

ORDINANCE NO. 93 - 15

AN ORDINANCE PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES, POSSESSION OF AN OPEN CONTAINER OF ALCOHOLIC BEVERAGES, AND THE SALE OF ALCOHOLIC BEVERAGES AT COUNTY OWNED OR CONTROLLED BOAT RAMPS OR RECREATION AREAS; PROVIDING A PENALTY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statutes, Chapter 125, it is the responsibility of the Board of County Commissioners of Nassau County, Florida, to protect the health, welfare, and safety of its citizens; and

WHEREAS, the Board has been made aware of alcohol consumption at County boat ramps and recreation areas, and said consumption has caused safety problems at those areas, and those consuming alcohol have infringed upon the general welfare of many citizens utilizing those areas; and

WHEREAS, the Board of County Commissioners finds that it necessary to prohibit the consumption of alcoholic beverages at County owned or controlled boat ramps and recreation areas.

NOW, THEREFORE, BE IT ORDAINED this 28th day of JUNE, 1993, by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1. PURPOSE: The purpose of this Ordinance is to regulate the consumption of alcoholic beverages at County owned or controlled boat ramps and recreation areas.

SECTION 2. DEFINITIONS: For the purpose of this Ordinance, the following terms and/or definitions shall have the meaning given herein:

1. "County" shall mean the unincorporated areas of Nassau County, Florida.

2. "Alcoholic Beverages" shall mean all beverages containing more than one percent (1%) of alcohol by weight.

3. "Boat Ramp" shall mean the boat ramp area owned or controlled by the County and contiguous property owned or controlled by the County, including public rights-of-way that provide access to the County owned or controlled boat ramp areas.

4. "Recreation Areas" shall mean parks, including beach front parks and parking areas, ball fields, campgrounds, etc., that are owned or controlled by the County, including, but not limited to, all County owned or controlled properties contiguous thereto.

5. "Open Container" shall mean any container which is immediately capable of being consumed from or the seal of which has been broken

SECTION 3. CONSUMPTION OF ALCOHOLIC BEVERAGES; OPEN CONTAINERS

1. It shall be unlawful for any person to consume or drink any beer, wine, or other alcoholic beverage at any County-owned or controlled boat ramp or recreation area.

2. Possession of an open container containing an alcoholic beverage by any person in the areas prohibited by this Section shall be prima facie evidence of a violation of this Section.

3. An open container shall be considered to be in the possession of the operator of a vehicle if the container is not in the possession of a passenger and it is not locked in the glove

compartment or trunk.

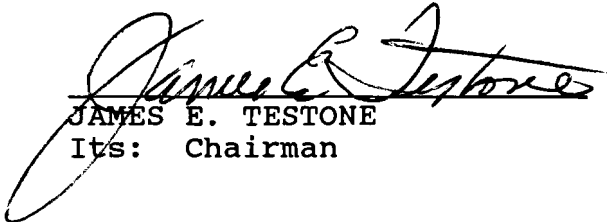
SECTION 4. PENALTY

1. It shall be unlawful for any person to violate or fail to comply with any provision of this Ordinance. The violation of any provision of this Ordinance shall be punishable by a fine not exceeding five hundred dollars (\$500.00), or imprisonment for a term not exceeding sixty (60) days, or by both fine and imprisonment. Each day any violation of any provision of this Ordinance shall continue shall constitute a separate offense.

SECTION 5. EFFECTIVE DATE

This Ordinance shall become effective upon its being filed with the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


JAMES E. TESTONE
Its: Chairman

ATTEST:


T. J. GREESON
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney


MICHAEL S. MULLIN