

ORDINANCE 89 - 24

AN ORDINANCE WHICH PROVIDES A NON FELONY PUNISHMENT FOR THE UNAUTHORIZED TEMPORARY USE OF A MOTOR VEHICLE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, there exists no criminal sanction for the unauthorized temporary use of a motor vehicle other than the felony sanctions under the Florida Statutes; and

WHEREAS, the State Attorney has requested the Board of County Commissioners to provide a means by which the courts and prosecutors may address the numerous incidents of temporary unauthorized use of motor vehicles other than by felony charges under existing Florida Criminal Statutes.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida, this 12 day of September, 1989, as follows:

SECTION 1. There is hereby created a County Ordinance concerning the unauthorized temporary use of a motor vehicle.

SECTION 2. For the purposes of this section, "motor vehicle" is defined as any self-propelled vehicle not operated on rails or guideway.

SECTION 3.

(1) It is unlawful for a person to temporarily use a motor vehicle without the authority of the owner or the owner's representative, or to knowingly assist in or be a party to such unauthorized use.

(2) It shall be prima facie evidence of intent to use a motor vehicle when any person:

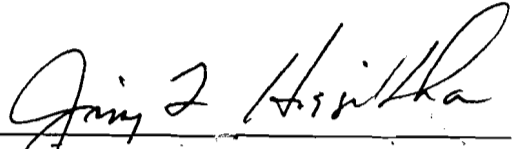
(a) Willfully and without authority is in possession of and/or drives a motor vehicle belonging to another.

(b) Willfully and without authority assists in or is a party to taking possession of or driving a motor vehicle belonging to another.

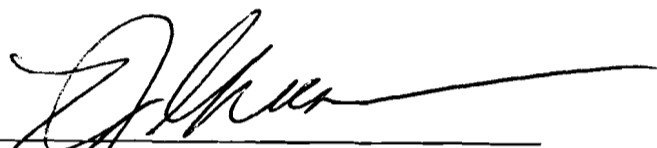
SECTION 4. It is unlawful for any person to violate this Ordinance. A violation of this Ordinance shall subject the violator to a penalty, upon conviction, of a fine up to five hundred dollars (\$500.00) and/or ten (10) days in the Nassau County Detention Facility.

SECTION 5. This ordinance shall become effective upon its being recorded by the Secretary of State.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
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JIMMY L. HIGGINBOTHAM  
Its: Chairman

ATTEST:

  
\_\_\_\_\_  
T. J. GREESON  
Its: Ex-Officio Clerk