

ORDINANCE NO. 2014- 14

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA MAKING FINDINGS OF FACT; REPEALING ST. JOHNS COUNTY ORDINANCES 1972-4, 1973-2, 1976-21, 1976-31, 1978-27, 1978-30, 1978-39, 1978-79, 1979-24, 1979-60, 1980-29, 1981-26, 1983-55, 1986-12, 1986-18, 1986-80, 1987-24, 1987-42, 1987-43, 1988-32, 1988-48, 1989-33, 1990-4, 1990-17, 1990-20, 1991-28, 1991-47, 1991-51, 1992-13, 1992-28, 1993-1, 1993-11, 1993-28, 1994-56, 1994-58, 1995-1, 1996-29, 1996-39, 1996-52, 1998-18, AND 2003-52; DIRECTING THE CLERK OF COURT TO REMOVE REPEALED ORDINANCES FROM THE COUNTY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR VENUE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Findings of Fact.

The Board of County Commissioners (the Board) makes the following findings of fact in support of this ordinance:

A. Section 125.68, Florida Statutes, requires Florida counties to maintain a current codification of all ordinances.

B. St. Johns County Ordinance No. 2001-56 provides that the St. Johns County Code shall consist of a systematic compilation of ordinances maintained in alphabetical order by the St. Johns County Clerk of Court (the Clerk).

C. The purpose of codification is to provide access to the County's ordinances in such a way that members of the public can efficiently identify and directly access the full text of enacted ordinances.

D. There are ordinances within the County Code that have been superseded by statute or that are outdated, redundant, or no longer in the public interest.

E. The ordinances listed in Section 2 of this ordinance either have been superseded by statute or are outdated, redundant, or are no longer in the public interest.

F. The ordinances listed in Section 3 of this ordinance have previously been repealed but are still listed in the County Code.

G. It is in the public interest to identify and repeal ordinances that have been superseded by statute or that are outdated, redundant, or no longer in the public interest in order to provide the public greater transparency and more efficient access to the County's ordinances.

Section 2. Repeal of Ordinances.

The Board repeals the following ordinances in their entirety:

- A.** Ordinance No. 1972-4;
- B.** Ordinance No. 1973-2;
- C.** Ordinance No. 1976-21;
- D.** Ordinance No. 1976-31;
- E.** Ordinance No. 1978-27;
- F.** Ordinance No. 1978-30;
- G.** Ordinance No. 1978-39;
- H.** Ordinance No. 1978-79;
- I.** Ordinance No. 1979-24;
- J.** Ordinance No. 1979-60;
- K.** Ordinance No. 1980-29;
- L.** Ordinance No. 1981-26;
- M.** Ordinance No. 1983-55;
- N.** Ordinance No. 1986-12;
- O.** Ordinance No. 1986-18;
- P.** Ordinance No. 1986-80;
- Q.** Ordinance No. 1987-24;
- R.** Ordinance No. 1987-42;
- S.** Ordinance No. 1987-43;

- T.** Ordinance No. 1988-32;
- U.** Ordinance No. 1988-48;
- V.** Ordinance No. 1989-33;
- W.** Ordinance No. 1990-4;
- X.** Ordinance No. 1990-17;
- Y.** Ordinance No. 1990-20;
- Z.** Ordinance No. 1991-28;
- AA.** Ordinance No. 1991-47;
- BB.** Ordinance No. 1991-51;
- CC.** Ordinance No. 1992-13;
- DD.** Ordinance No. 1992-28;
- EE.** Ordinance No. 1993-1;
- FF.** Ordinance No. 1993-11;
- GG.** Ordinance No. 1993-28;
- HH.** Ordinance No. 1994-56;
- II.** Ordinance No. 1994-58;
- JJ.** Ordinance No. 1995-1;
- KK.** Ordinance No. 1996-29;
- LL.** Ordinance No. 1996-39;
- MM.** Ordinance No. 1996-52;
- NN.** Ordinance No. 1998-18; and
- OO.** Ordinance No. 2003-52.

Section 3. Removal of Repealed Ordinances from County Code.

A. The Board directs the Clerk to remove the ordinances listed in Section 2 of this ordinance from the County Code and to place them in the Clerk's compilation of repealed ordinances.

B. The Board directs the Clerk to remove the following ordinances, which have previously been repealed, from the County Code and to place them in the Clerk's compilation of repealed ordinances:

