

ORDINANCE 2024-09

AN ORDINANCE ADOPTING THE OFFICIAL SEAL OF WALTON COUNTY AND ESTABLISHING STANDARDS FOR THE USE THEREOF, AND THEREBY AMENDING WALTON COUNTY CODE OF ORDINANCES CHAPTER 1 - GENERAL PROVISIONS TO CREATE ARTICLE II – OFFICIAL DESIGNATIONS, TO INCLUDE NEW SECTIONS 2-1 THROUGH 2-3 PERTAINING TO THE COUNTY SEAL AND STANDARDS FOR THE USE THEREOF; PROVIDING FOR THE RESERVATION OF FUTURE SECTIONS 2-4 THROUGH 2-20; PROVIDING FOR CREATION OF ARTICLE I OF CHAPTER 1; PROVIDING FOR THE INCLUSION OF EXISTING SECTIONS 1-1 THROUGH 1-10 UNDER ARTICLE I; PROVIDING FOR RESERVATION OF FUTURE SECTIONS 1-11 THROUGH 1-20; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Walton County Board of County Commissioners (the “County”) finds it necessary and in the best interests of the public to Walton County to adopt the official Seal of Walton County (the “County Seal”) and establish standards for the use of said Seal, and;

WHEREAS, §165.043 Fla. Stat. (2023) presently states: “The governing body of a County or municipality may, by ordinance, designate an official County or municipal Seal. The manufacture, use, display, or other employment of any facsimile or reproduction of the County or municipal Seal, except by County or municipal officials or employees in the performance of their official duties, without the express approval of the governing body is a second degree misdemeanor, punishable as provided in s. 775.082 or 775.083.”

WHEREAS, the County further recognizes the need and public purpose for establishing standards for the use of the adopted County Seal, including a process to approve requested uses of the County Seal made by any person or entity, and;

WHEREAS, the County desires to provide these standards and standards regarding this approval process regarding what uses are for a proper purpose and what uses are unauthorized, and to do so by Resolution of the Board of County Commissioners, and;

WHEREAS, the County Seal, not presently adopted by Ordinance, will be required to be included in the Walton County Code of Ordinances and the creation of a new Article and Sections, and related changes to the article numbering of Chapter 1 of said Code of Ordinances will be required as part thereof,

NOW THEREFORE, be it ordained by the Walton County Board of County Commissioners that the Official Seal of Walton County shall be adopted and standards for the use thereof established, to be included in the Walton County Code of Ordinances as set forth below:

ARTICE II – OFFICIAL DESIGNATIONS

Sec. 2-1 County Seal

- (a) The Walton County Board of County Commissioners hereby designates the following Seal to be the official Seal of Walton County, Florida:



- (b) The Seal is to be used for official County business by County officials, County employees, and authorized agents and representatives of the County in the performance of their official duties. Any and all other uses shall require written approval to be obtained from the County Administrator or a designee appointed thereby. The County Administrator, a designee thereof, may authorize use of the Seal upon written request from any person or entity evidencing with a lawful and proper purpose for use of the Seal in accordance with the policies set forth pursuant to Section 2-2 of this Ordinance.

Sec. 2-2 Standards and Approval for Use of County Seal

The Board of County Commissioners may adopt standards for use of the County Seal, and all approvals issued for use of the County Seal shall adhere to those standards. All approvals of use shall be made in writing by the County Administrator or a designee appointed thereby, specifying to whom approval is granted and for what purposes and duration. Approvals are non-transferable and shall not be for use other than that expressly granted or for a duration longer than the period of time granted. Approval for use of the County Seal may be revoked at any time and for any reason, upon written notice from and by the County Administrator or a designee appointed thereby.

In order to determine if the requesting person or entity's request is for a lawful and proper purpose, the following factors, at a minimum, are to be considered, in addition to any and all regulations adopted by Resolution of the Board of County Commissioners:

- (a) The nature of the proposed use, including manner, purpose, time, and place of use;
- (b) Whether the use of the County Seal would tend to mislead the public into believing that a person, meeting, project, or event carries official County sanction or approval; and
- (c) If placed on a product, whether the use of the County Seal on the product would tend to mislead the public into believing that a product carries official County sanction or approval.

Sec. 2-3 Unauthorized and Prohibited Uses of County Seal

The Board of County Commissioners may, by Resolution, establish uses of the County Seal that are prohibited. In no event shall approval be granted for the use of the County Seal for those uses which are so prohibited.

Any manufacture, use, display, facsimile, or reproduction of the County Seal not approved pursuant the terms of this Ordinance; that does not adhere to the standards of use adopted, that does not conform to the terms of approval granted, or that is prohibited shall be deemed unauthorized.

Unauthorized manufacture, use, display, facsimile, or reproduction shall be punishable as provided in §165.043 Fla. Stat., as a second degree misdemeanor.

Sec. 2-4 through 2-20. Reserved.

CODIFICATION OF CODE AND RENUMBERING OF SECTIONS.

In the codification of this Ordinance into the Walton County Code of Ordinances, Chapter 1 – General Provisions shall be amended to include Articles, identified as Article I, which shall encompass Sections 1-1 through 1-10, and shall add sections Sections 1-11 through 1-20 (Reserved), and Article II as set forth above.

CONFLICTS AND SEVERABILITY

If any portion of this Ordinance is determined by any Court to be invalid or otherwise found to be in conflict with any other provision of law, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption by the Walton County Board of County Commissioners, as provided by law.

PASSED AND DULY ADOPTED in regular session, by the Board of County Commissioners of Walton County, Florida, this 9th day of April, 2024.

Attest:



Sylvia Powell
for Alex Alford, Clerk of Circuit Court
and County Comptroller

BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

Tony Anderson
Anthony "Tony" Anderson, Chair