

ORDINANCE 18-23

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA,
RELATING TO PRIVATE, UNATTENDED
INSTALLATIONS, DISPLAYS OR EXHIBITS ON THE
GROUNDS OF COUNTY PUBLIC BUILDINGS;
AMENDING ARTICLE IX OF CHAPTER 2-21 OF THE
MANATEE COUNTY CODE; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CODIFICATION; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Article IX of Chapter 2-21 of the Manatee County Code regulates safe, unobstructed access to public buildings occupied or maintained by Manatee County and the City of Bradenton, except those otherwise designated as parks; and

WHEREAS, Section 2-21-122(4) of the Manatee County Code prohibits persons from intentionally storing personally owned property unattended outside the buildings, or in the foyers, corridors, and restrooms of the Historic Courthouse, Judicial Center, and other public buildings occupied or maintained by Manatee County, except those otherwise designated as parks; and

WHEREAS, Section 2-21-122 of the Manatee County Code does not address private, unattended installations, displays or exhibits erected or maintained on such property; and

WHEREAS, Manatee County is not required to permit private persons to erect or maintain unattended displays on public property; and

WHEREAS, Manatee County wishes to adopt a reasonable time, place and manner regulation to address the County's legitimate and significant interests to (1) maintain the Historic Courthouse, Judicial Center, and other public buildings occupied or maintained by Manatee County in a clean, safe and publicly accessible condition, (2) limit injury and property damage that may result in or around the Historic Courthouse, Judicial Center, and other public buildings occupied or maintained by Manatee County; (3) avoid unreasonable interference with the ordinary use of the Historic Courthouse, Judicial Center, and other public buildings occupied or maintained by Manatee County; (4) maintain the essential functions of the Historic Courthouse, Judicial Center, and other public buildings occupied or maintained by Manatee County; and (5) promote aesthetics in and around the Historic Courthouse, Judicial Center, and other public buildings occupied or maintained by Manatee County; and

WHEREAS, Manatee County does not wish to restrict other forms of expressive activities otherwise permitted under the law; and

WHEREAS, the Board of County Commissioners of Manatee County finds that the provisions of this Ordinance are in the best interests of the County, its citizens, taxpayers and business community.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Manatee County:

Section 1. Section 2-21-121(3) of the Manatee County Code is hereby amended as follows:

Sec. 2-21-121. - Definitions.

(3) Public buildings means all buildings, as well as the steps, sidewalks and grounds immediately adjacent to all such buildings, owned, leased, occupied or maintained by Manatee County or the City of Bradenton, in whole or in part, and includes, but is not limited to: the Historic Courthouse; the Manatee County Judicial Center; the Downtown Bradenton Parking Garage located at 12th Street West and 8th Avenue West, Bradenton; the Manatee County Administration Building on Manatee Avenue between 10th and 12th Streets West, Bradenton, and its adjacent parking garage; the facilities of the Manatee County Sheriff at 601 301 Boulevard West, Bradenton, ~~407 57th Avenue East, Bradenton, 34680 Harllee Road, Palmetto, District II, 616 67th Street Circle East, Bradenton~~ 407 57th Avenue East, Bradenton, District III, ~~5030 U.S. Highway 301 North, Ellenton, District V, 10005 Gulf Drive, Anna Maria, District V,~~ the Manatee County Central Jail, 14470 Harllee Road, Palmetto; Child Protective Services at 3526 9th Street West, Bradenton; the offices of the Manatee County Supervisor of Elections at 600 301 Boulevard West, Bradenton; the offices of the Manatee County Property Appraiser at 915 4th Avenue West, Bradenton; ~~offices of the Manatee County Tax Collector at 819 301 Boulevard West, Bradenton, 6007 111th Street East, Bradenton, 1341 10th Street East, Palmetto, and 7411 Manatee Avenue West, Suite 200, Bradenton~~; the Public Safety Center at 2101 47th Terrace East, Bradenton; the Central Main Library on at 1301 Barcarrota Boulevard West, Bradenton, Braden River Library at 4915 53rd Avenue East, Bradenton, Island Library at 5701 Marina Drive, Holmes Beach, Palmetto Library at 923 6th Street West, Palmetto, Rocky Bluff Library at 6750 US Highway 301 North, Ellenton, and South Manatee Library at 6081 26th Street West, Bradenton, and other branch libraries; the public health buildings on 6th Avenue East; the Medical Examiner's and Emergency Management System building located at 202 6th Avenue East, Bradenton; the Bradenton Area Convention Civic Center in Palmetto; the Building and Development Services Department North River Annex at 5030 U.S. Highway 301 North, Ellenton; Bradenton City Hall on ~~45th~~ 12th Street West; the City of Bradenton Municipal Auditorium between 10th and 12th Streets West; the City of Bradenton Public Works Building on 9th Street West; and all other facilities now or hereafter used by Manatee County, its elected officials, and the City of Bradenton, except those otherwise designed as parks.

Section 2. Section 2-21-122 of the Manatee County Code is hereby amended as follows:

Sec. 2-21-122. – Offenses.

It is unlawful and an offense against Manatee County, to engage in the following at, on or within the Historic Courthouse, Judicial Center, and other public buildings to:

- (1) Lodge or to remain, in such a manner as to obstruct ingress, egress, or fire escape routes; or

- (2) Erect or attempt to erect any temporary shelter, makeshift dwelling, or campsite; or
- (3) Obstruct pedestrian traffic to or from the buildings, except for such obstructions necessary to fulfill legitimate government purposes; or
- (4) Intentionally store personally owned property unattended outside the buildings, or in the foyers, corridors, and restrooms thereof; or
- (5) ~~Beg or panhandle;~~ or
- (6) Urinate or defecate, except in designated restroom facilities; or
- (67) Deposit trash in places other than designed trash receptacles; or
- (7) Erect or attempt to erect any private, unattended installations, displays, exhibits and similar objects.

Section 3. Pursuant to Section 125.68(1), F.S., the Codifier shall codify the substantive amendments to the Manatee County Code contained in Sections 1 and 2 of this Ordinance as provided therein, and shall not codify any other sections not designated for codification.

Section 4. If any section, subsection, sentence, clause, provision or word of this Ordinance is held invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Board of County Commissioners would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 5. This Ordinance shall take effect immediately upon filing with the State of Florida Department of State.

DULY ADOPTED with a quorum present and voting this ____ day of _____, 2018.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk