

ORDINANCE NO. 2025-037

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA; AMENDING CHAPTER 23 ½ RECREATION AREAS; SPECIFICALLY AMENDING ARTICLE II. BEACHES, DIVISION 1. GENERALLY. CLARIFYING LEGISLATIVE INTENT; PROVIDING FURTHER DEFINITIONS; REVISING MOTORIZED VEHICLE HOURS; PROVIDING FOR ENFORCEMENT; FURTHER DEFINING BEACHFRONT PARKING AREAS; PROVIDING FOR A PROTECTED SPECIES MANAGEMENT PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 12, 2020, the Board of County Commissioners adopted Ordinance 2020-31 providing for restrictions on driving, parking, and for regulation of activities on the unincorporated beaches of Nassau County, and

WHEREAS, The Board of County Commissioners recognizes that threatened or endangered species use the Atlantic Ocean beaches in the unincorporated areas of Nassau County; and

WHEREAS, consistent with the Federal Endangered Species Act (16 U.S.C. §§ 1531-1544), the Board of County Commissioners further recognizes and intends to provide restrictions on parking and driving as well as management and maintenance plans to ensure no harm or harassment of threatened or endangered species; and

WHEREAS, the Board of County Commissioners intends to be consistent with the, and in furtherance of, the provisions of the Endangered Species Act, and to satisfy any obligation the county may have under the Act to prevent harm to or harassment of sea turtles by its election to adopt this section; and

WHEREAS, the Board of County Commissioners has cultivated and maintained a relationship with the Amelia Island Sea Turtle Watch (AISTW) the Florida Fish and Wildlife Conservation Commission (FWC) permitted nonprofit organization dedicated to the protection of sea turtles; and

WHEREAS, the AISTW activities include monitoring sea turtle activities, gathering and submitting information to FWC, rescuing and documenting stranded sea turtles, and conducting public education; and

WHEREAS, the Board of County Commissioners has further engaged a coastal conservation and environmental expert by contract with Coastal Conservation Group, LLC and project manager Tara Dodson; and

WHEREAS, the Board of County Commissioners, through the analysis and recommendations of its engaged coastal conservation and environmental expert, finds the further amendments to its beach regulations is in the best interest and welfare of the citizens of Nassau County and for the conservation of its beaches and endangered species.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. AMENDING CHAPTER 23 ½ - RECREATION AREAS; ARTICLE II. BEACHES, DIVISION 1. GENERALLY TO READ AS FOLLOWS:

Sec. 23½-11. Motorized vehicles on the Atlantic Ocean beaches.

- (a) Intent. The Board of County Commissioners recognizes that threatened or endangered species use the Atlantic Ocean beaches in the unincorporated areas of Nassau County. Consistent with the Federal Endangered Species Act (16 U.S.C. §§ 1531-1544), the Board of County Commissioners further recognizes and intends to provide restrictions on parking and driving as well as management and maintenance plans to ensure no harm or harassment of threatened or endangered species. It is the intent of the Board of County Commissioners that this section be consistent with the, and in furtherance of, the provisions of the Endangered Species Act, and that it satisfies any obligation the county may have under the Act to prevent harm to or harassment of sea turtles by its election to adopt this section. It is also the intent of this section to provide, for county residents and property owners, subject to exceptions set forth herein, the customary use of motorized vehicles for parking on the Atlantic Ocean beaches in the unincorporated areas of the county during daylight hours, subject to the provisions of F.S. § 161.58, Chapter 89-445, Laws of Florida (also referred to as Senate Bill 1577) and the final judgment dated April 28, 1992. County beach parking areas are open for residents and property owners-any individual to park and utilize the beaches in the unincorporated areas.
- (b) For purposes of this section, the term “developed resort area” means any property that was subject to a development order as of March 1, 1990, if such development order indicates resort activities. Consistent with the final judgment dated April 28, 1992 The parking and driving areas for motorized vehicles on the Atlantic Ocean beaches in the unincorporated areas of the county are as follows:

