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**Public Hearing
Agenda Item**

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TO: Mayor Teresa Jacobs
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*
Kate Latorre, Assistant County Attorney *KL*
Contact: (407) 836-7320

DATE: February 27, 2017

RE: **Public Hearing for Board Meeting on March 7, 2017**
Ordinance for Petition Gatherer Badge Requirement

I. EXPLANATION & SUMMARY:

The recent amendments to the Orange County Charter pertaining to the initiative and referendum process, which were approved by the voters during the 2016 general election, require the Board of County Commissioners to adopt an ordinance related to badges worn by initiative petition gatherers. During the Board meeting on February 7, 2017, the County Attorney's Office conducted a work session summarizing the pertinent provisions of the recent Charter amendment and the proposed ordinance.

The proposed ordinance creates a new Section 2-4 of the Orange County Code establishing badge requirements for initiative petition gatherers. The badge is required to be displayed on a gatherer's chest in clear view, and must read either "VOLUNTEER GATHERER" or "PAID GATHERER" in legible bold-faced type, in at least 30-point font. The badge must be no less than 4 inches by 3 inches in size.

Upon adoption of the ordinance, the badge requirement will become immediately applicable to any subsequent Orange County initiative petition seeking to adopt or amend provisions of the County Charter or Code of Ordinances.

Mayor Teresa Jacobs
and
County Commissioners
February 27, 2017
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II. ACTION REQUESTED:

**APPROVAL OF AN ORDINANCE
PERTAINING TO INITIATIVE PETITION
GATHERERS; ENACTING A NEW
SECTION 2-4 OF THE ORANGE COUNTY
CODE OF ORDINANCES ENTITLED
“BADGE REQUIREMENTS FOR
INITIATIVE PETITION GATHERERS;”
PROVIDING AN EFFECTIVE DATE.**

KL/eh
Attachment

c: Ajit Lalchandani, County Administrator

ORDINANCE NO. 2017-__

AN ORDINANCE PERTAINING TO INITIATIVE
PETITION GATHERERS; ENACTING A NEW SECTION
2-4 OF THE ORANGE COUNTY CODE OF ORDINANCES
ENTITLED "BADGE REQUIREMENTS FOR INITIATIVE
PETITION GATHERERS;" PROVIDING AN EFFECTIVE
DATE.

WHEREAS, the 2016 Orange County Charter Review Commission ("CRC") approved
proposed amendment to Section 601 and 602 of the Orange County charter related to initiative
and referendum for inclusion on the 2016 general election ballot; and

WHEREAS, the CRC's proposed Charter amendments established procedural and
substantive changes in the initiative petition process in order to provide a clear and concise guide
for petitioners to follow in seeking to amend the County Charter and to adopt, amend, or repeal
ordinances; and

WHEREAS, the proposed Charter amendments included a requirement that petition
gatherers collecting signatures for a County initiative petition display a badge indicating whether
the gatherer is a "paid" gatherer or a "volunteer" gatherer in a form and manner established by
ordinance; and

WHEREAS, on November 8, 2016, the CRC's proposed Charter amendments related to
initiative and referendum were approved by 66.71% of the voters of Orange County; and

WHEREAS, in accordance with the approved Charter amendments, the Board of County
Commissioners desires to adopt this Ordinance establishing a badge requirement for initiative
petition gatherers.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE
COUNTY, FLORIDA.

*Section 1. Enactment of New Section 2-4, Badge Requirements for Initiative
Petition Gatherers.* Section 2-4, Orange County Code, is hereby enacted to read as follows:

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Section 2-4. Badge requirements for initiative petition gatherers.

(a) Any individual who gathers signatures in person for a county initiative petition who is not being paid to do so shall display a badge stating the words "VOLUNTEER GATHERER" in a bold-faced type that is clearly legible.

(b) Any individual who gathers signatures in person for a county initiative petition who is being paid to do so shall display a badge stating the words "PAID GATHERER" in a bold-faced type that is clearly legible.

(c) The badges required by subsections (a) and (b) shall be at least four inches (4") wide by three inches (3") long and shall be displayed on the chest of the petition gatherer in clear view of anyone signing or asked to sign the petition. The print on the badge shall be no smaller than 30-point font.

Section 2. Effective date. This ordinance shall become effective pursuant to general law.

ADOPTED THIS ____ DAY OF _____, 2017.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As clerk of the Board of County Commissioners

By: _____
Deputy Clerk