



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2475, **Version:** 1

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### **Subject:**

Legislative Intent and Permission to Advertise an Ordinance Repealing Section 6-2, Brevard County Code of Ordinances

### **Fiscal Impact:**

None

### **Dept/Office:**

District 3

### **Requested Action:**

Board discussion of and issuance of legislative intent and permission to advertise an ordinance repealing Section 6-2 of Brevard County Code of Ordinances

### **Summary Explanation and Background:**

Section 6-2, instituted in its current form in 1979, restricts the possession of open containers in certain areas of unincorporated Brevard County.

Florida Statute, including Sec. 856.011, currently regulates similar behavior. There is no rational reason for Brevard County to be more restrictive on such activity.

Critically, this ordinance does not reach any dangerous behavior, such as drinking while intoxicated or acting in a violent or threatening manner while intoxicated. This ordinance deals only with the act of having access to an open container of an alcoholic beverage. In essence, this ordinance is a relic.

As such, it is proposed that Section 6-2 of Brevard County Code of Ordinances be repealed.

### **Clerk to the Board Instructions:**