1. Ordinance No. 1970-5 (repealed by Ordinance No. 2007-19);
2. Ordinance No. 1971-3 (repealed by Ordinance No. 1978-30);
3. Ordinance No. 1975-12 (repealed by Ordinance No. 2007-19);
4. Ordinance No. 1976-18 (repealed by Ordinance No. 1999-51);
5. Ordinance No. 1977-19 (repealed by Ordinance No. 1988-18);
6. Ordinance No. 1978-28 (repealed by Ordinance No. 1988-18);
7. Ordinance No. 1978-29 (repealed by Ordinance No. 2007-19);
8. Ordinance No. 1978-40 (repealed by Ordinance No. 2007-19);
9. Ordinance No. 1979-19 (repealed by Ordinance No. 1999-51);
10. Ordinance No. 1979-38 (repealed by Ordinance No. 2007-19);
11. Ordinance No. 1980-17 (repealed by Ordinance No. 2007-19);
12. Ordinance No. 1981-32 (repealed by Ordinance No. 2007-19);
13. Ordinance No. 1981-57 (repealed by Ordinance No. 1988-18);
14. Ordinance No. 1982-42 (repealed by Ordinance No. 2007-19);
15. Ordinance No. 1983-4 (repealed by Ordinance No. 2007-19);
16. Ordinance No. 1983-34 (repealed by Ordinance No. 2007-19);
17. Ordinance No. 1984-14 (repealed by Ordinance No. 2007-19);
18. Ordinance No. 1984-26 (repealed by Ordinance No. 2007-19);

19. Ordinance No. 1984-45 (repealed by Ordinance No. 2007-19);
20. Ordinance No. 1984-46 (repealed by Ordinance No. 2007-19);
21. Ordinance No. 1985-29 (repealed by Ordinance No. 2007-19);
22. Ordinance No. 1986-4 (repealed by Ordinance No. 1999-51);
23. Ordinance No. 1986-11 (repealed by Ordinance No. 1988-18);
24. Ordinance No. 1987-9 (repealed by Ordinance No. 1988-18);
25. Ordinance No. 1988-18 (repealed by Ordinance No. 2007-19);
26. Ordinance No. 1989-39 (repealed by Ordinance No. 2007-19);
27. Ordinance No. 1989-47 (repealed by Ordinance No. 2007-19);
28. Ordinance No. 1990-5 (repealed by Ordinance No. 2007-19);
29. Ordinance No. 1990-6 (repealed by Ordinance No. 2007-19);
30. Ordinance No. 1990-11 (repealed by Ordinance No. 1999-51);
31. Ordinance No. 1992-17 (repealed by Ordinance No. 2007-19);
32. Ordinance No. 1994-58 (repealed by Ordinance No. 2007-19);
33. Ordinance No. 1995-35 (automatic repeal effective October 1, 1999);
34. Ordinance No. 1996-14 (repealed by Ordinance No. 1996-53);
35. Ordinance No. 1996-48 (repealed by Ordinance No. 2007-19);
36. Ordinance No. 1997-34 (repealed by Ordinance No. 2007-19);
37. Ordinance No. 1998-36 (repealed by Ordinance No. 1999-7);
38. Ordinance No. 1998-68 (repealed by Ordinance No. 2009-1);
39. Ordinance No. 1999-21 (repealed by Ordinance No. 2007-19);
40. Ordinance No. 1999-33 (repealed by Ordinance No. 1999-51);
41. Ordinance No. 2000-6 (repealed by Ordinance No. 2000-60);

- 42. Ordinance No. 2000-27 (repealed by Ordinance No. 2007-19);
- 43. Ordinance No. 2000-42 (repealed by Ordinance No. 2000-60);
- 44. Ordinance No. 2001-5 (repealed by Ordinance No. 2007-19); and
- 45. Ordinance No. 2009-1 (repealed by Ordinance No. 2010-48).

Section 4. Severability.

If any part of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remainder of this ordinance.

Section 6. Venue.

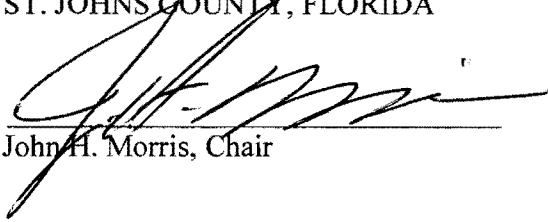
Venue for any legal or administrative action in connection with this ordinance shall lie exclusively in St. Johns County, Florida.

Section 7. Effective Date.

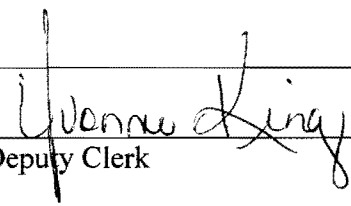
This ordinance shall be effective upon a certified copy being filed with the Florida Department of State.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida this 4th day of March, 2014.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
John H. Morris, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RENDITION DATE 03-06-14

