

ORDINANCE 2000 - 13

AN ORDINANCE PROVIDING FOR THE AUTHORITY OF LIFEGUARDS IN NASSAU COUNTY; PROVIDING PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Nassau County, Florida, utilizes lifeguards for the protection of the public on certain areas of the Atlantic coast beaches; and

WHEREAS, in order to insure the protection of the public, the lifeguard corps needs specific authority in the performance of their duties; and

WHEREAS, the Board of County Commissioners finds that the authority and provisions set forth in this Ordinance are in the best interest for the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED this 24th day of April, 2000, by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION 1.

This Ordinance shall be known as the "Lifeguard Authority Ordinance".

SECTION 2.

The purpose of this Ordinance is to provide for the health, safety, and welfare of the citizens of Nassau County as they utilize certain areas of the Atlantic Ocean.

SECTION 3. DEFINITIONS

1. "Lifeguards" shall be those individuals employed by Nassau County for the purpose of providing safety on certain areas of the Atlantic Ocean beaches.

2. "Board of County Commissioners" shall be the Board of County Commissioners of Nassau County, Florida.

3. "Beach areas" shall be those areas designated by the Board of County Commissioners for lifeguard protection for swimming.

SECTION 4. AUTHORITY

1. The Sheriff of Nassau County and his Deputies and any Nassau County lifeguard have the authority to temporarily close or restrict the use of the beach or ocean because of crowd conditions, presence of sharks, electrical storms, tides, currents, wind conditions, or other dangers to public safety.

a. Lifeguards and the Sheriff's Deputies may utilize all available means pursuant to this authority and may indicate the closure through signage, or other available means, or utilize the assistance of any other law enforcement agency.

SECTION 5. SWIMMING

No person, except a lifeguard or other person engaged in a rescue attempt, shall swim or bathe more than three

hundred feet (300') perpendicular to the water's edge, or in an area designated exclusively for personal water craft, when personal water craft are present. Any lifeguard has the authority to order anyone violating this Section out of the water as well as utilizing the assistance of the Nassau County Sheriff's Department.

SECTION 6. RAFTS, FLOATS, AND OTHER FLOTATION DEVICES

No person shall utilize any raft, float, "boogie" board, belly board, or other flotation device of any description, except for a boat, surfboard, wind surf board, or sailboard, more than three hundred feet (300') from the water's edge. Any lifeguard has the authority to order anyone violating this Section out of the water as well as utilizing the assistance of the Nassau County Sheriff's Department.

SECTION 7. SAFETY DEVICES

Surfboards and/or boogie boards shall at all times while in the ocean be attached to the user, by a surf leash. All other types of flotation devices, including rafts and floats, but excluding boats, wind surf boards, or sailboard, shall be equipped with safety ropes which shall extend around the perimeter of the flotation device and be securely fastened in such a manner as to be securely grasped by swimmers. None of the foregoing requirements

shall pertain to wind surfboards or sail boards. Any lifeguard has the authority to order anyone violating this Section out of the water as well as utilizing the assistance of the Nassau County Sheriff's Department.

SECTION 7. SAILBOATS, WINDSURF BOARDS, AND SAILBOARDS

No person shall operate a sailboat closer than six hundred feet (600') from the water's edge, except to go to and from the shore by the most direct means possible in a safe and reasonable manner. Sailboats must be pulled west of the lifeguard towers while parked on the beach during daylight hours. Any lifeguard has the authority to order anyone violating this Section out of the water as well as utilizing the assistance of the Nassau County Sheriff's Department.

SECTION 8. PERSONAL WATER CRAFT

No person, except a Nassau County lifeguard or law enforcement officer, shall operate in the ocean or launch from the beach a personal water craft, except on that portion of the ocean or beach, no closer than fifteen hundred feet (1,500') in either direction of the lifeguard tower.

SECTION 9. PENALTIES

Any violation of this Ordinance shall be punishable by a five hundred dollar (\$500.00) fine and/or sixty (60) days in the Nassau County Detention Facility, or both.

SECTION 10. EFFECTIVE DATE

This Ordinance shall become effective according to law.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



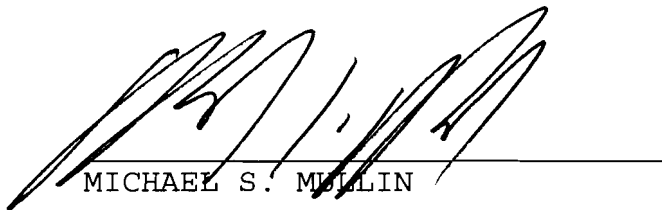
NICK D. DEONAS
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MILLIN

h:lifeguards