- (1) The Peters Point Road intersection with the beach area north to the city limits of Fernandina Beach;
 - (2) The Lewis Street intersection with the beach area north to the developed resort area parcel and south to the developed resort area parcel;
 - (3) The southerly end of Amelia Island from the Nassau Sound side to the developed resort area parcel on the Atlantic Ocean side;
 - (4) Scott Road intersection with the beach area; and
 - (5) In the event the access at the south end is closed to public use by any state or federal law or regulation (and for so long as such access is closed), access to the parking areas permitted by Section 1(3)(c) of Senate Bill 1577 will be permitted from the Lewis Street access south to the southerly end of Amelia Island. In addition, in the event any state or federal law or regulation closes or limits the access at the south end of any part of a twenty-four hour period, then during such time, access to the south end will be permitted from the Lewis Street south (unless such closure or limitation is applicable to all the beaches under the jurisdiction of the county), in accordance with the provisions of Senate Bill 1577; and
 - (6) Annually, the Board of County Commissioners may, at the recommendation of the county manager, restrict driving and parking, based on factors determined by the county manager in areas located directly in front of the Peters Point Park and Burney Park. The factors and restrictions shall be set forth in a resolution to be considered by the Board of County Commissioners at a publicly noticed meeting.
- (c) Motorized vehicles, on the Atlantic Ocean beaches, in the unincorporated areas, are restricted to Nassau County residents and property owners only, subject to exceptions set forth in subsection (e) herein.

An occupant of the motorized vehicle entering the beach access areas shall produce at least one (1) of the following:

- (1) A valid Florida Department of Highway Safety and Motor Vehicles Driver's License.
- (2) A valid Florida Department of Highway Safety and Motor Vehicles Identification Card.
- (3) A Nassau County Property Owner's Identification Card created by the county tax collector.

The Florida Department of Highway Safety and Motor Vehicles Driver's License, Florida Department of Highway Safety Motor Vehicles Identification Card or Nassau County Property Owner's Identification Card shall be produced to the individual in the kiosk at the entrance to the beach access area. The name on the Florida Department of Highway Safety and Motor Vehicles Driver's License, Florida Department of Highway Safety and Motor Vehicles Identification Card, or Nassau County Property Owner's Identification Card and vehicle make, model and description shall be recorded on a daily log maintained by the attendant at such kiosk. Motorized vehicles that do not contain a county resident or property owner, as set forth herein, or meet the exceptions in subsection (~~ef~~) herein, shall be parked in the parking lots at Peter's Point, Scott Road, Burney Park or the Dunes Club South End Beach Access parking area on the south end of Amelia Island.

- (d) An occupant of a motorized vehicle entering the beach access point referenced in subsection (b)(3), shall be subject to the rules set forth by the Amelia Island State Park. Where the State Park hours conflict with Nassau County hours the State Park hours shall control.
- (e) The exceptions to the county resident restrictions, set forth in subsection (c) are:
- (1) For operators of vehicles who are active duty military and have a valid Armed Forces of the United States Geneva Conventions Department of Defense United States Uniformed Services Privilege and Identification Card (a.k.a. U.S. Military ID Common Access Card) or other valid identification demonstrating active duty status. The operator must provide said identification card to the kiosk operator who will record the name and license plate information; and
 - (2) Operators or occupants of the motor vehicle that have a valid Department of Highway Safety and Motor Vehicles disability parking placard that hangs on the rear-view mirror or have a valid wheelchair license plate. ~~The shall produce said placard to the~~ kiosk operator ~~who~~ will record the name and license plate information.
- (f) No motorized vehicles shall be allowed on the Atlantic Ocean beaches between the hours of ~~7:309:01~~ p.m. and ~~7:306:59~~ a.m. between the dates of May 1 and November 1. Between November 1 and April 30 no motorized vehicles shall be allowed on the Atlantic Ocean beaches between the hours of 9:00 p.m. and 7:00 a.m. The Amelia Island State Park access and portions of the beach controlled by Amelia Island State Park are subject to rules and regulations applicable to the Park. Where the State Park hours conflict with Nassau County hours the State Park hours shall control.
- (g) All motorized vehicles shall operate and park within the areas set forth in subsection (b) herein. Failure to operate vehicles and park within the designated areas shall be considered a violation of this section will subject the operator to a citation and revocation of the pass issued at the kiosk. The ~~violation-revocation~~ shall require the immediate removal of the vehicle to be removed from the beach. The portions of the beach within Amelia Island State Park are subject to their rules and regulations. Failure to remove the vehicle shall be considered a trespass and subject the violator to a second-degree misdemeanor punishable by sixty (60) days in the county jail and/or a five hundred dollar (\$500.00) fine and towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges. The portions of the beach within Amelia Island State Park are subject to their rules and regulations of the park. Where the State Park hours conflict with Nassau County hours the State Park hours shall control.
- (h) The speed limit for motorized vehicles shall be ten (10) miles per hour. Failure to abide by the speed limit shall be a violation of this section and subject the operator to a second-degree misdemeanor punishable by sixty (60) days in the county jail and/or a five hundred (\$500.00) dollar fine and towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges.
- (i) A vehicle allowed on the Atlantic Ocean beaches shall be four-wheel drive, all-wheel drive or meet the definition of beach buggy as defined herein. Except for official use vehicles as designated by the county, no ATVs, scooters, dirt bikes, motorcycles, or similar motorized vehicles shall enter the beach or operate on the beach. The portions of the beach within controlled by Amelia Island State Park are subject to their rules and regulations of the Park.

