly compensation report as required by division III of this article shall result in the imposition of~~
42 ~~a penalty equal to twice the annual lobbyist registration fee. Repeat violations shall be subject to the~~
43 ~~penalties set forth in section 1-9 of the Leon County Code of Laws.~~

44
45 **Sec. 2-655. Conflicts.**

1 (a) This article shall supplement and not contradict or supersede any statutory or
2 administrative standards of conduct which apply to any County Commissioner, member of an advisory
3 body, or county employee.
4

5 (b) This article shall not conflict with the power of the Governor to suspend a County
6 Commissioner, or of the Senate to remove a County Commissioner from office, or the power of the
7 people to recall a County Commissioner from office.
8

9 **DIVISION 2. STANDARDS OF CONDUCT**

10 **Sec. 2-660. Solicitation or acceptance of things of value.**

11
12
13 (a) *Gifts.* No County Commissioner, member of an advisory body, or county employee
14 shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future
15 employment, favor, or service, based upon any understanding that the vote, official action, or judgment
16 of the County Commissioner, member of an advisory body, or county employee would be influenced
17 thereby.
18

19 (b) *Lobbyist.* No County Commissioner, member of an advisory body or county employee
20 shall solicit or accept as compensation, payment, favor, service, or thing of value from a lobbyist or
21 principal of the lobbyist, when such County Commissioner, member of an advisory body, or county
22 employee knows, or should know, that it was given to influence a vote or recommendation favorable
23 to the lobbyist or principal of the lobbyist.
24

25 (c) *Unauthorized compensation.* No County Commissioner, member of an advisory body,
26 or county employee, or his or her spouse or minor child, shall, at any time, solicit or accept any
27 compensation, payment, or thing of value when such County Commissioner, member of an advisory
28 body, or county employee knows, or should know, that it was given to influence a vote or other action
29 in which the County Commissioner, member of an advisory body, or county employee was expected
30 to participate in his or her official capacity.
31

32 **Sec. 2-661. Misuse of public position.**

33
34 No County Commissioner, member of an advisory body, or county employee shall knowingly
35 and intentionally use or attempt to use his or her public position or any property or resource which may
36 be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or
37 exemption for himself, herself, or others. This section shall not be construed to conflict with F.S. §
38 104.31.
39

40 **Sec. 2-662. Disclosure or use of certain information.**

41
42 No County Commissioner, member of an advisory body, or county employee shall disclose or
43 use information not available to the general public and gained by reason of his or her public position
44 for his or her personal gain or benefit, or for the personal gain or benefit of any other person or business
45 entity.
46

1 **Sec. 2-663. Nepotism.**

2
3 (a) "Relative," for purposes of this section only, with respect to a County Commissioner or
4 a county employee, means an individual who is related to the County Commissioner or county
5 employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece,
6 husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-
7 law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

8
9 (b) A relative of any County Commissioner shall not be eligible for employment in or
10 advancement to any position which reports directly to the County Commissioner.

11
12 (c) A relative of any county employee with supervisory responsibility shall not be eligible
13 for employment in or advancement to any position which reports directly to the supervisory employee.

14
15 (d) A county employee shall not be eligible for advancement to any position with direct
16 supervisory responsibility over a position in which a relative is employed.

17
18 **Sec. 2-664. Outside or concurrent employment.**

19
20 (a) A county employee shall not engage in outside or concurrent employment which is, or
21 may be determined to be, inconsistent, incompatible, or in conflict with the duties, functions, or
22 responsibilities of his or her county employment.

23
24 (b) A county employee who desires to accept outside or concurrent employment in addition
25 to county employment shall follow the procedures set forth in the Leon County Board of County
26 Commissioners Human Resources Policies and Procedures Manual, as may be amended from time to
27 time.

28
29 (c) A County Commissioner may engage in outside or concurrent employment where not
30 otherwise inconsistent with the provisions of F.S. ch. 112, pt. III.

31
32 **Sec. 2-665. Solicitation; fundraising.**

33
34 (a) A county employee shall not solicit, or be solicited for, political campaign contributions
35 during county working hours or in county work areas.

36
37 (b) A county employee may solicit, or be solicited for, contributions for a non-profit
38 charitable organization, as defined under the Internal Revenue Code, during county working hours or
39 in county work areas upon approval of the County Administrator or designee, or the County Attorney
40 or designee, as appropriate.

41
42 (c) A County Commissioner shall not utilize county employees or county resources in the
43 solicitation of charitable contributions or political campaign contributions.

