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PARKS-12/10/03

ORDINANCE NO. 03-28

AN ORDINANCE AMENDING SECTION 1-15, ARTICLE II OF THE CODE OF ORDINANCES AND COMPILED LAWS OF ST. LUCIE COUNTY, FLORIDA, TO PROVIDE FOR DOGS ON THE BEACH UNDER THE CONDITIONS CREATED IN SECTION 1-15-25(a)(3); PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR AN EFFECTIVE DATE; ADOPTION; AND CODIFICATION.

1. **WHEREAS**, on November 9, 1982, the St. Lucie County Board of County Commissioners adopted Ordinance No. 82-10, which created Section 1-5-25(a) of the Code of Ordinances and Compiled Laws of St. Lucie County, Florida, adopted November 9, 1982, prohibiting dogs and other animals on the beach.

2. **WHEREAS**, on March 8, 1988, the St. Lucie County Board of County Commissioners adopted Ordinance 88-14, which provided that Section 1-15-25(a) was amended and that horseback riding was allowed on the beach.

3. **WHEREAS**, it is appropriate to further amend Chapter 1-5-25 to permit leashed dogs on Walton Rocks Beach via the two southernmost Beach Access points .

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Lucie County, Florida:

PART A. AMENDMENT OF SECTION 1-15, ARTICLE II (PARKS AND RECREATION) OF THE ST. LUCIE COUNTY CODE OF ORDINANCES AND COMPILED LAWS

Section 1-15, ARTICLE II (Parks and Recreation) of the Code of Ordinances and Compiled Laws of St. Lucie County, Florida, is hereby amended to read as follows:

Struck through words are deleted.
Underlined words are added.

for: County atty

Sec. 1-15-25. Beaches.

(a) No dog or other animal will be permitted on the beach areas regulated by this article except as set out below:

1. Authorized law enforcement dogs being used for emergency purposes and patrol.
2. Horses engaged in horseback riding activities if authorized by permit from the Director of Recreation and Parks of St. Lucie County and subject to Section 1-7.6-55(2) setting forth further restrictions during turtle nesting season (May 1 - October 31).
3. A maximum of three (3) dogs per person may be permitted on Walton Rocks Beach provided the following:

(a) Any person having a dog on the beach must keep the dog under control. If the dog annoys or bothers other people, dogs or animals the dog must be fastened to a suitable leash of dependable strength not to exceed eight (8) feet in length and leash must be held or controlled.

(b) Any person having a dog on the beach must carry with and on such person suitable materials and utensils with which to remove from the beach any fecal matter deposited by such dog and must remove any fecal matter immediately upon its deposit by the dog under the person's supervision and control.

(c) Each such dog must have affixed to its collar a current rabies inoculation tag evidencing the dog has been properly inoculated against rabies within the past year.

PART B. CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of St. Lucie County, and adopted prior to January 1, 1969, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

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Underlined words are added.

PART C. SEVERABILITY AND APPLICABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

PART D. FILING WITH THE DEPARTMENT OF STATE.

The Clerk is hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART E. EFFECTIVE DATE.

A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners of St. Lucie County within ten days after enactment by the Board, and this ordinance shall take effect on October 15, 2003.

PART F. ADOPTION.

After motion and second, the vote on this ordinance was as follows:



Chairman Cliff Barnes	AYE
Vice Chairman Paula A. Lewis	AYE
Commissioner Frannie Hutchinson	AYE
Commissioner John D. Bruhn	AYE
Commissioner Doug Coward	AYE

PART G. CODIFICATION.


Provisions of this ordinance shall be incorporated in the Code of Ordinances of St. Lucie County, Florida, and the word "ordinance" may be changed to "section", "article", or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Parts B through G shall not be codified.

PASSED AND DULY ADOPTED this 19th day of August, 2003.

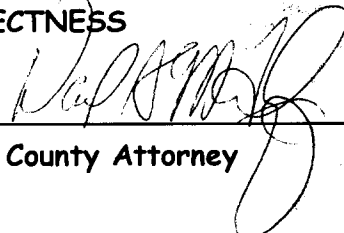
ATTEST:


Deputy Clerk


BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

BY: 
Chairman

APPROVED AS TO FORM AND
CORRECTNESS


County Attorney