ORDINANCE NO. 2016-6 **SEMINOLE COUNTY, FLORIDA**

AN ORDINANCE AMENDING CHAPTER 74, "ETHICS", OF THE SEMINOLE COUNTY CODE; AMENDING PROVISIONS CONCERNING MEMBERS OF BOARD OF ADJUSTMENT AND PLANNING AND ZONING COMMISSION AND THEIR INTERACTIONS WITH THE MUNICIPALIITES WITHIN SEMINOLE COUNTY; AMENDING OTHER PROVISIONS FOR CLARITY; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, adherence to a Code of Ethics by Seminole County officials and employees is of the highest importance to public trust in government; and

WHEREAS, Part III of Chapter 112, Florida Statutes (2015) – the Code of Ethics for Public Officers and Employees – provides that the public interest requires that the law protect against any conflict of interest and establishes standards for the conduct of elected officials and government employees in situations where conflicts may exist; and

WHEREAS, the Seminole County Board of County Commissioners (the "Board") finds and declares that the enactment of a local Code of Ethics is in the best interests of the citizens of the County, and will help ensure that Public Officers and Employees abide by the highest ethical standards; and

WHEREAS, the adherence to the highest standards of ethics protects the integrity of County government and fosters public confidence in the actions of Public Officers and Employees; and

WHEREAS, it is essential that government attract those citizens best qualified to serve and, therefore, the provisions of this Ordinance concerning conflict of interest must be so designed as not to impede unreasonably or unnecessarily the recruitment and retention by government of those citizens best qualified to serve; and

CERTIFIED COPY
MARYANNE MORSE
Clerk of Circuit Court and Comptroller
SEMINOLE COUNTY, FLORIDA
BY
DEPUTY CLERK

WHEREAS, it is important that officials and employees understand the conflicts they confront every day, appreciate their fiduciary obligations to County residents, and recognize the importance of preventing conflicts from occurring, disclosing conflicts when they arise, and withdrawing from any involvement in a matter where they have a conflict; and

WHEREAS, the Board of County Commissioner adopted Section 74.3 of the Seminole County Code to implement a County Code of Ethics in 2008; and

WHEREAS, the Board of County Commissioner finds Section 74.3 of the Seminole County Code should be revised and updated for clarity in general and to clarify the Code's applicability to members of the Seminole County Planning and Zoning Commission and Board of Adjustment,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Section 74.3, "Code of Ethics", of the Seminole County Code is hereby amended to read as follows:

Sec. 74.3. - Code of Ethics. The Code of Ethics as ~~provided by general law shall have full effect on~~ set forth in Chapter 112, Part III, Florida Statutes (2015), entitled "Code of Ethics for Public Officers and Employees", as this statute may be amended from time to time (hereinafter "State Code of Ethics"), is fully binding as a matter of state law on the Seminole County Board of County Commissioners, the Seminole County Planning and Zoning Commission, Board of Adjustment, ~~advisory~~ all other appointed boards of Seminole County, and employees of Seminole County ~~and~~ who all shall ~~be~~ strictly ~~adhered~~ adhere to this State Code of Ethics ~~by all officials, employees and others to whom they apply. Relevant provisions of the Code of Ethics as currently codified in Florida Statutes are attached hereto as Exhibit A.~~ In addition to ~~those provisions~~ the

State Code of Ethics, the following additional provisions~~ shall~~ apply to Seminole County officials and employees as provided below:

(1) No County Commissioner~~,~~ or County employee~~, member of Seminole County Board of Adjustment or Planning and Zoning Commission shall~~ may, during the term of his or her employment or office, accept compensation from a person or entity, other than Seminole County, to communicate in his or her County government capacity with an elected official of any municipality in Seminole County in order to influence any future action of that municipal official~~ in his or her government capacity~~.

(2) ~~Individuals~~ An individual covered by this Code of Ethics shall not use its provisions to ~~further~~ file or pursue frivolous claims against another such individual. Frivolous claims~~ shall be~~ mean those claims of a violation of this Code of Ethics that are~~ forwarded~~ filed or pursued with knowledge that the claim contains one or more false allegations or that are made with reckless disregard for whether the~~ complaint~~ claim contains false allegations of fact material~~ to a violation of this Code~~.

Section 2. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance will become and be made a part of the Seminole County Code, and that the word "ordinance" may be changed to "section", "article", or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; providing, however, that Sections 2, 3 and 4 of this Ordinance shall not be codified.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that such invalidity will 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 4. Effective date. This Ordinance will take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this 9th day of Feb., 2016.

ATTEST:

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

JOHN HORAN, Chairman

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1/28/16
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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

February 15, 2016

Honorable Maryanne Morse
Clerk of the Circuit Court
Seminole County
County Commission Records
1101 E. First Street, Room 2204
Sanford, Florida 32771

Attention: Jane Spencer

Dear Ms. Morse:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy for Seminole County Ordinance No. 2016-6, which was filed in this office on February 15, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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