Where the State Park hours conflict with Nassau County hours the State Park hours shall control.

Sec. 23½-12. Camping on the beach.

- (a) ~~Consistent with~~Based on the Endangered Species Act, no camping shall be allowed on the Atlantic Ocean beaches in the unincorporated areas of the county ~~from-between~~ May 1 of each year ~~to-through~~ October 31 of each year, except as set forth in subsection (b), herein. The portions of the beach ~~within-controlled-by~~ Amelia Island State Park are subject to their rules and regulations of the Park. Where the State Park hours conflict with Nassau County hours the State Park hours shall control.
- (b) Beach camping on the Atlantic Ocean beaches in the unincorporated areas of the county shall not be permitted or allowed. The portions of the beach ~~withinecontrolled-by~~ Amelia Island State Park are subject to their rules and regulations of the Park. Where the State Park hours conflict with Nassau County hours the State Park hours shall control.
- (c) A violation of this section shall subject the violator to an order to leave the beach. Should the violator fail to leave, the violator shall be considered a trespasser and shall subject the trespasser to a penalty of a second-degree misdemeanor punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in the county jail and the towing of any vehicles. The operator or owner shall be responsible for towing charges, including impoundment charges.

Sec. 23½-13. Primitive group camping on off beach area.

Primitive group camping, as defined herein, may occur twelve (12) months per year, within the Burney Park parking area; subject to the following:

- (1) Group camping eligibility:
 - a. A group camping permit is only available to active non-profit organization(s) registered in the Sstate of Florida.
 - b. A group shall be no less than ten (10) individuals and no more than thirty (30) individuals.
- (2) Process and limits of primitive group camping:
 - a. Each group must obtain a group camping permit through the county public works department. The permit and application forms shall be prepared by the public works director and approved by the county manager.
 - b. A ~~fu~~ully completed group camping permit application, including all required back-up documentation, must be submitted to county public works department for review at least thirty (30) calendar days prior to the desired date that the camping event is to take place.
 - c. Each group is limited to two (2) camping events per calendar year. The events shall not be consecutive.
 - d. No more than one (1) group camping permit will be issued for the same day(s).

- e. Group camping permits shall be limited to no more than three (3) consecutive nights.
 - f. Group camping shall be limited to the specified locations, in the Burney Park parking area, approved as part of the group camping permit application. The specified location may be changed by county public works director or designee, based on environmental and natural conditions.
 - g. Each group shall be required to provide a cleaning bond/deposit in the amount of two hundred fifty dollars (\$250.00) for the three (3) day permit. The bond/deposit shall be in the form of cash, cashier's check, or bond acceptable by the county manager. The bond/deposit shall be held to ensure the camping area is properly cleaned and restored to the pre-group camping event. Upon inspection by county, the bond/deposit, or a portion thereof, may be released. If the county determines that the area is not cleaned or restored to the condition before camping, the applicant will be notified. In the event there is a dispute as to the retention of the deposit or bond, the county manager will meet with both sides and render a decision.
 - h. The county manager may establish a permit fee for group beach camping.
 - i. The group representative and each individual camping at the property shall register and execute an indemnification and hold harmless agreement provided by the county.
 - j. Due to parking limitations, camping shall not be permitted on Memorial Day, the Fourth of July or Labor Day, or within five (5) days of Memorial Day, the Fourth of July or Labor Day.
 - k. Due to parking limitations, the county public works director or designee has the authority to prohibit camping within Burney Park, at other times of the year as demand for parking dictates and for park maintenance. Signs shall be erected that provide information to the public.
- (3) Standards for camping:
- a. The location of tents shall be set forth in the permit.
 - b. The use of generators of any type are prohibited.
 - c. Temporary latrines, tent "out-houses," portable pop-up tent camping toilet, portable shower or latrine tents, makeshift privies, or similar structures/apparatus, no matter the name, which is utilized to provide privacy for changing cloths, urinating, defecating or other similar activity is prohibited.
 - d. Alcoholic beverages are prohibited.
 - e. Between the hours of 11:00 p.m. and 6:00 a.m. electrically amplified music shall be prohibited. This includes, but is not limited to, music played through a vehicle radio, a non-vehicle radio, a phone, computer or other electronic device, a speaker of any type, or other similar apparatus.

