

ORDINANCE NUMBER 72- 3

INTRODUCED BY COMMISSIONER Wiles

AN ORDINANCE AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ESTABLISH, ACQUIRE AND OPERATE PUBLIC PARKS AND RECREATIONAL SYSTEMS; TO ACQUIRE BY GIFT, PURCHASE OR OTHERWISE LANDS FOR SUCH PURPOSES; TO AUTHORIZE ST. JOHNS COUNTY TO CONDUCT RECREATIONAL ACTIVITIES AND CONFERRING POWERS ESSENTIAL TO THE ACCOMPLISHMENT OF SUCH PURPOSES; TO AUTHORIZE THE COLLECTION OF FEES FOR THE USE OF SUCH FACILITIES AND THE GRANTING OF CONCESSIONS; TO AUTHORIZE AN APPROPRIATION ANNUALLY FROM THE GENERAL FUND OF THE COUNTY NOT EXCEEDING \$35,000.00 FOR SUCH PURPOSES AND ACTIVITIES; TO AUTHORIZE THE ADOPTION AND MAINTENANCE OF RULES AND REGULATIONS FOR THE CONTROL OF SUCH PROPERTIES AND SUCH FACILITIES AND THE ROADS AND PARKWAYS THEREIN; TO PROVIDE PENALTIES FOR THE VIOLATION OF SUCH RULES AND REGULATIONS AND TO AUTHORIZE COOPERATION FOR SUCH PURPOSES BETWEEN ST. JOHNS COUNTY AND ANY MUNICIPALITIES IN SAID COUNTY AND WITH THE BOARD OF PUBLIC INSTRUCTION OF SAID COUNTY; TO EMPLOY NECESSARY PERSONNEL FOR THE OPERATION OF SUCH FACILITIES AND DECLARING THE OPERATION AND CONDUCTING OF SUCH FACILITIES TO BE A PUBLIC COUNTY PURPOSE AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1: The Board of County Commissioners of St. Johns County, Florida, is hereby authorized and empowered to establish, acquire and operate public parks and recreational systems, and to designate, acquire and improve, extend, operate and maintain lands, buildings and other facilities for public parks, parkways, playgrounds, recreational centers and for other recreational purposes, and to conduct a program of recreational activities as hereinafter provided.

Section 2: That said Board of County Commissioners of St. Johns County, Florida, shall have the custody, control and management of all real and personal property heretofore or hereafter designated or acquired by such county for parks, parkways, playgrounds, recreational centers and for other recreational purposes, and may:

(a) Plan, lay out, improve, develop, embellish, preserve and maintain all such parks, parkways, playgrounds, and recreational centers and facilities.

(b) Construct and reconstruct, alter and renew buildings and other structures and facilities and equipment and maintain the same.

(c) Employ and fix the compensation of qualified superintendents, engineers, architects, recreational directors, play leaders and such other officers or employees as may be deemed necessary.

(d) Provide, conduct and supervise the program of recreational activities.

(e) Charge and collect reasonable fees for the use of such facilities, privileges and conveniences as may be provided.

(f) Operate revenue facilities and accommodations in and upon properties owned and controlled by said county for the purposes aforesaid and to rent out the same upon such terms and conditions as are deemed to be in the public interest.

Section 3: That in the operation and maintenance of the facilities authorized by this ordinance, said Board of County Commissioners may make, alter, amend and repeal rules and regulations for the protection, regulation and control of all parks, parkways, playgrounds and recreational centers and other property under its control for the purposes herein authorized, and for determining whether, and to what extent, the paths, roads and driveways (other than public highways) within such parks, parkways, playgrounds and recreational centers and recreational facilities shall be used for traffic by vehicles and different classes of vehicles, and for regulating the speed of such vehicles. Such rules and regulations shall not take effect until 15 days after their adoption by said Board and after their publication once a week for two weeks in a newspaper of general circulation published in said county.