44
45 **Sec. 2-666. Workplace harassment.**

1 (a) *Purpose.* The purpose of this section is to provide a work environment free of workplace
2 harassment, and which encourages mutual respect, cooperation and understanding amongst County
3 Commissioners, members of an advisory body, and county employees.
4

5 (b) *Application.* This section applies to County Commissioners, members of an advisory
6 body, and county employees.
7

8 (c) *Definition.*
9

10 (1) For purposes of this policy, harassment consists of unsolicited, offensive, or
11 retaliatory behavior based on race, sex, color, national origin, religion, age,
12 disability, ancestry, marital status, pregnancy, familial status, gender, gender
13 identity or expression, or sexual orientation, genetic information, or an
14 employee's exercise of their constitutional or statutory rights. Sexual
15 harassment consists of unsolicited, offensive behavior involving sexual
16 overtures or conduct, either verbal or physical. Neither harassment nor sexual
17 harassment refers to occasional comments of a socially acceptable nature to a
18 reasonable person. Harassment refers to behavior that is not welcome, that is
19 personally offensive, that lowers morale, and that, therefore, interferes with the
20 work environment.
21

22 (2) Offensive comments about an employee's race, sex, color, national origin,
23 religion, age, disability, ancestry, marital status, pregnancy, familial status,
24 gender, gender identity or expression, sexual orientation, or genetic information,
25 or an employee's exercise of his or her constitutional or statutory rights
26 constitute harassment when:
27

- 28 a. submission to such conduct is made either explicitly or implicitly
29 a term of an individual's employment;
30
- 31 b. submission to or rejection of such conduct by an individual is
32 used as a basis for employment decisions affecting such
33 individual; or
34
- 35 c. such conduct has the purpose or effect of unreasonably
36 interfering with an individual's work performance or creating an
37 intimidating, hostile or offensive working environment.
38

39 (3) Harassment may also take the form of adverse employment actions such as
40 termination, demotion, or other adverse employment decisions which effect an
41 employee's working conditions, if such actions are taken on the basis of an
42 employee's race, sex, color, national origin, religion, age, disability, ancestry,
43 marital status, pregnancy, familial status, gender, gender identity or expression,
44 sexual orientation, genetic information, or an employee's exercise of his or her
45 constitutional or statutory rights. Employment actions that are based on an
46 employee's performance or other legitimate reasons are not harassment.

1
2 (d) *Complaint procedure.*
3

- 4 (1) A county employee who believes he or she has been subjected to workplace
5 harassment must promptly bring the problem to the attention of the County. If
6 an employee believes that he or she has been harassed, the employee should
7 immediately report the problem to the employee's supervisor. If the complaint
8 involves the employee's supervisor, or if the employee is uncomfortable
9 presenting the issue to the employee's supervisor, the employee should inform
10 the human resources director or employee relations manager in the human
11 resources division.
12
- 13 (2) If a complaint of harassment/discrimination involves a County Commissioner, a
14 county employee should immediately report the problem to the human resources
15 director, the employee relations manager in the division of human resources, or
16 the chairman of the County Commission. If the complaint involves the chairman
17 of the County Commission, or if the employee is uncomfortable presenting the
18 issue to the chairman, then the employee should inform the vice-chairman of the
19 County Commission, the human resources director, or the employee relations
20 manager in the human resources division. At that time, the human resources
21 director will refer the complaint to a private law firm or private entity outside
22 the county's political jurisdiction, to investigate the claim. This step should be
23 complied with prior to notification to the Board of County Commissioners,
24 County Administrator, or County Attorney. Once the complaint has been
25 referred to the outside private agency or law firm for investigation, then the party
26 involved in the complaint is notified.
27
- 28 (3) Each complaint will be immediately and thoroughly investigated in a
29 professional manner. All harassment complaints reported to a supervisor, or any
30 member of management, shall be promptly reported to the employee relations
31 manager or the human resources director.
32
- 33 (4) Actions taken to investigate and resolve harassment complaints shall be
34 conducted confidentially, to the extent practicable, appropriate, and legally in
35 order to protect the privacy of persons involved. The person who is accused of
36 engaging in harassing behavior will be notified and given an opportunity to
37 respond in writing. Investigation may include interviews with the parties
38 involved in the incident, and if necessary, with individuals who may have
39 observed the incident or conduct or who have relevant knowledge.
40
- 41 (5) The complainant will be notified of a decision or the status of the investigation
42 in a timely manner. There will be no discrimination or retaliation against any
43 individual who files a good-faith harassment complaint, even if the investigation
44 produces insufficient evidence to support the complaint, and even if the charges
45 cannot be proven. There will be no discrimination or retaliation against any
46 other individual who participates in the investigation of a harassment complaint.

1
2 (6) If the investigation substantiates the complaint, appropriate corrective and/or
3 disciplinary action will be swiftly pursued. Disciplinary action, which may
4 include discharge, will also be taken against individuals who make false or
5 frivolous accusations, such as those made maliciously or recklessly. If the
6 investigation substantiates a complaint against a County Commissioner, the
7 report shall be referred to the Florida Commission on Ethics for their further
8 handling.

9
10 (7) If deemed to be in the county’s best interest, the complainant, the respondent or
11 both, may be placed on leave with pay during the investigation process. This
12 decision will be made by the County Administrator or designee (for a county
13 employee), the County Attorney or designee (for a County Attorney employee),
14 the chairperson (for another commissioner’s aide or board appointee), or the vice
15 chairperson (for the chairperson’s aide).