- f. If the county manager determines the application is not complete or does not contain the requisite information and the applicant, after a meeting with the county manager, disagrees with the final determination, the applicant can appeal the decision to the board of county commissioners,

(4) Enforcement:

- a. Violation of any regulations governing camping may result in the revocation of the camping permit. If the permit is revoked, the applicant and all of the campers must vacate ~~the Burney Park~~. Failure to vacate ~~the Burney Park~~ will be considered a trespass and a violation is a second-degree misdemeanor punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in the County jail and the towing of any vehicles. The operator or owner shall be responsible for towing charges, including impoundment charges.
- ~~b. Civil citations that include a two hundred fifty dollar (\$250.00) fine may also be issued for violations of these regulations by the county security agents.~~
- ~~eb. The sheriff's department may issue citations for a violation of this division and county designated security shall have the authority to revoke any camping permit for a violation of this division.~~

(5) Group applicant shall provide the following:

- a. The name and address of the organization, the address and executive officer or group leader;
- b. A copy of a driver's license or state identification card; and
- c. The name and address of each individual in the group; and
- d. Documentation demonstrating non-profit status; and
- e. The location of the tents.

Sec. 23½-14. Regulated fires on the beach.

Fires are regulated pursuant to the provisions of this section.

- (1) No fires shall be permitted between the dates of May 1 through October 31 of each year.
- (2) Fires, outside of those dates, shall be allowed subject to the following:
 - a. No fires allowed in the dunes.
 - b. The use of wood containing nails, staples, rivets, fasteners, straps or similar items is prohibited.
 - c. No fire area shall be vacated or left without completely extinguishing the fire and covering up the fire area.
- (3) A violation of the provisions in this section shall subject the violator to an order to leave the beach. Should the violator fail to leave, the violator shall be considered a trespasser and shall subject the trespasser to a penalty of a second degree-misdemeanor punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in jail and the

towing of any vehicles. The operator or owner shall be responsible for towing charges, including impoundment charges.

Sec. 23½-15. Alcohol.

- (a) It shall be prohibited for any person on the beach or in the beach parking area to possess any sealed or open container containing any type of alcoholic beverage and consumption of any type of alcoholic beverage is prohibited.
- (b) A violation of the provisions in this section shall subject the violator to an order to leave the beach and shall subject the violator to the issuance of a citation with a penalty of a second degree-misdemeanor punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in the County jail and the towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges.

Sec. 23½-16. Glass containers.

- (a) It shall be unlawful for any person, while on the beach or in the beach parking area, to possess or utilize any glass bottle or container outside the confines of a vehicle.
- (b) A violation of this provision may subject the violator to a civil citation with a fine of one hundred dollars (\$100.00).

Sec. 23½-17. Litter.

- (a) It shall be prohibited for any person on the beach or beach parking areas to discard or otherwise dispose of or abandon any trash, garbage, bottles, containers, cans, or any other litter, except in designated containers for that purpose.
- (b) A violation of this provision may subject the violator to a civil citation with a fine of one hundred dollars (\$100.00).

Sec. 23½-18. Authority to close or restrict use of the beach and ocean.

The county manager or the sheriff shall have the authority, in case of weather conditions or other like conditions that affect public safety, to declare that the public safety is at risk and temporarily close the entire beach, or portions of the beach, and the waters of the Atlantic Ocean for use by the public. Any closure shall be properly noticed as determined by the county manager or sheriff.

Sec. 23½-19. Sound amplification.

