

AN ORDINANCE OF ST. JOHNS COUNTY, STATE OF FLORIDA, MAKING IT UNLAWFUL FOR ANY PERSON OR LEGAL ENTITY WHO SHALL OWN, BE IN CHARGE OF, BE RESPONSIBLE FOR, BE RIDING ON, OR BE IN CONTROL OF ANY EQUINE TO PERMIT SUCH EQUINE TO BE PRESENT ON COUNTY BEACHES, BETWEEN THE NORTHERN BORDER OF THE GUANA TOLOMATO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE TO THE DUVAL COUNTY LINE, BETWEEN APRIL 15, AND SEPTEMBER 15 OF EACH YEAR BETWEEN THE HOURS OF 9:00AM AND 5:00PM ON SATURDAY, SUNDAY AND ANY FEDERAL HOLIDAY; DEFINING COUNTY BEACHES; REGULATING EQUINE RIDING ON THE BEACH BETWEEN THE NORTHERN BORDER OF THE GUANA TOLOMATO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE TO THE DUVAL COUNTY LINE; PROVIDING FOR PERMITTED DATES OF EQUINE RIDING ON THE BEACH; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 1(f) of the State Constitution states that Counties not operating under county charters shall have such power of self-government as is provided by general or special law; and

WHEREAS, the Board of County Commissioners of St. Johns County, have the power to carry on County government to the extent not inconsistent with general or special law per Florida Statutes Section 125.01; and,

WHEREAS, Counties may Adopt ordinances and resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law; and

WHEREAS, the Board of County Commissioners of St. Johns County find that Equine riding on the Public Beach from April 15th to September 15th, of each year, between the hours of 9:00AM to 6:00pm on Saturday and Sunday creates additional congestion that may be harmful to the health and welfare of St. Johns County citizens.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THAT THE FOLLOWING REGULATIONS OF EQUINE RIDING ON PUBLIC BEACHES WITHIN THE UNINCORPORATED PORTION OF ST. JOHNS COUNTY BEACH AREA ARE HEREBY ADOPTED.

Section 1. It shall be unlawful for any person or legal entity who shall own, be in charge of, be responsible for, be riding on, be in control of any Equine to permit such Equine to be present on County beaches from the northern border of the Guana Tolomato Matanzas National Estuarine Research Reserve to the Duval County line between April 15th and September 15th, of each year, between the hours of 9:00AM and 5:00PM on Saturday, Sunday, and Federal Holidays.

Section 2. County beaches shall be defined as all beaches adjacent to the Atlantic Ocean between the high and low water marks within the confines of St. Johns County outside the limits of any municipality.

Section 3. The Sherriff of St. Johns County, Florida, the Code Enforcement Division of St. Johns County Florida, and Animal Control Division of St. Johns County Florida are authorized to enforce the provisions and regulations of this Ordinance.

Section 4. It is the intent of the Board of County Commissioners of St Johns County, Florida, that this Ordinance shall amend and add to any other existing Ordinance which regulates the Control of Equines on the Public Beach. All provisions of County Ordinance, resolutions, regulations and policies in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 5. Enforcement

- (1) Violations of county ordinances shall be prosecuted in the same manner as misdemeanors are prosecuted. Such violations shall be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and upon conviction shall be punished by a fine not to exceed \$500 or by imprisonment in the county jail not to exceed 60 days or by both such fine and imprisonment.
- (2) The County Administrator or the County Administrator's designee, or the Sheriff or the Sheriff's designee shall be responsible for investigating all violations of this Ordinance.

Section 6. Severability

It is the intent of the Board, and it is hereby provided, that if any phrase, clause, sentence, subsection, section, or provision of this Ordinance is held to be invalid, or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining phrases, clauses, sentences, subsections, sections, or provisions of this Ordinance.

Section 7. Exceptions

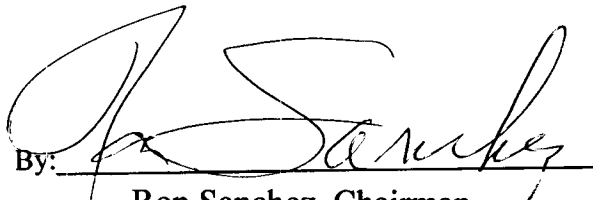
This Ordinance shall not apply to any Federal, State or Local government entity, while in the scope of its duties in protecting the general health, safety and welfare of the public.

