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BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NUMBER _____

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING CHAPTER 1, ADMINISTRATION, GENERAL ORDINANCES, MARTIN COUNTY CODE, RELATING TO THE COUNTY SEAL; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, the Board of County Commissioners of Martin County is authorized pursuant to Sections 1 and 6 of Article VIII, Constitution of the State of Florida, and Chapter 125, Florida Statutes, to adopt ordinances; and

WHEREAS, the Board of County Commissioners of Martin County is authorized pursuant to Section 165.043, Florida Statutes, to designate by ordinance the official county seal of Martin County; and

WHEREAS, designation of an official county seal pursuant to Section 165.043, Florida Statutes, would provide Martin County with further control over the continued and future uses and displays of its seals; and

WHEREAS, once Martin County designates its official seal, Section 165.043, Florida Statutes, makes the unauthorized use of the official seal a second-degree misdemeanor; and

WHEREAS, the Board has determined that it is in the best interests of the public to designate and protect the official county seal of Martin County.

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

PART ONE: SECTION 1.13, RESERVED, OF CHAPTER 1, ADMINISTRATION, GENERAL ORDINANCES, MARTIN COUNTY CODE SHALL BE AMENDED AS FOLLOWS:

Sec. 1.13. - ~~Reserved.~~ County seal.

Sec. 1.13.A. Seal.

The official seal of Martin County is hereby designated as follows:



Sec. 1.13.B. Uses.

The manufacture, use, display or other employment of any facsimile or reproduction of the official seal is prohibited, except by:

1. County officials and employees in the performance of their official duties; and
2. Such persons or entities that obtain the prior written approval of the County Administrator or designee.
3. The Board of County Commissioners may adopt, by resolution, a written policy to address the use of the official county seal.

Sec. 1.13.C. Prohibited Uses

The manufacture, use, display or other employment of any facsimile or reproduction of the official county seal of Martin County without the express written approval of the County Administrator or designee is expressly prohibited.

Sec. 1.13.D. Enforcement; Penalties

1. Pursuant to Section 165.043, Florida Statutes, a violation of Section 1.13.A of this section is a second-degree misdemeanor, punishable as provided in Sections 775.082 or 775.983, Florida Statutes.
2. Each individual act constituting a violation of section 1.13.A shall constitute a separate offense.
3. The County shall be entitled to injunctive relief to halt or prevent any violations of section 1.13.A.

PART TWO: CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART THREE: SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any other person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

PART FOUR: APPLICABILITY.

This ordinance shall be applicable in the unincorporated area of Martin County.

PART FIVE: FILING WITH THE DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART SIX: EFFECTIVE DATE.

This ordinance is effective upon filing with the Department of State.

PART SEVEN: CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article" or other appropriate word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that parts two through seven shall not be codified.

DULY PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:

SARAH W. WOODS, COUNTY ATTORNEY