No audio device, including vehicle audio devices or similar electronic devices, such as loudspeakers, televisions, audio compact disc, tape or musical instrument, except equipment used by law enforcement, rescue or county security agents shall be used on the beach or in the beach parking areas in a manner:

- (1) That is plainly audible at a distance fifty (50) feet or more from the source.
- (2) Between the hours of 11:00 p.m. and 6:00 a.m., no electronically amplified music shall be allowed on the beach or in the beach parking areas.

- (3) A violation of the provisions of this section may subject the violator to an order to leave the beach. Should the violator fail to leave, the violator shall be considered a trespasser and shall be subject to a penalty of a second-degree misdemeanor punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in jail and the towing of any vehicles. The operator or owner shall be responsible for towing charges, including impoundment charges.

Sec. 23½-20. Beachfront parking areas.

- (a) The intent of this section is to provide, maintain, and ensure the availability of beachfront parking areas to public recreational users.
- (b) Beachfront parking areas, as designated herein, are to be utilized for public recreational users only. It shall be a violation of this section for anyone to park in an area designated "Parking for Public Recreation User Only" for any other purpose other than public recreational use of the beach and all vehicles, as defined herein, in violation of this section shall be towed at the owner's expense including impoundment charges.
- (c) ~~(a)~~ The beachfront parking areas are:
- (1) Peter's Point.
 - (2) Scott Road.
 - (3) Burney Park.
 - (4) South End parking area known as the "~~Dunes Club~~ South End Beach Access " parking area.
- (d) ~~(b)~~ Vehicles, campers, recreational vehicles, fifth wheels, tractor trailers or track and trailers shall be permitted in the beach parking areas subject to the following:
- (1) No vehicles, campers, recreational vehicles, fifth wheels, tractor trailers, trucks or truck trailers shall utilize more than one (1) designated parking spot. The failure to park in one (1) designated parking spot shall be considered a violation and subject the operator or owner to a civil citation and removal, by towing, of the vehicle from one (1) of the aforementioned parking areas. Failure to remove the vehicle shall constitute a trespass and is a second-degree misdemeanor: punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in the County jail and the towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges.
 - (2) Campers, recreational vehicles, fifth wheels, tractor trailers, truck tractors or trucks with trailers shall not be allowed in the parking lot areas after 9:00 p.m.-midnight and before 6:00 a.m.-sunrise. Truck tractors utilized for The Concours d'Elegance Amelia may be allowed, outside the hours, pursuant to a permit issued by the county manager's office. The county manager shall prepare the form for the permit and the permit must be displayed to a law enforcement officer or county security agent upon request and the failure to do so will be deemed a violation of the ordinance and may subject the individual and truck tractor to removal from the lot.

Failure to remove the vehicle shall constitute a trespass pursuant to Florida Statute and is a second-degree misdemeanor. In addition, the truck tractor is subject to being towed and the owner operator shall be liable for all costs associated with the towing and impoundment.

- (3) Campers, recreational vehicles, fifth wheels, tractor trailers, or trucks with trailers that remain after ~~9:00 p.m.-midnight~~ or come onto the property before ~~6:00 a.m.-sunrise~~, will subject the owner/operator to a citation and/or removal of the camper, recreational vehicle, fifth wheel, tractor trailer or truck with trailer from the parking lot and failure to vacate shall constitute a trespass and is a second-degree misdemeanor: punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in jail and the towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges. The county designated security officers or deputy sheriff shall have the authority to have the described vehicle towed at the operator's/owner's expense. The vehicle owner/operator shall be responsible for impound charges.
- (4) Camping in the beachfront parking areas is prohibited except for primitive group camping at Burney Park. Anyone camping in the beachfront parking areas shall be considered a violation and shall subject the violator to an order to leave the beach. Should the violator fail to leave, the violator shall be considered a trespasser and shall be subject to a penalty of a second-degree misdemeanor punishable by a five hundred dollar (\$500.00) fine or sixty (60) days in jail and the towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges.
- (5) Commercial activities of any type are prohibited in the beachfront parking areas. Commercial activities shall include, but are not limited to, the sale of items or rental of items. Anyone engaging in commercial activities is subject to an order to leave the beach. Should the violator fail to leave, the violator shall be considered a trespasser and shall be subject to a penalty of a second- degree misdemeanor punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in jail and the towing of any vehicle. The operator or owner shall be responsible for towing charges, including impoundment charges.
- (6) Motor Vehicles, as defined herein, may park in the beachfront parking areas ~~twenty-four (24) hours per day, except during the hours of 3:00 a.m. and 4:00 a.m. for cleaning or other official duties in accordance with Section 23 ½ - 3.~~

Sec. 23½-21. Horses.