16
17 **Sec. 2-667. Restrictions on lobbying by former County Commissioners.**

18
19 From the effective date of this article until December 31, 2022, no County Commissioner shall
20 lobby the County for a period of two years after vacating the office of County Commissioner. Effective
21 December 31, 2022, no County Commissioner shall lobby the County for a period of six years after
22 vacating the office of County Commissioner.

23
24 **Sec. 2-668. County employee holding elective office.**

25
26 A county employee who successfully runs for and is elected to an elective public/political
27 office, or who is appointed to an elective public/political office, shall resign his or her employment
28 with Leon County prior to taking such elective office.

29
30 **Sec. 2-669. Non-interference in performance of duties.**

31
32 (a) Except for the purpose of inquiry and information, no County Commissioner shall
33 interfere with the performance of the duties of any county employee who is under the direct or indirect
34 supervision of the County Administrator or County Attorney by giving said employee instructions or
35 directives. Such action shall constitute malfeasance within the meaning of Article IV, Section 7(a) of
36 the Florida Constitution.

37
38 (b) Nothing contained in this section shall prevent a County Commissioner from discussing
39 any county policy or program with a citizen or referring a citizen complaint or request for information
40 to the County Administrator or County Attorney.

41
42 **Sec. 2-670. Non-interference in county real estate transactions.**

43
44 The following provisions are intended to assure the integrity of the competitive bidding process
45 is preserved, agreements are negotiated at arms-length and consistently enforced, and that no County

1 Commissioner utilizes his or her public position or any property within his or her trust, to secure a
2 special privilege, benefit, or exemption for himself, herself, or others.

3
4 (a) No County Commissioner shall knowingly communicate with any individual or entity,
5 or their employees, officers, or agents, involved as a party in any county real estate transaction, unless
6 the communication is:

- 7
8 (1) Part of the transactional process expressly described in a request for bids or
9 other such solicitation invitation;
10
11 (2) Part of a noticed meeting of the Board of County Commissioners; or
12
13 (3) Incidental and does not include any substantive issues involving a county real
14 estate transaction in which such individual or entity is a party.
15

16 (b) A County Commissioner who receives a communication in violation of this section shall
17 place in the record at the next regular meeting of the Board of County Commissioners, the following:
18

- 19 (1) Any and all such written communications;
20
21 (2) Memoranda stating the substance of any and all such oral communications; and
22
23 (3) Any and all written responses to such communications, and memoranda stating
24 the substance of any and all oral responses thereto.
25

26 (c) No County Commissioner shall directly or indirectly compel or constrain, or attempt to
27 compel or constrain, the County Administrator, the County Attorney, the property manager, or any
28 other county employee, with respect to any county real estate transaction.
29

30 (d) In accordance with the Real Estate Policy (Board of County Commissioners Policy No.
31 16-5, as may be amended from time to time) and Leon County Administrative Code (Ch. 2, Article X,
32 Leon County Code, as may be amended from time to time), the County Administrator or designee shall
33 be responsible for the management of any county-owned property, including the enforcement and
34 termination of lease and license agreements. Except for the purpose of inquiry, County Commissioners
35 shall not communicate directly or indirectly, give directions, or otherwise interfere with these property
36 management responsibilities.
37

38 (e) Any communication outside a noticed meeting of the Board of County Commissioners
39 between a County Commissioner, or his or her aide, and the County Administrator, the County
40 Attorney, the property manager, and/or any county employee, which communication involves a
41 substantive issue in a county real estate transaction, shall be summarized in writing (communication
42 summary) no later than three working days after the communication, as follows:
43

- 44 (1) The template provided on the county intranet is the preferred format for the
45 communication summary. Other forms of effective written communication,
46 such as e-mail, are acceptable.

1
2 (2) The communication summary shall include, at a minimum, the name of the
3 persons involved in the communication, the date of the communication, the
4 subject matter of the communication, and the way in which the communication
5 was ended. The communication summary may also include the remarks of the
6 persons involved.
7

8 (3) The completed communication summary shall be provided to the chairperson of
9 the Board of County Commissioners, unless the communication involved the
10 chairperson in which case it shall be provided to the vice-chairperson. A copy
11 of the communication summary shall also be provided to the County
12 Administrator and County Attorney.
13

14 **Sec. 2-671. Prohibited communication in competitive solicitations.**
15

16 (a) *Prohibition.* Any form of communication, except for written correspondence, shall be
17 prohibited concerning a request for proposal, request for qualification, request for bids, or any other
18 competitive solicitation between:
19

20 (1) Any person or person's representative seeking an award from such competitive
21 solicitation; and
22

23 (2) Any County Commissioner or county employee authorized to act on behalf of
24 the Board of County Commissioners to award a contract.
25

26 For the purpose of this section, a person's representative shall include, but not be limited to, the
27 person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential
28 subcontractor or consultant of the person.
29

