

ORDINANCE NO. 2017 – 02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BAKER COUNTY, FLORIDA, CREATING WITHIN CHAPTER 28 – PARKS AND RECREATION, SECTION 28-2 USE FEES FOR ST. MARY’S SHOALS PARK; PROVIDING DEFINITIONS, FEES AND ENFORCEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING DIRECTION TO STAFF; PROVIDING DIRECTION TO THE CODIFIER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Baker County believe it to be in the public interest to adopt fees relating to the use of St. Mary’s Shoals Park in order to ensure the park continues to serve as a recreation facility for the public; and

WHEREAS, fees collected pursuant to this ordinance shall be used to fund the budget needs of St. Mary’s Shoals Park; and

WHEREAS, the Board of County Commissioners of Baker County, Florida was presented and reviewed this ordinance at a public hearing for a first reading on March 7, 2017; and

WHEREAS, the Board of County Commissioners of Baker County, Florida finds that the adoption of this ordinance is in the best interest of Baker County, Florida and its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Baker County, Florida as follows;

Section 1. Adoption and Incorporation of Recitals. The Board of County Commissioners of Baker County, Florida adopts the recitals outlined above and incorporates them herein as a part of this ordinance.

Section 2. Authority for and Purpose of Ordinance. This ordinance is adopted by the Board of County Commissioners of Baker County, Florida pursuant to the authority established and granted by Florida law, specifically, Section 125.01(f), Florida Statutes.

Section 3. Code Created. The Baker County Code of Ordinances is hereby amended to create the following provisions:

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BAKER COUNTY FLORIDA
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Sec. 28-2. – Use Fees for St. Mary’s Shoals Park.

(a) Definitions.

“ATV” is defined as All-Terrain Vehicle and includes motorized dirt bikes.

“Bicyclist” is defined the person or persons who utilize their own feet to propel a bicycle using pedals. The bicycle does not have a motor or other motorized device to propel it.

“Park Day” or “Daily” is defined as the printed daily operating hours of Shoals Park. Currently is “Sunrise to Sunset”

“Senior Discount” is defined as the reduced fee for users over the age of sixty-five.

“Special Event” is defined as a non-recurring event in which enhanced staffing are present to accept admission or parking fees.

“Tri-Pass” is defined as a pass for pre-paid entry into the park that covers a four month period. An individual will need to obtain three tri-passes for a twelve month period.

“Veterans Discount” is defined as the reduced fee for United States Veterans.

(b) Fees. The following fees shall be applied and collected for each Park Day of the use of the St. Mary’s Shoals Park and any related trails, facilities and property as follows:

(1) Daily Fee:

- a. Pedestrian - No Charge
- b. Bicyclist - No Charge
- c. County and State vehicles - No Charge
- d. Vehicles displaying a valid handicapped sticker - No Charge
- e. ATV - \$5.00
- f. Passenger vehicles and vehicles with trailers in tow - \$5.00
- g. Commercial vehicle or bus capable of transporting 10 or more people - \$50.00

(2) Special Event Daily Fee:

- a. County and State vehicles - No Charge

- b. Vehicles displaying a valid handicapped sticker - No Charge
- c. Pedestrian - \$5.00
- d. Pedestrian (Senior or Veterans Discount) - \$3.00
- e. Bicyclist - \$5.00
- f. Bicyclist (Senior or Veterans Discount) - \$3.00
- g. ATV - \$5.00
- h. Passenger vehicles and vehicles with trailers in tow - \$5.00
- i. Commercial vehicle or bus capable of transporting 10 or more people - \$50.00

(3) Annual Pass:

- a. Individual Pass - \$30.00
- b. Individual Pass for Senior or Veteran - \$25.00
- c. Individuals who volunteer at least eight (8) hours as supervised by a Baker County Employee to clean up St. Mary's Shoals Park will be provided a Tri-Pass at No Charge for unlimited admission to St. Mary's Shoals Park for the period of four (4) months.

(c) Enforcement.

(1) The Daily Fee receipt or Annual Pass must be displayed at all times:

- a. In the front windshield in clear view on the dashboard,
- b. Hanging from the rear view mirror, or
- c. In the possession of the individual operating the vehicle or ATV.

(2) Upon observing a violation of this section, a code enforcement officer or any law enforcement officer with jurisdiction over the park:

- a. If, after personal investigation, an officer finds that the violator has failed to comply with the user fees set forth in this section, the officer may issue a citation, in accordance with sec. 1-7. Of the Baker County Code of Ordinances, not to exceed \$100.00, to the violator.

(3) Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer or law enforcement officer shall be guilty of

a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or 775.083.

Section 5. Conflicts. All ordinances and parts of ordinances in conflict herewith are, to the extent of said conflict, hereby repealed.

Section 6. Severability. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.


Section 7. Direction to Staff. The Board of County Commissioners of Baker County, Florida hereby instructs staff to take any and all necessary steps to ensure proper filing and codification of this ordinance and to do so as quickly and efficiently as possible.

Section 8. Direction to Codifier. It is the intention of the Board of County Commissioners of Baker County, Florida that this ordinance shall become and be made a part of the Baker County Code, and that when codified; the sections and paragraphs of this ordinance may be renumbered or re-lettered to accomplish such intention.

Section 9. Effective Date. This ordinance shall take effect immediately upon adoption.

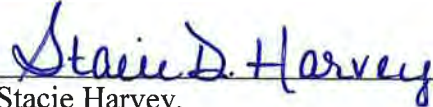
PASSED AND DULY ADOPTED with a quorum present and voting, by the Board of County Commissioners of Baker County, Florida, this 21st day of March, 2017.

**BOARD OF COUNTY COMMISSIONERS OF
BAKER COUNTY, FLORIDA**



Oliver J. Anderson,
Chairman

ATTEST:



Stacie Harvey,
Clerk to the Board