

RESOLUTION NO. 2002- 250

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SUPPORTING AN INITIATIVE TO AMEND THE FLORIDA CONSTITUTION TO CONSERVE AND PROTECT FLORIDA'S SCENIC BEAUTY BY PROVIDING LOCAL GOVERNMENTS GREATER HOME RULE AUTHORITY TO REQUIRE BILLBOARD REMOVAL; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Scenic Beauty, Inc.; on behalf of citizens of the State of Florida, is sponsoring a petition drive to place an amendment to the Florida Constitution on a future general election ballot; and

WHEREAS, the proposed constitutional amendment would prohibit new billboard construction along public streets and provide local governments greater home rule authority to require billboard removal; and

WHEREAS, the 1968 Revision of the Florida Constitution (Article II, Section 7) provided that it shall be the policy of the State to conserve and protect its natural resources and scenic beauty; and

WHEREAS, given the gradual erosion of local home rule rights and the deterioration of the state's scenic beauty, Florida's scenic beauty should have greater protection in the Florida Constitution; and

WHEREAS, in order to conserve and protect Florida's scenic beauty, trees on public property and public rights-of-way should not be removed or altered to enhance the visibility of a billboard, and the installation and maintenance of beautification projects involving trees on public property or public rights-of-way should not be restricted or limited in any way due to a billboard on adjoining or nearby property; and

WHEREAS, in order to conserve and protect Florida's scenic beauty, municipalities and counties should be able to require the removal of billboards through the adoption of any land use laws, ordinances, or regulations, including amortization provisions, that are not prohibited by the United States Constitution and, except to the extent necessary for the State to receive Federal highway funds, this Home Rule

Authority over billboard removal should not be limited or conditioned in any way by existing or future legislative enactments; and, the legislature should not enact any law that would interfere with the foregoing Home Rule Authority; and

WHEREAS, in order to conserve and protect Florida's scenic beauty, no new billboard structure should be constructed or erected along any public street or highway in the state, other than rest area information panels, tourist-oriented directional signs and motorist directional logo signs located on the public rights-of-way, as may be authorized by the legislature provided that such authorization compiles with all applicable provisions of Federal law and the United State Constitution.

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

1. The St. Johns County Board of County Commissioners supports the proposed amendment to the Florida Constitution to conserve and protect Florida's scenic beauty.
2. The Chair is directed to send a letter and a copy of this resolution to the Florida Association of Counties and the Florida League of Cities requesting that each organization disseminate this resolution to its members.

**DULY ADOPTED** in regular session, this 12 day of November, 2002.

By: James E. Bryant  
James Bryant, Chair  
Board of County Commissioners

ATTEST: Cheryl Strickland, Clerk

By: Peterson DeGrade  
Deputy Clerk

RENDITION DATE 11-15-02