

**COUNTY OF GULF
STATE OF FLORIDA**

ORDINANCE NO. 2016-01

AMENDING ORDINANCE (2015-02) OF GULF COUNTY, FLORIDA AND ORDINANCE AMENDMENT (AS AMENDED 5/26/15) PROHIBITING AND REGULATING OBSTRUCTIONS AND PERSONAL PROPERTY ABANDONED ON THE PUBLIC BEACHES OF GULF COUNTY, FLORIDA AND TO BE COMMONLY REFERRED TO AS "GULF COUNTY LEAVE NO TRACE ORDINANCE"; REQUIRING THE POSTING OF PROPER NOTICE/SIGNAGE AT BEACH ACCESS POINTS AND IN DAILY, WEEKLY AND MONTHLY RENTAL UNITS, IN GULF COUNTY, FLORIDA; FOR SAID POLICIES TO AMEND, BE CODIFIED AND BECOME PART OF THE GULF COUNTY LAND DEVELOPMENT REGULATIONS (LDR); PROVIDING FOR REPEALER, SEVERABILITY AND MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 5, 2015 and January 19, 2015 Public Notices were advertised in The News Herald offering the public an opportunity to participate at two public hearings before the Board of County Commissioners on January 13, 2015 at 9:00 am and a second public hearing on January 27, 2015 at 5:01 p.m. for the adoption of the original Gulf County Ordinance 2015-03; and

WHEREAS, on May 4th, 2015 and May 18th, 2015 a Public Notices were advertised for amendments to Gulf County Ordinance 2015-03 in The News Herald offering the public an opportunity to participate at two public hearings before the Board of County Commissioners on April 14, 2015 at 9:00 a.m. and a second public hearing on April 28, 2015 at 9:00 a.m. for the adoption of an amended Gulf County Ordinance ratified as 2015-07, and

WHEREAS, on February 18, 2016 and March 12, 2016 Public Notices were advertised in The News Herald offering the public an opportunity to participate at two public hearings before the Board of County Commissioners on February 29, 2016 at 9:00 a.m. and a second public hearing on March 23, 2016 at 5:01 p.m. for the adoption of further amendment to Gulf County Ordinance 2015-02 and amendment 2015-07; and

WHEREAS, the Board of County Commissioners hereby restate and reincorporate all the previous adopted Ordinance language with the following amendments and language as stated hereafter;

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Gulf County, in the State of Florida as follows:

I. Amendments

Section 10 - Beach Driving Amendments

Gulf County Beach Driving Ordinance 1997-02 and its amendment through Gulf County Ordinance 2014-03 shall be further amended, revised and codified herein to enact the following restrictions and regulations:

1.

~~2. Speed limit reduced from 15 mph to 10 mph for all Gulf County Beaches.~~ **Speed limit is reinstated to 15 mph for all Gulf County Beaches.**

Section 16 – *Leave No Trace and related informational signs in rental units*

In each rental unit rented by the day or week, or longer period, within Gulf County, Florida, there shall be posted or placed in a plainly legible fashion, in a conspicuous place in each rental unit for each occupancy, a sign in form and substance approved by the County Administrator that explains the “Gulf County Leave No Trace Ordinance: prohibiting tents and personal property on the Public Beach at night; and other most notable regulations that include:

- (3) Driving on Gulf County beaches is a privilege and as such a permit shall be provided exclusively to annually registered county property owners or residents. That any and all non-permitted drivers and those exceeding the beach maximum speed limit of 15 mph should be reported to the Gulf County Sheriff’s Department.

Section 19 – *Disposition and Reporting Requirements*

All items collected by Gulf County officials and/or its designees for being in violation of this ordinance shall be immediately taken to the Gulf County public facility and thereafter properly disposed of by authorized county staff or donated per the delegation and authorization of the Board of Commissioner or County Administrator.

The Gulf County Administration through its Public Works Department shall document its collection efforts and submit through a monthly report to the County Administrator.

Section 20 – *Enforcement*

- A) Gulf County Commission is authorized to enforce this ordinance and may follow the established procedures and schedule of violations and penalties set forth below to be assessed by Gulf County ~~law enforcement~~ officials and county code enforcement officials through its County Court and in accordance with Florida Statute 125.69;

II. Modification

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of considerations that may arise during the noticed public hearings. Such modifications shall be incorporated into the final version of the amended Ordinance and adopted by the Board and filed by the Clerk to the Board.

III. Effective Date

This Ordinance shall take effect immediately upon adoption.

IV. Severability

It is declared to be the intent of the Board of County Commissioners of Gulf County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be affected by such holding.

V. Repealer

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

Adopted as amended on this the 23rd day of March, 2016.

BOARD OF COUNTY COMMISSIONERS
OF GULF COUNTY, FLORIDA

By: 
Ward McDaniel, Chairman

ATTEST:
REBECCA L. NORRIS, CLERK

By: 
Clerk / Deputy Clerk

APPROVED AS TO FORM:

By: 
Jeremy T.M. Novak, Gulf County Attorney