30 (b) *Exemptions.*
31

32 (1) The provisions of this section shall not apply to oral communications at any
33 public proceeding, including pre-bid conferences, oral presentations before
34 selection committees, contract negotiations during any public meetings,
35 presentations made to the Board of County Commissioners, and protest
36 hearings.
37

38 (2) The provisions of this section shall not apply to contract negotiations between
39 any county employee and the intended awardee, any dispute resolution process
40 following the filing of a protest between the person filing the protest and any
41 county employee, or any written correspondence with any County
42 Commissioner, county employee, member of an advisory body, or selection
43 committee member, unless specifically prohibited by the applicable competitive
44 solicitation process.
45

1 (c) *Effective date of prohibition.* The provisions of this section shall be in effect as of the
2 date of the deadline to submit the proposal, bid, or other response to a competitive solicitation.
3

4 (d) *Termination of prohibition.* The provisions of this section shall terminate at the time
5 the Board of County Commissioners, or county employee authorized to act on behalf of the Board,
6 awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the
7 competitive solicitation process.
8

9 **Sec. 2-672. Voting conflicts.**
10

11 (a) *Relative.* “Relative,” for purposes of this section only, with respect to a County
12 Commissioner or a member of an advisory body, means an individual who is related to the County
13 Commissioner or member of an advisory body as father, mother, son, daughter, husband, wife, brother,
14 sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.
15

16 (b) *County Commissioners.* No County Commissioner shall vote in an official capacity
17 upon any measure which would inure to his or her special private gain or loss; which he or she knows
18 would inure to the special private gain or loss of any principal by whom he or she is retained or
19 employed, or to the parent organization or subsidiary of a corporate principal by which he or she is
20 retained or employed, other than an agency as defined in F.S. § 112.312(2); or which he or she knows
21 would inure to the special private gain or loss of a relative or business associate of the County
22 Commissioner.
23

24 Such County Commissioner shall, prior to the vote being taken, publicly state to the assembly
25 the nature of the interest in the matter from which he or she is abstaining from voting and, within 15
26 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum
27 filed with the person responsible for recording the minutes of the meeting, who shall incorporate the
28 memorandum in the minutes.
29

30 (c) *Members of advisory body.* No member of an advisory body shall vote in an official
31 capacity upon any measure which would inure to the member’s special private gain or loss; which the
32 member knows would inure to the special private gain or loss of any principal by whom he or she is
33 retained or employed, or to the parent organization or subsidiary of a corporate principal by which he
34 or she is retained or employed; or which he or she knows would inure to the special private gain or loss
35 of a relative or business associate of the member of an advisory body.
36

37 Such member of an advisory body shall, prior to the vote being taken, publicly state to the
38 assembly the nature of the interest in the matter from which he or she is abstaining from voting and,
39 within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a
40 memorandum filed with the person responsible for recording the minutes of the meeting, who shall
41 incorporate the memorandum in the minutes.
42

43 (d) *Appointment or reappointment.* Whenever a County Commissioner or member of an
44 advisory body, or former County Commissioner or advisory body member, is being considered for
45 appointment or reappointment to an advisory body, the appointing body shall take into consideration

1 the number and nature of the conflicts of interest previously filed under this section by said County
2 Commissioner or member of an advisory body.

3
4 **Sec. 2-673. Doing business with the County.**

5
6 (a) *Prohibition.*

7
8 (1) No county employee acting in his or her official capacity as a purchasing agent,
9 or County Commissioner or member of an advisory body acting in his or her
10 official capacity, shall either directly or indirectly purchase, rent, or lease any
11 realty, goods, or services for the county from any business entity of which the
12 County Commissioner, member of an advisory body, or county employee has a
13 material interest.

14
15 (2) No county employee acting in his or her official capacity as a purchasing agent,
16 or County Commissioner or member of an advisory body acting in his or her
17 official capacity, shall either directly or indirectly purchase, rent, or lease any
18 realty, goods, or services for the county from any business entity of which the
19 spouse or child of the County Commissioner, member of an advisory body, or
20 county employee is an officer, partner, director, or proprietor and has a material
21 interest.

22
23 (3) No County Commissioner, member of an advisory body, or county employee,
24 acting in a private capacity, shall rent, lease, or sell any realty, goods, or services
25 to the county.

26
27 (b) *Waiver for members of advisory body.* The requirements of this section, as they pertain
28 to persons serving on an advisory body, may be waived in a particular instance by the body which
29 appointed the person to the advisory body, upon a full disclosure of the transaction or relationship to
30 the appointing body prior to the waiver, and an affirmative vote in favor of the waiver by two-thirds
31 vote of the appointing body. In instances in which appointment to the advisory body is made by an
32 individual, waiver may be effected after a public hearing by determination by the appointing entity and
33 full disclosure of the transaction or relationship by the appointee to the appointing entity.

34
35 (c) *Exemptions.*

36
37 (1) This section shall not affect or be construed to prohibit contracts entered into
38 prior to:

39
40 a. Qualification for the elective office of County Commissioner.