- (a) Horse trailer parking is on a first come first serve basis and is limited to the designated grass parking area in the Peters Point beachfront park. This applies to both commercial and non-commercial horse trailers. There is no guarantee that any entity, individual, or group will have space to park. There shall be no more than three (3) horse trailers parked in the designated grass parking area in the Peters Point beachfront park at any given time.
- (b) Horse trailer parking is prohibited at Burney Park, Scott Road beach access, the ~~Dunes Club~~ South End beach access and the American Beach/Evan's Rendezvous grass parking areas.

- (c) Horses are allowed on the unincorporated beach areas of the county subject to the following:
- (1) No horses are allowed in the dunes.
 - (2) Horses shall be under control of the rider at all times.
 - (3) Horses shall not be allowed in the shelter areas in the beach parking locations or in the public showers.
 - (4) Horses must be equipped with a manure catch bag. Manure is not to be discarded into the ocean or on the beach.
 - (5) Horseback riding is only allowed after sunrise and before sunset from November 1 of each year until April 30 of each year.
 - (6) Horses are not permitted in the water or "slew" areas.
 - (7) Shall have documentation of negative Coggin's test for all horses in the horse trailer or vehicle pulling the horse trailer and be available for inspection by Nassau County upon request. No horse trailer or horses shall enter the Peters Point park without such documentation.
 - (8) Between the dates of May 1 and November 1, horses are prohibited on the beach between the hours of ~~9:00-7:30~~ p.m. and ~~7:00-7:30~~ a.m. each day.
 - (9) Horses shall use the designated vehicle travel lanes established at the Peters Point beach access to access the beach. Horses shall not be ridden in the areas where vehicles are prohibited.
- (d) Enforcement.
- (1) Failure to park the horse trailer in the designated area is a violation and may result in removal of the horse trailer and vehicle. Failure to remove the horse trailer and vehicle constitutes a trespass. This subjects the owner/operator to a second-degree misdemeanor which is punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in jail. In addition, any horse trailer and vehicle parked outside of the designated area may be subject to being towed at the owner/operator's expense. The owner/operator shall assume all towing costs and storage fees.
 - (2) Parking a horse trailer and vehicle in the Burney Park, Scott Road beach access, the ~~Dunes Club South End~~ beach access and the American Beach/Evan's Rendezvous grass parking areas shall subject the vehicle and horse trailer to being towed at the owner/operator's expense. The owner/operator shall assume all towing costs and storage fees.
 - (3) Violation of the provisions in subsection (~~dc~~) shall subject the rider to removal from the Nassau County unincorporated beach areas. Failure of the rider(s) to remove themselves and the horse(s) constitutes a trespass which subjects the rider(s) to a second-degree misdemeanor which is punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in jail.

Sec. 23½-22. Dogs.

- (a) Dogs may be permitted on Nassau County unincorporated beaches but must be under leash at all times and the owners shall not permit dogs to be at large. Owners shall remove and properly dispose of dog's litter from beach.
- (b) A violation of this provision may subject the violator to a civil citation with a fine of one hundred dollars (\$100.00). ~~Said citation may be issued by the county security agent.~~

Sec. 23½-23. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage means distilled spirits and all beverages containing ~~more than one-half~~ of one (1) percent of alcohol by weight-volume.

Beach means the ~~sandy wet and dry portions of the Atlantic Ocean beach within the unincorporated areas of the county~~ zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

Beach buggy means a Volkswagen, parts-based, two-wheel drive motor vehicle with specialty tires modified for use on sand beaches and street legal two-wheel drive golf carts modified for use on sand beaches.

Beach security agent means a security agent authorized by the board of county commissioners to patrol and enforce all beach related non-criminal county and parking regulations pertaining to the unincorporated beach code of Nassau County.

Camper means a recreational vehicle-type units primarily designed as temporary living quarters for recreational, camping or travel use, which either have their own motor power or are mounted on or drawn by another vehicle. This includes travel trailers, camping trailer, truck campers, motor homes, private motor coaches, van conversions, fifth wheel trailers, or park trailers, and all are further defined in F.S. § 320.01.