Effective Date: 03/11/14



1986-4	Paving and Drainage Ordinance	1999-51	
1986-11	Beach speed and traffic	1988-18	
1986-12	Landscape ordinance		Superseded by Land Development Code, but not expressly repealed
1986-18	Beach access ramp fee		Superseded by Ordinance No. 2007-19, but not expressly repealed
1986-80	Landscape ordinance		Superseded by Land Development Code, but not expressly repealed
1987-9	Traffic on beach	1988-18	
1987-24	Paving and Drainage Ordinance		Superseded by Land Development Code, but not expressly repealed
1987-42	Road improvements assessments		Superseded by Ordinance No. 2004-64
1987-43	Paving and Drainage Ordinance		Superseded by Land Development Code, but not expressly repealed
1988-18	Traffic on beach	2007-19	
1988-32	Road improvements assessments		Superseded by Ordinance No. 2004-64
1988-48	Paving and Drainage Ordinance		Superseded by Land Development Code, but not expressly repealed
1989-33	Limited exemption to beach traffic rules for Moody Films		Exemption expired September 30, 1989
1989-39	Sale of merchandise on beach	2007-19	
1989-47	Traffic on beach	2007-19	
1990-4	Traffic on beach		Superseded by Ordinance No. 2007-19, but not expressly repealed
1990-5	Regulating operation of jet skis	2007-19	
1990-6	Beach access ramp fee	2007-19	
1990-11	Land clearing and tree protection	1999-51	
1990-17	Land clearing and tree protection		Superseded by Land Development Code, but not expressly repealed
1990-20	Road improvements assessments		Superseded by Ordinance No. 2004-64
1991-28	Road improvements assessments		Superseded by Ordinance No. 2004-64
1991-47	Treasure Beach MSBU		Expired 2001. Current MSBU governed by Ordinance No. 2013-23
1991-51	Thompson-Bailey Road MSBU		Expired 2006
1992-13	Thompson-Bailey Road MSBU		Expired 2006
1992-17	Turtle alert status months	2007-19	
1992-28	Road improvements assessments		Superseded by Ordinance No. 2004-64
1993-1	Executive Cove MSBU		Expired 2003
1993-11	Paving assessments		No longer in use
1993-28	Paving assessments		No longer in use
1994-56	Solano Cay MSBU		Never used
1994-58	Beach access ramp fee	2007-19	
1995-1	St. Augustine South MSBU		No longer in use
1995-35	Beach lighting	See note	Automatic repeal as of October 1, 1999 (See Section 10 of ordinance)
1996-14	Road grading and maintenance MSBU ordinance	1996-53	

1996-29	22nd Street MSBU		Never used
1996-39	Paving and Drainage Ordinance		Superseded by Land Development Code, but not expressly repealed
1996-48	Turtle alert status months	2007-19	
1996-52	Treasure Beach MSBU		Expired 2001. Current MSBU governed by Ordinance No. 2013-23
1997-34	Beach Code	2007-19	
1998-18	Fortune Tellers		Being repealed at direction of Board of County Commissioners
1998-36	Regulating canals within Treasure Beach MSBU	1999-7	
1998-68	Golf Carts	2009-1	
1999-21	Amended Beach Code	2007-19	
1999-33	Sea turtles	1999-51	
2000-6	Fertilizer ordinance	2000-60	
2000-27	Amended Beach Code	2007-19	
2000-42	Fertilizer ordinance	2000-60	
2000-60	Fertilizer ordinance	2003-53	
2001-5	Horses on beach	2007-19	
2003-52	Fertilizer ordinance		Superseded by Ordinance No. 2010-19, but not expressly repealed
2009-1	Golf Carts	2010-48	

MINUTES AND RECORDS
500 SAN SEBASTIAN VIEW
SAINT AUGUSTINE FL 32084

Ref.#: L547-14
P.O.#: L547-14

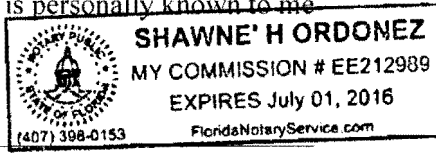
PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **MEGAN BECKER** who on oath says that he/she is an Employee 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 of **ORDINANCE HG - HEARING MARCH 4, 2014** was published in said newspaper on **02/22/2014**

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 has 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/she 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 _____ day of FEB 24 2014 by Megan Becker who is personally known to me or who has produced as identification



(Signature of Notary Public)

(Seal)

NOTICE OF A 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, March 4, 2014, at 9:00 a.m. in the County Auditorium of the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to consider adoption of the following ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA MAKING FINDINGS OF FACT; REPEALING ST. JOHNS COUNTY ORDINANCES 1972-4, 1973-2, 1976-21, 1976-31, 1978-27, 1978-30, 1978-39, 1978-79, 1979-24, 1979-60, 1980-29, 1981-26, 1983-55, 1986-12, 1986-18, 1986-80, 1987-24, 1987-42, 1987-43, 1988-32, 1988-48, 1989-33, 1990-4, 1990-17, 1990-20, 1991-28, 1991-47, 1991-51, 1992-13, 1992-28, 1993-1, 1993-11, 1993-28, 1994-56, 1994-58, 1995-1, 1996-29, 1996-39, 1996-52, 1998-18, AND 2003-52; DIRECTING THE CLERK OF COURT TO REMOVE REPEALED ORDINANCES FROM THE COUNTY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR VENUE; AND 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 Building, 500 San Sebastian View, 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 Administration Building, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals: 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: Yvonne King, Deputy Clerk
L547-14 Feb 22, 2014



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 11, 2014

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 2014-14, which was filed in this office on March 11, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

2014 MAR 11 AM 9:27