41
42 b. Appointment to an advisory body.

43
44 c. Beginning county employment.

- 1 (2) Additional exemptions to the requirements of this section are provided in section
2 2-675 of this division.
3

4 **Sec. 2-674. Conflict of interest in employment or contractual relationship.**
5

6 (a) *Prohibition.* No County Commissioner, member of an advisory body, or county
7 employee shall have or hold any employment or contractual relationship with any business entity or
8 any agency which is subject to the regulation of, or is doing business with, the county, excluding those
9 organizations and their officers who, when acting in their official capacity, enter into or negotiate a
10 collective bargaining contract with the state or any municipality, county, or other political subdivision
11 of the state; nor shall a County Commissioner, member of an advisory body, or county employee have
12 or hold any employment or contractual relationship that will create a continuing or frequently recurring
13 conflict of interest between his or her private interests and the performance of his or her public duties,
14 or that would impede the full and faithful discharge of his or her public duties.
15

16 (b) *Waiver for members of advisory body.* The requirements of this section, as they pertain
17 to persons serving on an advisory body, may be waived in a particular instance by the body which
18 appointed the person to the advisory body, upon a full disclosure of the transaction or relationship to
19 the appointing body prior to the waiver, and an affirmative vote in favor of the waiver by two-thirds
20 vote of the appointing body. In instances in which appointment to the advisory body is made by an
21 individual, waiver may be effected after a public hearing by determination by the appointing entity and
22 full disclosure of the transaction or relationship by the appointee to the appointing entity.
23

24 (c) *Exemptions.*
25

26 (1) If the Board of County Commissioners exercises regulatory power over a
27 business entity residing in another agency, or when the regulatory power which
28 the Board exercises over the business entity or agency is strictly through the
29 enactment of laws or ordinances, then employment or a contractual relationship
30 with such business entity by a County Commissioner, member of an advisory
31 body, or county employee shall not be prohibited by this section or be deemed
32 a conflict of interest.
33

34 (2) This section shall not prohibit a County Commissioner, member of an advisory
35 body, or county employee from practicing in a profession or occupation when
36 such practice is required or permitted by law or ordinance.
37

38 (3) Additional exemptions to the requirements of this section are provided in section
39 2-675 of this division.
40

41 **Sec. 2-675. Additional exemptions.**
42

43 The following are additional exemptions to the provisions of this division.
44

45 (a) *Matters affecting compensation.*
46

- 1 (1) No County Commissioner shall be prohibited from voting on a matter affecting
2 his or her salary, expenses, or other compensation as a County Commissioner,
3 as provided by law.
4
5 (2) The County Administrator shall not be prevented from considering any matter
6 affecting his or her salary, expenses, or other compensation as the county
7 administrator, as provided by law.
8
9 (3) The County Attorney shall not be prevented from considering any matter
10 affecting his or her salary, expenses, or other compensation as the local
11 government attorney, as provided by law.
12

13 (b) *Bank affiliation.* The fact that a County Commissioner, member of an advisory body,
14 or county employee is a stockholder, officer, or director of a bank will not bar such bank from
15 qualifying as a depository of funds coming under the jurisdiction of the county, provided it appears in
16 the record that the Board of County Commissioners has determined that such County Commissioner,
17 member of an advisory body, or county employee has not favored such bank over other qualified banks.
18

19 (c) *Exemption for certain business transactions.* No County Commissioner, member of an
20 advisory body, or county employee shall be held in violation of Code of Ethics section 2-673, "Doing
21 business with the county," or section 2-674, "Conflict of interest in employment or contractual
22 relationship," if:
23

- 24 (1) The business is transacted under a rotation system whereby the business
25 transactions are rotated among all qualified suppliers of the goods or services
26 within the county.
27
28 (2) The business is awarded under a system of sealed, competitive bidding to the
29 lowest or best bidder, and:
30
31 a. The County Commissioner, member of an advisory body, or county
32 employee, or spouse or child of the County Commissioner, member of
33 an advisory body, or county employee, has in no way participated in the
34 determination of the bid specifications or the determination of the lowest
35 or best bidder.
36
37 b. The County Commissioner, member of an advisory body, or county
38 employee, or spouse or child of the County Commissioner, member of
39 an advisory body, or county employee, has in no way used or attempted
40 to influence or persuade the county or any personnel thereof to enter such
41 a contract other than by the mere submission of the bid.
42
43 c. The County Commissioner or member of an advisory body, prior to or
44 at the time of the submission of the bid, has filed a disclosure statement
45 with the county.
46