Dune means a mound, bluff or ridge or other loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation, and is subject to fluctuations in configuration and location. In the absence of a discernible dune, the seaward boundary of a dune will be deemed to be the line of native vegetation.

Litter means any garbage, rubbish, trash, refuse, can, bottle, container, paper materials or similar materials.

Littering means the throwing, discarding, placing or depositing of litter in any manner, outside of trash receptacles, on the Atlantic Ocean beaches and county-owned or controlled oceanfront parks.

Motor vehicle shall include: automobiles, motorcycles, mopeds, motor trucks, trailers, semi-trailers, tractor trailer combinations, recreational vehicle-type units including travel trailers, camping trailers, truck campers and motor homes, wind powered vehicles, and all other vehicles used as a means of transporting persons or property and propelled by other than muscular power.

Primitive group camping means an erection of a shelter (tent) for the purpose of sleeping; or lying upon a bedroll, blanket, or other protective garb for the purpose of sleeping.

Public recreational use(r) means individuals or groups engaging in leisure activities on the public beaches of unincorporated Nassau County. Such activities include a wide range of outdoor pursuits such as walking, jogging, biking, picnicking, swimming, and similar pursuits.

Truck tractor means a motor vehicle which has four (4) or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semi-trailer that is attached or coupled thereto by means of such a fifth wheel and which has no provision for carrying loads independently pursuant to F.S. § 320.01(11).

Sec. 23½-24. Protected Species Management Plan.

The Nassau County Board of County Commissioners shall, by resolution, adopt, maintain, and enforce a Nassau County Beaches Protected Species Management Plan (PSMP). The PSMP will address protection of protected species on the unincorporated beaches. The PSMP will address management and maintenance of a Conservation Zone (as defined in the PSMP), security, law enforcement, unauthorized vehicular access management, annual coordination, monitoring and marking of sea turtle nests, rut removal at specified times, beach regulation enforcement, education of staff and the beach going public, and other related items as needed to ensure no harm or harassment of endangered species.

Sec. 23½-25. Prohibiting and regulating personal property unattended on beaches.

- (a) *Purpose.* The purpose of this section is to promote public safety, protect the beach, protect beach users, preserve the natural resources and protect endangered species that inhabit the sand areas.
- (b) *Definitions.* The following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Beach means the zone of unconsolidated material that extends landward from the mean low-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

Dune means a mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or

covered with vegetation, and is subject to fluctuations in configuration and location. In the absence of a discernible dune, the seaward boundary of a dune will be deemed to be the line of native vegetation.

Person means any natural person, firm, partnership, association, corporation and any other legal entity.

Personal property means, but is not limited to, tents (including tent frames), cabanas, umbrellas and other shading devices, beach chairs and other furniture, picnic tables, tiki huts, volleyball nets, hammocks, floats, sailboards, surfboards, kites, jet skis, sailboats, water cycles and other watercraft, beach toys, grills, nets, coolers, canoes, kayaks and general items for beach recreation, or similar items.

(c) *Declaration of public nuisance.* Personal property that is left unattended in violation of this section are hereby declared to be a public nuisance. No person shall allow the existence of such public nuisance except as set forth herein.

(d) *Personal property prohibited.*

- (1) Personal property unattended on the beach located in the unincorporated area of the county beach from 8:00 p.m. until 6:00 a.m. daily except as otherwise permitted in this article, shall be considered a nuisance and unlawful.
- (2) Any personal property left unattended during the hours stated in subsection (a) shall be deemed to be discarded and the county shall dispose of them except as provided in subsection (d)(3).
- (3) From 8:00 p.m. until 6:00 a.m. daily, items of personal property that are relocated, with the upland owner's permission, as close to the farthest point landward of the frontal dune or line of permanent vegetation or where there are no dunes or native vegetation, are relocated as close as practicable to an existing permanent structure or the line of buildings will not be considered a nuisance, unlawful and discarded or a violation of this section provided:
 - a. Such items are not placed on the dune or on native vegetation or under or adjacent to dune walkovers.
 - b. Such items should be stacked. Stacked furniture shall have the shortest edge facing the ocean.
 - c. Such items do not interfere with access to the beach from a public access nor obstruct access to the public beach nor impact native vegetation and are not within ten (10) feet from any turtle nest or other protected species.
- (4) Items left in violation of this section are declared a public nuisance and shall be removed from the beach by county employees or contract individuals.
- (5) Those who store personal items overnight, as set forth herein, do so at their own risk. The county and the beach maintenance contractor do not assume any liability for items left after 8:00 p.m.
- (6) The county may request written consent from any property owner where there are items placed as set forth in subsection (d)(3) above. Failure of the owner of record to

provide written consent shall cause the items to be removed by the county or its authorized contractor(s) or employees.