Section 4: Any person violating any rule and regulation made and promulgated in pursuance of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by law for the punishment of misdemeanors.

Section 5: That said Board of County Commissioners may join in or cooperate with any municipality or the Board of Public Instruction of said county in acquiring, operating and maintaining parks, parkways, playgrounds and recreational centers and facilities authorized by this ordinance and make such contracts and agreements with any municipality or the Board of Public Instruction in said county, or with any designated agency or board of any municipality for the operation of the activities and facilities authorized by this ordinance.

Section 6: That said Board of County Commissioners, in order to establish, acquire, operate and maintain facilities authorized by this ordinance, may appropriate annually from the general fund of said county a sum not exceeding \$35,000.00 for such purposes, and to use said sum together with such fees and revenues that may be derived by the operation of any such facilities toward the establishment and maintenance of such facilities.

Section 7: That the operation and maintenance and acquisition of the facilities hereby authorized are hereby expressly recognized and declared to be a public county purpose.

Section 8: If any section of this ordinance should be held unconstitutional, invalid or inoperative, such holding shall not affect the remaining portion thereof, and it is hereby declared to be the intent of the county to enact the said remaining provisions hereof.

Section 9: This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the

Secretary of State, to the Clerk of the Board of County Commissioners,
that same has been filed.

PASSED by the County Commission of the County of St.
Johns, State of Florida, this 11th day of July, 1972.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By Don F. Miller
Its Chairman

ATTEST:

Chas. Lawton
Its Clerk

The St. Augustine Record

PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS. }

Before the undersigned authority personally appeared A. H. Tebault who on oath says that he is Editor - General Manager 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 Legal Notice - Notice to Consider Passage of Ordinance in the matter of County Commission in the County Court, was published in said newspaper in the issues of June 21, 1972

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

Sworn to and subscribed before me this 24th day of June, 1972

A. D. 1972
Notary Public
(BRALL)

Notary Public, State of Florida at Large
My Commission Expires Oct. 2, 1972
Printed by American Fire & Casualty Co.