- 1 (3) The purchase or sale is for legal advertising in a newspaper, for any utilities
2 service, or for passage on a common carrier.
3
- 4 (4) An emergency purchase or contract, which would otherwise violate code of
5 ethics section 2-673 or section 2-674, must be made in order to protect the
6 health, safety, or welfare of the citizens of the state or any political subdivision
7 thereof.
8
- 9 (5) The business entity involved is the only source of supply within the county and
10 there is full disclosure by the County Commissioner or member of an advisory
11 body of his or her interest in the business entity to the Board of County
12 Commissioners prior to the purchase, rental, sale, leasing, or other business
13 being transacted.
14
- 15 (6) The total amount of the transactions in the aggregate between the business entity
16 and the county does not exceed \$250 per calendar year.
17
- 18 (7) The County Commissioner, member of an advisory body, or county employee
19 purchases in a private capacity goods or services, at a price and upon terms
20 available to similarly situated members of the general public, from a business
21 entity which is doing business with the county.
22
- 23 (8) The County Commissioner, member of an advisory body, or county employee
24 in a private capacity purchases goods or services from a business entity which
25 is subject to the regulation of the county and:
26
 - 27 a. The price and terms of the transaction are available to similarly
28 situated members of the general public; and
 - 29 b. The County Commissioner, member of an advisory body, or
30 county employee makes full disclosure of the relationship to the
31 Board of County Commissioners prior to the transaction.
32

33 (d) *Exemption for tax-exempt organization.* No County Commissioner, member of an
34 advisory body, or county employee shall be held in violation of code of ethics section 2-673, “Doing
35 business with the county,” or section 2-674, “Conflict of interest in employment or contractual
36 relationship,” if the County Commissioner, member of an advisory body, or county employee
37 maintains an employment relationship with an entity which is currently a tax-exempt organization
38 under s. 501(c) of the Internal Revenue Code and which contracts with or otherwise enters into a
39 business relationship with the County, and:

- 40
- 41 (1) The County Commissioner, member of an advisory body, or county employee
42 is not directly or indirectly compensated as a result of such contract or business
43 relationship;
44
- 45 (2) The County Commissioner, member of an advisory body, or county employee
46 has in no way participated in the county’s decision to contract or to enter into

1 the business relationship with his or her employer, whether by participating in
2 discussion at the meeting, by communicating with a County Commissioner,
3 member of an advisory body, or county employee, or otherwise; and
4

- 5 (3) The County Commissioner or member of an advisory body abstains from voting
6 on any matter which may come before the Board of County Commissioners
7 involving the officer's employer, publicly states to the assembly the nature of
8 the County Commissioner or member of an advisory body's interest in the
9 matter from which he or she is abstaining, and files a written memorandum as
10 provided in F.S. § 112.3143.
11

12 **DIVISION 3. LOBBYIST REGULATIONS**

13 **Sec. 2-680. Intent and purpose.**

14 (a) The Board of County Commissioners hereby determines and declares that the operation
15 of responsible government requires that the fullest opportunity be afforded to the people to petition
16 their county government for the redress of grievances and to express freely their opinions on legislation,
17 actions, and issues.
18

19 (b) The Board of County Commissioners further declares that the purpose of this division
20 is to preserve and maintain the integrity and transparency of the governmental decision-making
21 process, by providing disclosure of the identity and activities of lobbyists seeking to encourage or
22 influence the passage, defeat, modification, or repeal of any item which may be presented for a vote
23 before the Board of County Commissioners or any advisory body, or which may be presented for
24 consideration by a county employee as a recommendation to the Board or advisory body.
25

26 **Sec. 2-681. Applicability.**

27 This division only applies to persons who are "lobbyists" who engage in "lobbying" as defined
28 by section 2-651 of this article.
29

30 **Sec. 2-682. Registration of lobbyists.**

31 (a) All lobbyists, as defined in section 2-651 of this article, are required to be shall
32 registered with the clerk of the Board of County Commissioners ~~on an annual basis, including payment~~
33 of a non-refundable \$25.00 fee, for each principal so represented, prior to engaging in any lobbying.
34 Registration shall be updated annually to add or withdraw principals, and at least each time a lobbyist
35 commences lobbying on behalf of any new principal.
36

37 (b) Each lobbyist shall be required to register on a lobbyist registration forms approved and
38 maintained prepared by the clerk of the Board of County Commissioners. The lobbyist registration form
39 shall be signed by the lobbyist and shall state under oath include the his or her name, business address,
40 telephone number, and email address of the lobbyist, the name and business address of each principal
41 represented, that the principal has actually retained the lobbyist, the general and specific areas of
42 legislative interest, and the nature and extent of any direct business association or partnership with any
43

1 current County Commissioners, county employee, or person serving on an advisory body. Each
2 lobbying firm may register in the name of such firm, corporation or legal entity, provided the
3 registration and the payment of the lobbyist registration fees shall be for each ~~of the~~ persons who
4 engages in lobbying as defined ~~in~~ by section 2-651 of this article.

5
6 (c) Each lobbyist shall, at the time of initial registration, and for each subsequent annual
7 registration, pay a non-refundable registration fee of \$25.00.

8
9 (d) The term of lobbyist registration for a lobbyist shall be from January 1 through
10 December 31 of the calendar year, or from the date of initial lobbyist registration to December 31 of
11 that calendar year.

