

**ORDINANCE NO. 2006-82**

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; TO BE KNOWN AS THE ST. JOHNS COUNTY DOCK LIGHTING ORDINANCE; RESTRICTING THE USE OF CERTAIN LIGHTS ON DOCKS WITHIN ST. JOHNS COUNTY, FLORIDA; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the unrestricted use of dock lighting harms the public health, safety, and welfare by causing unreasonable glare and visual clutter, and

**WHEREAS**, the unrestricted use of dock lighting causes boater disorientation and may lead to personal harm and property damage; and

**WHEREAS**, light pollution from the unrestricted use of residential dock lighting negatively affects the use and enjoyment of surrounding properties; and

**WHEREAS**, light pollution from the unrestricted use of dock lighting is detrimental to indigenous species of flora and fauna.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of St. Johns County, Florida, as follows:

SECTION 1. Definitions. In this Ordinance, unless the context otherwise requires:

- (a) "County" means the unincorporated portion of St. Johns County, Florida.
- (b) "Dock" means any fixed structure alongside or extending into navigable water, used or intended for use to park, load, or unload one or more vessels.
- (c) "High Intensity Discharge Light" (HID) means a light source characterized by an arc tube or discharge capsule that produces light, with typical sources being metal halide, high pressure sodium, and other similar types which are developed in accordance with accepted industry standards.
- (d) "Person" means any parcel owner, tenant, or entity within the unincorporated areas of St. Johns County, Florida.

SECTION 2. Restriction on use of lighting.

(a) Mercury-Vapor Lights; High Intensity Discharge (HID) Lights on Docks. It shall be unlawful for a person to illuminate a mercury-vapor or other high intensity discharge light on a dock within the County.

(b) Mercury-Vapor Lights; High Intensity Discharge (HID) Lights in the vicinity of Docks. It shall also be unlawful for a person to illuminate a mercury-vapor or other high intensity discharge light located on the land or bottom lands immediately adjacent to and within 50 feet of a dock, within the County.

(c) All Other Lights. It shall be unlawful for a person to illuminate other installed lights on a dock within the County, unless:

- (1) the light is equipped with an opaque shield and the light is placed no greater than eight (8) feet above the horizontal plane beginning at the point where the dock meets land; or
- (2) the light bulb(s) are 25 watts or less.

SECTION 3. Compliance Period. Dock owners shall have 45 days from the enactment of this ordinance to bring their properties into compliance with these regulations.

SECTION 4. Enforcement. This ordinance shall be enforced through the provisions of Ordinance 94-36, as may be amended from time to time. Each incident or separate occurrence of any act that violates this Ordinance shall be deemed a separate offense. In addition to the penalties provided under this said Ordinance 94-36, violators of this present Ordinance shall be subject to any other appropriate civil action provided by law in a court of competent jurisdiction, including, but not limited to, injunctive relief and code enforcement under Chapter 162, Florida Statutes.

SECTION 5. Severability. If any phrase, sentence, paragraph, or section of this Ordinance is declared unconstitutional or otherwise illegal, or if its applicability to any person or circumstances is held invalid, the validity of the remainder of this Ordinance and the applicability of it to other persons and circumstances shall not be affected thereby.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon receipt of official acknowledgement from the Department of State that this Ordinance has been filed.

**PASSED AND ENACTED** by the Board of County Commissioners of St. Johns County, State of Florida, this 25<sup>th</sup> day of July, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

RENDITION DATE 08-01-06

By: James E. Bryant  
James E. Bryant, Chairman

ATTEST Cheryl Strickland, Clerk

By: Venue King  
Deputy Clerk

Effective Date: August 3, 2006

# The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

## NOTICE OF PUBLIC HEARING BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, July 25, 2006 at 9:00 a.m. in the County Auditorium at the County Administration Complex, 4020 Lewis Speedway (County Road 16-A) and U.S.1 North, St. Augustine, Florida, to consider adoption of the following ordinance:  
**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; TO BE KNOWN AS THE ST. JOHNS COUNTY DOCK LIGHTING ORDINANCE; RESTRICTING THE USE OF CERTAIN LIGHTS ON DOCKS WITHIN ST. JOHNS COUNTY, FLORIDA; PROVIDING SEVERABILITY; PROVIDING 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 Complex, 4020 Lewis Speedway (CR 16A and U.S. #1), St. Augustine, Florida and may be examined by parties interested 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 accommodation to participate in the proceedings should contact ADA Coordinator, at (904) 209-0650 at the St. Johns County Courthouse, 4010 Lewis Speedway, Room 276, 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  
L1983-6 July 15, 2006

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**

who on oath says that he is an Accounting 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 **NOTICE OF HEARING**

in the matter **DOCK LIGHTING**

was published in said newspaper in the issues of

**JULY 15, 2006.**

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 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 the 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 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 17<sup>TH</sup> day of **JULY, 2006.**

by *Charles Barrett* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

*Brian Fike*

(Signature of Notary Public)



Brian Fike  
My Commission DD327588  
Expires June 09, 2008

(Seal)

BRIAN T. FIKE



FLORIDA DEPARTMENT OF STATE

**Sue M. Cobb**

Secretary of State

DIVISION OF LIBRARY AND INFORMATION SERVICES

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CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST JOHNS COUNTY FL

August 3, 2006

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

Attention: Yvonne King, Minutes & Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 2, 2006 and certifies copies of St. Johns County Ordinance Nos. 2006-82 through 2006-88, which were filed in this office on August 3, 2006.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/bpn

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