COPY OF ADVERTISEMENT

NOTICE
NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON JULY 11, 1972, AT 10:30 A.M., IN THE COUNTY COMMISSIONERS' ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO ESTABLISH, ACQUIRE AND OPERATE PUBLIC PARKS AND RECREATIONAL SYSTEMS; TO ACQUIRE BY GIFT, PURCHASE OR OTHERWISE LANDS FOR SUCH PURPOSES; TO AUTHORIZE ST. JOHNS COUNTY TO CONDUCT RECREATIONAL ACTIVITIES AND CONFERRING POWERS ESSENTIAL TO THE ACCOMPLISHMENT OF SUCH PURPOSES; TO AUTHORIZE THE COLLECTION OF FEES FOR THE USE OF SUCH FACILITIES AND THE GRANTING OF CONCESSIONS, TO AUTHORIZE AN APPROPRIATION ANNUALLY FROM THE GENERAL FUND OF THE COUNTY NOT EXCEEDING \$5,000.00 FOR SUCH PURPOSES AND ACTIVITIES; TO AUTHORIZE THE ADOPTION AND MAINTENANCE OF RULES AND REGULATIONS FOR THE CONTROL OF SUCH PROPERTIES AND SUCH FACILITIES AND THE ROADS AND PARKWAYS THEREIN; TO PROVIDE PENALTIES FOR THE VIOLATION OF SUCH RULES AND REGULATIONS AND TO AUTHORIZE COOPERATION FOR SUCH PURPOSES BETWEEN ST. JOHNS COUNTY AND ANY MUNICIPALITIES IN SAID COUNTY AND WITH THE BOARD OF PUBLIC INSTRUCTION OF SAID COUNTY, TO EMPLOY NECESSARY PERSONNEL FOR THE OPERATION OF SUCH FACILITIES AND DECLARING THE OPERATION AND CONDUCTING OF SUCH FACILITIES TO BE A PUBLIC COUNTY PURPOSE AND PROVIDING AN EFFECTIVE DATE.
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recreational activities as hereinafter provided.
Section 2: That said Board of County Commissioners of St. Johns County, Florida, shall have the custody, control and management of all real and personal property heretofore or hereafter designated or acquired by such county for parks, parkways, playgrounds, recreational centers and for other recreational purposes, and may:
(a) Plan, lay out, improve, develop, embellish, preserve and maintain all such parks, parkways, playgrounds, and recreational centers and facilities.
(b) Construct and reconstruct, alter and renew buildings and other structures and facilities and equipment and maintain the same.
(c) Employ and fix the compensation of qualified superintendents, engineers, architects, recreational directors, play leaders and such other officers or employees as may be deemed necessary.
(d) Provide, conduct and supervise the program of recreational activities.
(e) Charge and collect reasonable fees for the use of such facilities, privileges and conveniences as may be provided.
(f) Operate revenue facilities and accommodations in and upon properties owned and controlled by said county for the purposes thereof and to rent out the same upon such terms and conditions as are deemed to be in the public interest.
Section 3: That in the operation and maintenance of the facilities authorized by this ordinance, said Board of County Commissioners may make, alter, amend and repeal rules and regulations for the protection, regulation and control of all parks, parkways, playgrounds, and recreational centers and other property under its control for the purposes herein authorized, and for determining whether, and to what extent, the paths, roads and driveways (other than public highways) within such parks, parkways, playgrounds and recreational centers and recreational facilities shall be used for traffic by vehicles and different classes of vehicles, and for regulating the speed of such vehicles. Such rules and regulations shall not take effect until 15 days after their adoption by said board or their publication once a week for two weeks in a newspaper of general circulation published in said county.
Section 4: Any person violating any rule and regulation made and promulgated in pursuance of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by law for the punishment of misdemeanors.
Section 5: That said Board of County Commissioners may join in or cooperate with any municipality or the Board of Public Instruction of said county in acquiring, operating and maintaining parks, parkways, playgrounds and recreational centers and facilities authorized by this ordinance and make such contracts and agreements with any municipality or the Board of Public Instruction in said county or with any designated agency or board of any municipality for the operation of the activities and facilities authorized by this ordinance.
Section 6: That said Board of County Commissioners, in order to establish, acquire, operate and maintain facilities authorized by this ordinance, may appropriate annually from the general fund of said county a sum not exceeding \$5,000.00 for such purposes, and to use said sum together with such fees and revenues that may be derived by the operation of any such facilities toward the establishment and maintenance of such facilities.
Section 7: That the operation and maintenance and acquisition of the facilities hereby authorized are hereby expressly recognized and declared to be a public county purpose.
Section 8: If any section of this ordinance should be held unconstitutional, invalid or inoperative, such holding shall not affect the remaining portion thereof and it is hereby declared to be the intent of the county to enact the said remaining provisions hereof.
Section 9: This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Secretary of State, to the Clerk of the Board of County Commissioners, that same has been filed.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
By OLIVER LAWTON
Its Clerk
J21 L271 Adv.



FILED Secretary of State

STATE OF FLORIDA
THE CAPITOL
TALLAHASSEE 32304

1972 JUL 18 AM 5 30

RICHARD (DICK) STONE
SECRETARY OF STATE

OLIVER LAWTON
CLERK OF COUNTY COURT
CLERK

July 17, 1972

Honorable Oliver Lawton, Clerk
Board of County Commissioners
St. Johns County Courthouse
St. Augustine, Florida 32084

Dear Mr. Lawton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letters of July 14 and certified copies of St. Johns County Ordinances Nos. 72-2, 72-3, and 72-4, which were filed in this office on July 17, 1972.

Kindest regards.

Cordially,

RICHARD (DICK) STONE
Secretary of State

Nancy Kavanaugh
By
(Mrs.) Nancy Kavanaugh
Acting Chief, Bureau of Laws

NK/sb