

ORDINANCE 86-2

AN ORDINANCE OF ST. JOHNS COUNTY FLORIDA SETTING INITIAL FEES FOR THE USE OF THE COUNTY OCEAN PIER; PROVIDING FOR FUTURE FEE CHANGES; PROVIDING FOR THE USE OF THE FEE PROCEEDS; PROHIBITING CERTAIN ACTIVITIES AND CONDUCT ON OR NEAR THE OCEAN PIER; PROVIDING THE INITIAL DAYS AND TIMES DURING WHICH FEES SHALL BE CHARGED AND FOR CHANGES THERETO; PROVIDING A METHOD TO CLOSE THE PIER TO THE PUBLIC; PROVIDING PENALTIES AND PROVIDING AN EFFECTIVE DATE.

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

Section I. The following use fees per person shall be charged by St. Johns County and paid by each County ocean pier user for use of and admission to the County Ocean Pier during the times and days hereafter set forth:

1. Use and Admission Fees:

A. Fishing Privileges:

- i) Over 12 year of age.....\$2.00 per day
- ii) 12 years of age or under and handicapped persons \$1.00 per day

B. Sightseeing (over age of 6).\$.50 per day

C. Senior Citizens over 60 years of age shall be admitted free of charge.

D. Persons exhibiting a valid County Lifetime Pass shall be admitted free of charge.

E. Annual admission fee: Persons exhibiting a valid and current annual admission ticket shall be admitted without paying the daily charges described above. Annual admission tickets covering January 1 through December 31 of each year shall cost...\$ 15.00

2. Days and hours during which payment of County ocean pier use fees are required:

(Describe)

365 days per year from 6:00 a.m. until 10:00 p.m. - no charge after 10:00 p.m. - fees to commence February 3, 1986

Section II. The use fees and the days and times described in Section I may be revised from time to time by resolutions(s) of the Board of County Commissioners of St. Johns County, Florida.

Section III. The ocean pier use fee proceeds shall be used solely for the following purposes:

- A. Payment to the ocean pier concessionaire of such portion of said fee as the County and concessionaire shall agree to as part of a concession agreement concerning the ocean pier facilities.
- B. Payment of County operational and maintenance and repair costs concerning the County ocean pier.

Section IV. The following activities and conduct are prohibited:

- A. Entry upon or being upon the County ocean pier during the times when payment of County ocean pier use fees are required without being in possession of a valid current ticket or pass evidencing payment of the appropriate County ocean pier use or admission fee.
- B. Possession, use, or control by one person of more than 2 fishing rods on the County ocean pier.
- C. Possession, ownership, use, or control of the following items on the County ocean pier:
 - i) Pets
 - ii) Bicycles or skateboards
 - iii) Glass containers
 - iv) Camping equipment
- D. Diving or jumping from the County ocean pier.
- E. Shark fishing from the County ocean pier.

- F. Docking against or touching the County ocean pier from the ocean waters at points located a distance of 20 feet or greater East of the ocean water line as such water line exists at the time of such docking or touching or being on or in the Ocean waters within 400 feet of the County ocean pier at any location in the water that is 20 feet East of the ocean water line as such water line exists at the time of such incident whether being in or on the water by boat, raft, surfboard, swimming or otherwise.
- G. Entering upon the County ocean pier at any place not designated by the County as a pier entry point.
- H. Entry or being upon the County ocean pier during such times that the pier has been closed to the public.

Section V. Notwithstanding Section IV above, the ocean pier concessionaire and his employees, St. Johns County officers and employees while on County business, and such other persons who enter upon the ocean pier for purposes of operating, cleaning, or maintaining the pier or providing law enforcement, emergency health care or other emergency services shall not be required to pay an ocean pier use or admission fee and may enter and be upon the County ocean pier at any time while such persons are on the pier for the purposes described in this section.

Section VI. The Chairman or Vice Chairman of the Board of County Commissioners of St. Johns County, the County Administrator, the Sheriff of St. Johns County and any other County officer or employee designated by resolution of the Board of County

Commissioners of St. Johns County may, in their sole discretion, order the County ocean pier closed to the public when in the opinion of such person the closing of the pier is necessary for the protection of the pier or of the public.

Section VII. Any person violating this Ordinance shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction shall be punished by a fine not to exceed \$500.00 or by imprisonment in the County Jail not to exceed 60 days or by both such fine and imprisonment.

Section VIII. 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 of St. Johns County, Florida, that same has been filed.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA this 7th day of January, 1986.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Francis N. Boulanger
Its Chairman

ATTEST: Carl "Bud" Markel, Clerk

By: Cheryl Kent
Deputy Clerk

Adopted regular meeting 01/07/86

Effective: 01/20/86

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 _____
Sandra G. Russ who on oath says that he is
Legal Advertising Clerk 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 Public Hearing
 _____ in the matter of _____
Passage of Ordinance
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
December 14, 1985

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 Sandra G. Russ
 this 16th day of December

A.D. 19 85
[Signature]
 (SEAL) Notary Public

Notary Public, State of Florida
 My Commission Expires Aug 4, 1989
 Bonded thru Tracy Rain Insurance, Inc.

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON JANUARY 7, 1986 AT 10:30 O'CLOCK A.M., IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. NO. 1 NORTH ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
 An Ordinance of St. Johns County, Florida setting initial fees for the use of the County Ocean Pier; providing for future fee changes; providing for the use of the fee proceeds; prohibiting certain activities and conduct on or near the ocean pier; providing the initial days and times during which fees shall be charged and for changes thereto; providing a method to close the pier to the public; providing penalties and providing an effective date.
 The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing. All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.
 If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purpose he 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.
 Board of County Commissioners of St. Johns County, Florida
 Carl "Bud" Markel, Its Clerk
 By: Cheryl Kent
 Deputy Clerk
 L617 Dec. 14, 1985