

ORDINANCE NO. 2000-06

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF BROWARD COUNTY, FLORIDA, RELATING TO CAMPAIGN ETHICS; CREATING SECTION 11-4, ARTICLE 1, OF CHAPTER 11, BROWARD COUNTY CODE OF ORDINANCES; CREATING THE BROWARD COUNTY ETHICAL CAMPAIGN PRACTICES ACT; PROVIDING FOR APPLICABILITY; DEFINING THE TERM "CANDIDATE"; PROVIDING FOR VOLUNTARY PARTICIPATION IN ETHICAL CAMPAIGN PRACTICES; REQUIRING FILING OF EXECUTED STATEMENT WITHIN SPECIFIED TIME PERIOD; PROVIDING A STATEMENT OF ETHICAL CAMPAIGN PRACTICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.

(Sponsored by Commissioner Lori Nance Parrish)

(Underlining Omitted)

Section 1. Section 11-4 is added to Article 1 of Chapter 11, Broward County Code of Ordinances, to read:

Sec. 11-4. Ethical campaign practices.

(a) This section may be cited as the "Broward County Ethical Campaign Practices Act."

(b) Applicability. The Broward County Ethical Campaign Practices Act shall apply to any candidate for elected public office whose constituency resides, in whole or in part, within Broward County, or when the boundaries of the public office sought are located, in whole or in part, within the County.

(c) As used in this section, "candidate" means any person to whom any one or more of the following applies:

1 (1) Any person who seeks to qualify for nomination or election by means of the
2 petitioning process;

3 (2) Any person who seeks to qualify for election as a write-in candidate;

4 (3) Any person who receives contributions or makes expenditures, with a view to
5 bringing about his or her nomination or election to, or retention in, public office;

6 (4) Any person who appoints a treasurer and designates a primary depository; or

7 (5) Any person who files qualification papers and subscribes to a candidate's oath as
8 required by law.

9 (d) Ethical Campaign Practices. Upon becoming a candidate for an elected public
10 office, a candidate shall obtain from the officer before whom the candidate qualifies the
11 statement described in subsection (e) for the purpose of voluntarily executing said statement
12 and agreeing to abide by the ethical campaign practices established in this section. A
13 candidate's decision regarding whether to execute the statement is strictly voluntary.

14 (e) Statement of Ethical Campaign Practices. In accordance with subsection (d), the
15 following statement of Ethical Campaign Practices shall be provided to each candidate for
16 elected public office in Broward County:

17
18 STATEMENT OF ETHICAL CAMPAIGN PRACTICES

19 As a candidate for public office in Broward County, I believe that political issues
20 can be freely debated without appealing to racial, ethnic, religious, sexual, or
21 other prejudices. I recognize that such negative appeals serve only to divide
22 this community and create long-term moral, social, and economic problems.

23 Therefore:
24

1. I shall not make my race, color, religion, gender, national origin, physical disability, or sexual orientation an issue in my campaign.
2. I shall not make my opponent's race, color, religion, gender, national origin, age, marital status, familial status, physical disability, or sexual orientation an issue in my campaign.
3. I will condemn any appeal to prejudice based on race, color, religion, gender, national origin, age, marital status, familial status, physical disability, or sexual orientation.
4. I shall not attack or question my opponent's patriotism.
5. I shall not publish, display, or circulate any anonymous campaign literature or political advertisement nor shall I tolerate or permit members of my campaign organization to engage in such activities.
6. I shall not tolerate nor permit members of my campaign organization to engage in activities designed to destroy or remove campaign materials or signs lawfully displayed on public or private property.
7. I shall not tolerate my supporters engaging in these activities which I condemn nor shall I accept their continued support if they engage in such activities. I will not permit any member of my campaign organization to engage in these activities and will immediately and publicly repudiate the support of any other

1 individual or group which resorts to the methods and tactics that
2 I hereby condemn.

3 8. I shall run a positive campaign emphasizing my qualifications for
4 office and my positions on issues of public concerns and I will
5 limit my attacks on an opponent to legitimate challenges to that
6 person's record, qualifications, and positions.

7 9. I will neither use nor permit the use of malicious untruths or
8 innuendoes about an opponent's personal life, nor will I make or
9 condone unfounded accusations discrediting an opponent's
10 credibility.

11 10. I will not use or permit the use of campaign material that falsifies,
12 distorts, or misrepresents facts.

13
14 Executed on this day _____ of _____, _____.

15
16 WITNESSES:

17 _____
18 _____
19 _____

BY CANDIDATE:

20 _____
Signature

(Print Name)

1 STATE OF FLORIDA)
2) SS.
3 COUNTY OF _____)
4

5 The foregoing instrument was acknowledged before me this ____ day
6 of _____, _____, by _____, who is personally
7 known to me or who has produced _____ as
8 identification and who did/did not take an oath.

9 WITNESS my hand and official seal, this ____ day of _____, _____.

10
11 (NOTARY SEAL)

(Signature of person taking acknowledgment)

(Name of officer taking acknowledgment)
typed, printed, or stamped

14
15 My commission expires:
16

17 (f) A candidate executing the statement of ethical campaign practices in subsection
18 (e) shall file the original and a copy of the executed statement, bearing the candidate's
19 signature, with the officer before whom the candidate qualifies within five (5) days after
20 becoming a candidate for the elected public office.

21 Section 2.. SEVERABILITY. If any section, sentence, clause, or phrase of this
22 Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then
23 said holding shall in no way affect the validity of the remaining portions of this Ordinance.
24

1 Section 3. INCLUSION IN CODE.

2 It is the intention of the Board of County Commissioners that the provisions of this
3 Ordinance shall become and be made a part of the Broward County Code; and that the
4 sections of this Ordinance may be renumbered or relettered and the word "ordinance" may
5 be changed to "section," "article," or such other appropriate word or phrase in order to
6 accomplish such intentions.

7 Section 4. EFFECTIVE DATE.

8 This Ordinance shall become effective upon filing with the Department of State.

9
10 ENACTED January 25, 2000

11 FILED WITH DEPARTMENT OF STATE February 1, 2000

12 EFFECTIVE February 1, 2000
13

14 PURPOSE:

15 The purpose of this ordinance is to provide standards of ethical campaign practices to which
16 persons seeking elected public office would voluntarily adhere, thereby improving our system
17 of republican democracy, restoring the public faith in the electoral system, and enhancing the
18 positive public perception of public office candidates and officeholders.
19

20 STATE OF FLORIDA
21 COUNTY OF BROWARD

22 I HEREBY CERTIFY that the above and
23 foregoing is a true and correct copy of
24 Ordinance No. 2000-06
as recorded in Board of County Commission
records.

WITNESS my hand and official seal this

7th day of February, A.D. 2000
County Administrator

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BY Atkinson D.C.

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