

AN EMERGENCY ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DECLARING THAT AN EMERGENCY EXISTS AND AMENDING ST. JOHNS COUNTY ORDINANCE NO. 2007-19 WHICH IS THE ST. JOHNS COUNTY BEACH CODE; THIS AMENDMENT MAKES CERTAIN ADDITIONAL FINDINGS; PROVIDING FOR CHANGES IN FIREWORKS PROVISIONS AND AUTHORIZING THE SHERIFF'S OFFICE TO BEGIN DIRECTING REMOVAL OF VEHICLES FROM THE BEACH BEGINNING AT 7:30 P.M. DURING TURTLE NESTING SEASON FROM MAY 1 THROUGH OCTOBER 31 OF EACH YEAR, AND PROVIDES AN EFFECTIVE DATE.

WHEREAS, St. Johns County has been issued an Incidental Take Permit from the United States Fish and Wildlife Commission that requires all vehicles to be off County beaches by 8:00 p.m. during turtle nesting season from May 1 through October 31 of each year; and

WHEREAS, the requirement that all vehicles must be off county beaches by 8:00 p.m. during turtle nesting season is for the protection of nesting turtles, their eggs, nests, and hatchlings, etc. pursuant to the Federal Endangered Species Act; and

WHEREAS, the County needs an adequate amount of time prior to 8:00 p.m. to effectuate the time limitation of the Federal Incidental Take Permit, and the need for additional time is a current emergency as turtle nesting season has begun for this year; and

WHEREAS, County staff reasonably requires a minimum of a thirty minute time period prior to 8:00 p.m. to clear vehicles from County beaches in order to comply with the 8:00 p.m. deadline of the Federal Incidental Take Permit; and

WHEREAS, to comply with State law pertaining to fireworks, the County amends the Fireworks and Explosives section of the Beach Code.

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

1. The Board of County Commissioners of St. Johns County hereby waives notice requirements for this emergency ordinance and declares that an emergency exists and that immediate enactment of this ordinance is necessary.

2. Section 3.13 of the St. Johns County Beach Code is amended to delete the words ".....bring into or have in their possession, or....." The following Section 3.13 is substituted in its place:

Section 3.13. Fireworks and Explosives. No person shall set off or otherwise cause to explode or discharge or burn within the unincorporated areas of the beach any firecrackers, torpedoes, rockets or other fireworks or explosives of flammable material, or discharge them or throw them onto the beach from land or water thereto unless part of a professional display approved by the Board of County Commissioners.

3. Section 5.05 of the St. Johns County Beach Code is amended to allow the County staff to authorize and direct removal of vehicles from the beach starting at 7:30 p.m. and any person failing to comply shall be deemed to be in violation of this Code. The following is substituted in the place of the first paragraph of Section 5.05:

Section 5.05 Nighttime Driving/Parking. No person shall drive or park any vehicle on the Atlantic Ocean Beach between the hours of 7:30 p.m. and 8:00 a.m. during turtle nesting season from May 1, of each year, through October 31, of each year. The County staff is hereby authorized to direct, by signage or otherwise, removal of vehicles beginning at 7:30 p.m. during turtle nesting season of each year. Any person failing to comply with these provisions shall be in violation of this Beach Code. Said prohibition shall not be enforced on such beach from the north side of the Vilano Road beach access ramp south to the St. Augustine Inlet from 8:00 a.m. on July 4, of each year, until 1:00 a.m. on July 5, of each year.

The second paragraph of Section 5.05 shall remain unchanged.

4. This ordinance is enacted pursuant to Section 125.66 (3), Florida Statutes and shall take effect when a copy has been accepted by the postal authorities of the United States for special delivery by certified mail to the Department of State.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS

COUNTY, FLORIDA this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

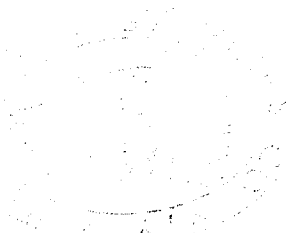
BY: Beverly DeLo  
Chairman

REVOIDANCE DATE 06/14/07

ATTEST: Cheryl Strickland, Clerk

By: Yvonne King  
Deputy Clerk

Effective Date: 06/14/07



**SENDER: COMPLETE THIS SECTION**  
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
Dept. of State  
Bureau of Admin. Code  
2nd weekly  
R.A. Gray Bldg. Rm 101  
500 S. Bronough St.  
TALLAHASSEE, FL.  
32399-0250

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

B. Received by (Printed Name) DEPT. OF STATE C. Date of Delivery JUN 18 2007

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

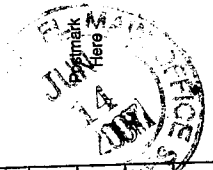
**CLEARED**

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**U.S. Postal Service™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)  
For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To Dept. of State Bureau of Admin. Code  
Street, Apt. No., 500 South Bronough St  
or PO Box No. 500 City, State, ZIP+4 Tallahassee FL 32399-0250

5299 2692 0000 0190 9002

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, will hold a public hearing on Tuesday, June 12, 2007 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 emergency ordinance:

**AN EMERGENCY ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DECLARING THAT AN EMERGENCY EXISTS AND AMENDING ST. JOHNS COUNTY ORDINANCE NO. 2007-19 WHICH IS THE ST. JOHNS COUNTY BEACH CODE; THIS AMENDMENT MAKES CERTAIN ADDITIONAL FINDINGS; PROVIDING FOR CHANGES IN FIREWORKS PROVISIONS AND AUTHORIZING THE SHERIFF'S OFFICE TO BEGIN DIRECTING REMOVAL OF VEHICLES FROM THE BEACH BEGINNING AT 7:30 P.M. DURING TURTLE NESTING SEASON FROM MAY 1 THROUGH OCTOBER 31 OF EACH YEAR, AND PROVIDES AN EFFECTIVE DATE.**

The proposed emergency 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 Speed-

way (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, prior to the date of the hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
CHERYL STRICKLAND, ITS CLERK  
By: Yvonne King, Deputy Clerk  
L1534-7 June 9, 2007

COPY OF

# The St. Augustine Record

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

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 a **NOTICE OF HEARING**

in the matter **ORDS EMERG, PARKING**

was published in said newspaper in the issues of **JUNE 9, 2007.**

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 **12TH** day of **JUNE, 2007.**

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



Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

*Patricia A. Bergquist*  
(Signature of Notary Public)

(Seal)

PATRICIA A. BERGQUIST



**FLORIDA DEPARTMENT of STATE**

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

June 18, 2007

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

CHERYL STRICKLAND  
CLERK COUNTY COMMISSION  
ST. JOHNS COUNTY FL

07 JUN 21 PM 2:43

FILED

Attention: Yvonne King, Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 14, 2007 and certified copy of St. Johns County Ordinance No. 2007-50, which was filed in this office on June 18, 2007.

Sincerely,

Liz Cloud  
Program Administrator

LC/lbh

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dhis.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA  
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA  
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE  
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282