12
13 (e) If a lobbyist has previously filed a lobbyist registration form for a calendar year and is
14 retained by a new principal to lobby during the calendar year, such lobbyist shall amend the previously
15 filed lobbyist registration form and pay a non-refundable registration fee of \$25.00.

16
17 (f) If a lobbyist has previously filed a lobbyist registration form for a calendar year and
18 withdraws from lobbying for a principal while still lobbying on behalf of other principals, such lobbyist
19 shall amend the previously filed lobbyist registration form within 10 business days of such change.
20 There is no fee to submit an amended lobbyist registration form to provide notice that the lobbyist has
21 withdrawn from lobbying for a principal.

22
23 (g) If a lobbyist has previously filed a lobbyist registration form for a calendar year and
24 ceases all lobbying activities on behalf of all principals, such lobbyist shall file a lobbyist withdrawal
25 form approved and maintained by the clerk of the Board of County Commissioners within 10 business
26 days of such change.

27
28 (h) All registration fees shall be paid to the clerk of the Board of County Commissioners.

29
30 (ie) Failure to register prior to engaging in lobbying, failure to amend a lobbyist registration
31 form (as applicable), failure to file a required quarterly compensation report, or providing false
32 information in the lobbyist registration form, shall constitute a violation of this division ~~article~~.

33
34 **Sec. 2-681. Exemptions.**

35
36 ~~The following persons are not lobbyists as defined in this article and shall not be required to~~
37 ~~register as lobbyists or to keep records as lobbyists:~~

38
39 ~~(1) Leon County employees discussing government business;~~

40
41 ~~(2) Law enforcement personnel conducting an investigation;~~

42
43 ~~(3) A person who communicates with County Commissioners or county employees in an~~
44 ~~individual capacity for the purpose of self representation, or on behalf of a family member, or who~~
45 ~~volunteers, without compensation or reimbursement;~~

1 ~~(4) — Consultants under contract with Leon County who communicate with County~~
2 ~~Commissioners or county employees regarding issues related to the scope of services in their contract;~~
3

4 ~~(5) — Any government officials or employees who are acting in their official capacity or in~~
5 ~~the normal course of their duties, unless they are submitting a bid or proposal in a competitive~~
6 ~~procurement, or are government employees principally employed for, or whose substantial duties~~
7 ~~pertain to, governmental affairs lobbying;~~
8

9 ~~(6) — Persons who make purely factual informational requests to a County Commissioner,~~
10 ~~member of an advisory body, or county employee with no intent to affect a decision or recommendation~~
11 ~~on any item; and~~
12

13 ~~(7) — Persons or representatives of organizations contacted by a County Commissioner,~~
14 ~~member of an advisory body, or county employee when the contact is initiated by that County~~
15 ~~Commissioner, member of an advisory body, or county employee in his or her official capacity in the~~
16 ~~normal course of his or her duties to obtain factual information only.~~
17

18 **Sec. 2-6832. Validity of action.**
19

20 The validity of any decision, action, or determination made by the Board of County
21 Commissioners, advisory body, or county employee shall not be affected by the failure of any person
22 to comply with the provisions of this division.
23

24 **Sec. 2-6843. Quarterly compensation report.**
25

26 Each lobbying firm shall file a compensation report, signed by an authorized representative of
27 the lobbying firm, under oath, with the clerk of the Board of County Commissioners for each ~~calendar~~
28 ~~quarter during any portion of which such a lobbyist or lobbyist firm was registered under this division~~
29 ~~to represent a principal (hereinafter reporting period²²).~~
30

31 ~~(a)~~ Each lobbying firm shall file a quarterly compensation report with the clerk of the Board
32 of County Commissioners for each calendar quarter during any portion of which the lobbyist or one or
33 more of the firm's lobbyists were registered to represent a principal. The quarterly compensation report
34 shall include the:
35

36 ~~(1)~~a. Full name, business address, and telephone number of the lobbying firm;

37
38 ~~(2)~~b. Name of each of the firm's lobbyists; and
39

40 ~~(3)~~e. Total compensation provided or owed to the lobbying firm from all principals for the
41 reporting period, reported in one of the following categories: \$0.00; \$1.00 to
42 \$49,999.00; \$50,000.00 to \$99,999.00; \$100,000.00 to \$249,999.00; \$250,000.00 to
43 \$499,999.00; \$500,000.00 to \$999,999.00; \$1 million or more.
44

45 ~~(b)~~2 For each principal represented by one or more of the firm's lobbyists, the quarterly
46 compensation report shall also include the:

1
2 (1)~~a~~. Full name, business address, and telephone number of the principal; and

3
4 (2)~~b~~. Total compensation provided or owed to the lobbying firm for the reporting period from
5 such principal, reported in one of the following categories: \$0.00; \$1.00 to \$9,999.00;
6 \$10,000.00 to \$19,999.00; \$20,000.00 to \$29,999.00; \$30,000.00 to \$39,999.00;
7 \$40,000.00 to \$49,999.00; or \$50,000 or more. If the category “\$50,000 or more” is
8 selected, the specific dollar amount of compensation must be reported, rounded up or
9 down to the nearest \$1,000.00.