(e) *Permits.*

- (1) Permits may be issued by the county manager or designee for activities otherwise prohibited that are found to be necessary for:
 - a. Reasonable accommodations for persons with disabilities.
 - b. The permit application shall be on a form, approved by the county manager, and shall include the information set forth in subsections (e)(2)a., b., c., and d.
 - c. The application shall be submitted at least forty-eight (48) hours prior to the issuance of the permit.
 - d. The application shall contain the name of the individual and the address.
 - e. The application shall include information provided by the state indicating the issuance to the applicant of an ADA approved permit.
- (2) There shall be no fee for obtaining the permit. Such permit shall include the following:
 - a. Name and contact information of the owner or person in possession and contact of the owner.
 - b. Description of the item.
 - c. Location of the item.
 - d. Duration of time the item will remain in such location.

(f) *Notification.*

- (1) The county shall provide notice of this section by posting a permanent sign at the entry of every beach access point. The Amelia Island Tourist Development Council (TDC) shall notify all owners that are required to remit monies pursuant to the TDC ordinance and the owners/agents shall be required to post notices of this section on properties and notify renters. The owners/agents shall provide copies of the notification to the county manager's office and to the TDC as well.
- (2) Beach vendors that rent personal property for beach use shall remove the personal property from the area of the beach addressed herein each day no later than 8:00 p.m.
- (3) The TDC shall prepare a public information statement that provides a summary of the ordinance from which this section derives and publish same in the manner deemed appropriate by the tourist development council. The tourist development council shall provide a summary to all businesses that lease vacation rental properties and condominium associations that remit monies pursuant to the TDC ordinance and all resorts that sets forth the provisions of the ordinance.
- (4) The TDC may also provide public information materials to other businesses as may be appropriate that sell tents and/or personal property items that are defined in subsection (b)(2).

- (g) *Enforcement.* The county is authorized to enforce this section and may follow the established procedures by the sheriff's department, county code enforcement officers and through any civil complaint.
- (h) *Penalty.* Any violation of any provision of this Code may be the issuance of a citation by a sheriff's deputy or code enforcement officer as may be adopted by resolution of the Board of County Commissioners.

Secs. 23½-246—23½-30. Reserved.

SECTION 2. CODIFICATION.

It is the intent of the Board of County Commissioners for Nassau County that the provisions of this Ordinance shall become and shall be made part of the Code of Ordinances of Nassau County, Florida. The sections of this Ordinance may be re-numbers or re-lettered and the words may be changed to section, article or other such appropriate word or phrase in order to accomplish such intention. The Nassau County Clerk of Courts will ensure that this Ordinance is codified into, and published, as part of the Nassau County Code of Ordinances.

SECTION 3. CONFLICTING PROVISIONS.

All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY.

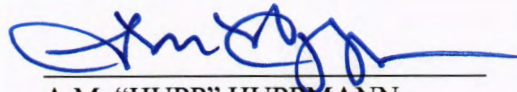
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

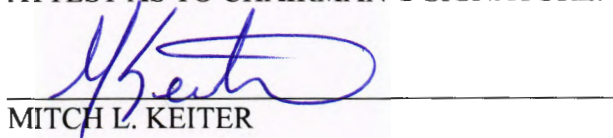
**ADOPTED THIS 11th DAY OF August, 2025 BY THE BOARD OF
COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.**

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



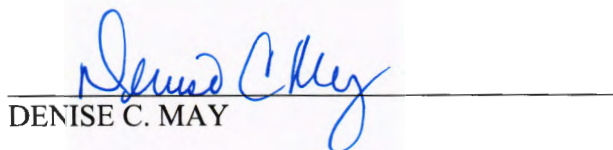
A.M. "HUPP" HUPPMANN
Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:


MITCH L. KEITER

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:


DENISE C. MAY