Section 8. Effective Date

The provisions of this Ordinance will take effect from the date of approval by the Board of County Commissioners of St. Johns County, Florida, and upon filing this Ordinance with the State of Florida.

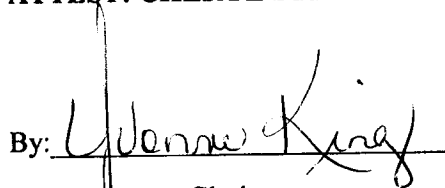
PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 15th day of December, 2009.

**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

By: 
Ron Sanchez, Chairman

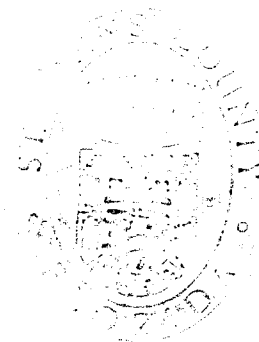
Rendition Date: December 16, 2009

ATTEST: CHERYL STRICKLAND, CLERK OF COURT

By: 
Deputy Clerk

Adopted regular meeting 12/15/09

Effective Date: December 17, 2009



SJC MINUTES & RECORDS C/O CLER
ATTN MS.P DEGRANDE
500 SAN SEBASTIAN VIEW
SAINT AUGUSTINE FL 32084

Ref.#: L4138-9
P.O.#: L4138-9

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **ULINDA E. VERSTRAATE**

who on oath says that he/she is an Employee of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement being a **NOTICE OF HEARING**

In the matter of **HORSE BAN ORDINANCE - HORSE BAN ON PARTS OF BEACH**

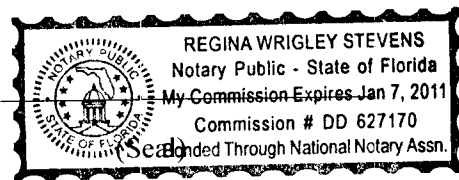
was published in said newspaper on **12/02/2009**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 2nd day of Dec 2009

by Ulinda E Verstraate who is personally known to me or who has produced as identification

Regina Wrigley Stevens
(Signature of Notary Public)



accommodation to participate in the proceedings should contact ADA Coordinator at (904) 309-0450 at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Patricia DeGrande, Deputy Clerk
L4138-9 Dec 2, 2009

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, December 15, 2009 at 9:00 a.m. in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to consider adoption of the following ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, STATE OF FLORIDA, MAKING IT UNLAWFUL FOR ANY PERSON OR LEGAL ENTITY WHO SHALL OWN, BE IN CHARGE OF, BE RESPONSIBLE FOR, BE RIDING ON, OR BE IN CONTROL OF ANY EQUINE TO PERMIT SUCH EQUINE TO BE PRESENT ON COUNTY BEACHES, BETWEEN THE NORTHERN BORDER OF THE GUANA TOLOMATO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE TO THE DUVAL COUNTY LINE, BETWEEN APRIL 15, AND SEPTEMBER 15 OF EACH YEAR BETWEEN THE HOURS OF 9:00AM AND 5:00PM ON SATURDAY, SUNDAY AND ANY FEDERAL HOLIDAY; DEFINING COUNTY BEACHES; REGULATING EQUINE RIDING ON THE BEACH BETWEEN THE NORTHERN BORDER OF THE GUANA TOLOMATO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE TO THE DUVAL COUNTY LINE; PROVIDING FOR PERMITTED DATES OF EQUINE RIDING ON THE BEACH; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, Florida and may be examined prior to the public hearing.

Interested parties may appear at the public hearing and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the public hearing, he/she will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

December 17, 2009

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

2009 DEC 22 AM 8:41
CLERK OF THE CIRCUIT COURT AND
ST. JOHNS COUNTY COMMISSION
ST. JOHNS COUNTY FL

FILED

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 16, 2009 and certified copies of St. Johns County Ordinance Nos. 2009-59 through 2009-66, which were filed in this office on December 17, 2009.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

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