10
11 (c)~~3~~ The quarterly compensation reports shall be filed no later than 30 days after the end of
12 each reporting period. The four reporting periods are from January 1 through March 31, April 1 through
13 June 30, July 1 through September 30, and October 1 through December 31, respectively. The quarterly
14 compensation reports shall be filed in the form approved and maintained~~provided~~ by the clerk of the
15 Board of County Commissioners, ~~and the e~~Quarterly reporting shall commence on January 1 of each
16 year.

17
18 (d) In the event a lobbyist withdraws from lobbying for a principal during a calendar year,
19 the lobbyist shall file a quarterly compensation report for that principal only for the portion of the
20 calendar year during which the lobbyist was engaged in lobbying for that principal.

21
22 **Sec. 2-6854. Maintaining registrations and compensation reports; method of filing and**
23 **payment.**

24
25 (a) The clerk of the Board of County Commissioners shall accept and maintain the lobbyist
26 registrations and quarterly compensation reports, which shall be open for public inspection and
27 copying.

28
29 (b) To the extent the technology is feasible and cost-effective, lobbyists are authorized to
30 submit the forms and payments required pursuant to this division using online means as approved and
31 maintained by the Clerk of the Circuit Court and Comptroller.

32
33 **Sec. 2-686. Enforcement.**

34
35 (a) The County Attorney shall be informed in writing of any allegation that a person:

36
37 (1) is engaging in lobbying activities without complying with the lobbyist registration
38 provisions of this division;

39
40 (2) has failed to amend a previously filed lobbyist registration form as required by section
41 2-682;

42
43 (3) has failed to file a lobbying compensation report as required by section 2-683; or

44
45 (4) has provided false information in a filed lobbyist registration form.
46

1 **(b) The County Attorney or designee shall conduct an investigation of the alleged non-**
2 **compliance and prepare written findings of the investigation, including corrective measures and**
3 **penalties to be assessed, if any.**

4
5 **(c) The findings of the investigation, including corrective measures and penalties to be**
6 **assessed, if any, shall be provided to the alleged violator, who shall have thirty (30) days from receipt**
7 **of the findings to comply with the corrective measures and pay the assessed penalties. The failure to**
8 **comply with the corrective measures or pay the assessed penalties shall result in a subsequent violation.**

9
10 **Sec. 2-687. Penalties.**

11
12 **(a) A first violation of a provision of this division within a period of 12 months shall result**
13 **in the issuance of a warning by the County Attorney.**

14
15 **(b) A second violation of a provision of this division within a period of 12 months shall be**
16 **punishable by a fine of \$100.**

17
18 **(c) A third violation of a provision of this division within a period of 12 months shall be**
19 **punishable by a fine of \$250.**

20
21 **(d) Four or more violations of a provision of this division within a period of 12 months**
22 **shall be subject to the penalties set forth in section 1-9 of the Leon County Code of Laws.**

23
24 **Sec. 2-688. Appeals.**

25
26 **An appeal of the penalties assessed pursuant to this division shall be before the Florida Division**
27 **of Administrative Hearings (DOAH). An appeal shall be filed at DOAH within thirty (30) days after**
28 **receipt of the findings of the investigation or the right to such an appeal shall be deemed waived. The**
29 **final order entered by DOAH is appealable to the First District Court of Appeal. An appeal of the final**
30 **order shall be filed within thirty (30) days after receipt of the final order or the right to such an appeal**
31 **shall be deemed waived.**

32
33 **Section 2. Conflicts.**

34
35 All ordinances or parts of ordinances of the Code of Laws of Leon County, Florida, in conflict
36 with the provisions of this ordinance are hereby repealed to the extent of such conflict.

37
38 **Section 3. Severability.**


39
40 If any word, phrase, clause, section, or portion of this Ordinance is declared by any court of
41 competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and
42 portions of this Ordinance shall remain in full force and effect.

43
44 **Section 4. Effective Date.**

45
46 This ordinance shall have effect upon becoming law.

1
2 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County,
3 Florida, this 17th day of November, 2020.
4

5 LEON COUNTY, FLORIDA
6

7
8 By: 
9 Rick Minor, Chair
10 Board of County Commissioners
11

12 ATTESTED BY:
13 Gwendolyn Marshall, Clerk of Court
14 & Comptroller, Leon County, Florida
15

16 By: 
17
18



19 APPROVED AS TO LEGAL SUFFICIENCY:
20 Chasity H. O'Steen, County Attorney
21 Leon County Attorney's Office
22

23 Chasity H.
24 By: O'Steen
25

Digitally signed by Chasity H. O'Steen
DN: cn=Chasity H. O'Steen, o=Leon County
Board of County Commissioners, ou=County
Attorney's Office,
email=osteenc@leoncountyfl.gov, c=US
Date: 2020.11.18 17:10:29 -05'00'