

ORDINANCE NO. 2024-024

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA; AMENDING CHAPTER 23 ½ RECREATION AREAS; ARTICLE I. IN GENERAL AND ARTICLE III. - RECREATIONAL PARKS; SPECIFICALLY ADDING SECTION 23 ½ -1, AUTHORIZATION FOR COUNTY MANAGER TO ESTABLISH RULES; ADDING SECTION 23 ½ -2 DEFINITIONS; ADDING SECTION 23 ½ -3, HOURS OF OPERATION; AMENDING 23 ½ -4 PROHIBITED ACTIVITIES; ADDING 23 ½ -5 SPECIAL USE AREAS; AMENDING 23 ½ - 83 RENTAL RATES FOR THE USE OF COUNTY FACILITIES AND BALL PARKS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Nassau County, Florida, a political subdivision of the State of Florida, (“County”), operates a number of County Parks for the welfare and benefit of the public; and

WHEREAS, the County has adopted minimal rules for the use of County beaches and recreational parks; and

WHEREAS, the County has continued to acquire and expand County Parks, Trails, and Natural Land; and

WHEREAS, the Board of County Commissioners find it to be in the best interests and welfare of the citizens of Nassau County to establish further rules and regulations for the proper use of the County Park system.

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 I. – IN GENERAL AND ARTICLE III. - RECREATIONAL PARKS AS SET FORTH BELOW:

Sec. 23½-1. ~~Reserved~~ Authorization for County Manager to establish rules.

(a.) The County Manager is hereby delegated authority to establish rules supplemental to the provision of this Chapter and the violation of such rules will constitute a violation of these parts.

(b.) In addition to matters otherwise provided for by this chapter, the rules of the County Manager may include rules for:

- (1) The appropriate and harmonious use of County Parks consistent with the multiple uses to be authorized in County Parks;
- (2) The location of particular recreational activities and other activities at County Parks;
- (3) Whether County Parks are for use as active or passive recreational activities;
- (4) Access management with regard to traffic control and management within County Parks;
- (5) The operation of motor vehicles and other forms of transportation within County Parks;
- (6) Pollution and litter within County Parks;
- (7) The harming or removal of animals or natural resources within or from County Parks;
- (8) The use of dangerous instrumentalities within County Parks;
- (9) The use of alcoholic beverages within County Parks;
- (10) Use of County Parks and the conditions relating thereto;
- (11) Trespass upon and disturbance within County Parks;
- (12) Disorderly conduct and loitering within County Parks;
- (13) Fires and illumination within County Parks;
- (14) Such other related matters that address the protection of public property located in or upon County Parks.

(c.) The rules adopted by this part and the County Manager must be posted in a conspicuous place in the County Parks.

Sec. 23½-2. Reserved Definitions.

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

- (a.) *Alcoholic beverages* shall mean and includes any beer, wine, fortified wine, liquor or alcoholic beverage as defined in Section 561.01, Florida Statutes, as amended.
- (b.) *Animal* shall mean any mammal, reptile, amphibian, bird or invertebrate.
- (c.) *Bathe* means to wash oneself or another while in a state of nudity as defined by section 26 ½ -2 of the Code of Ordinances.

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- (d.) Boat ramp or launch facility means an 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 or launch areas.
- (e.) Closing hours shall mean that time period during which a park, recreational facility, or County managed lands or facilities is closed to the general public.
- (f.) County shall mean the County Manager or his/her designee acting on behalf of the Board of County Commissioners.
- (g.) County Parks. Any land owned, maintained, or operated by the Board of County Commissioners and designated as a "County Park," "Trail," or "Natural Land" by a resolution or any land which has been dedicated for use as a County Park, Trail, or Natural Land which has been accepted by the Board of County Commissioners. This includes:
- (1) All natural resources, flora, fauna, facilities, improvements, waters and materials in, on or under the lands so designated.
 - (2) All Nassau County recreational parks as defined in Section 23 ½ -46 of the Code of Ordinances.
 - (3) Properties in the County system of Trails which are designated as County Parks.
 - (4) All public parks designated by the Board inclusive of County Boat ramp or launch facilities.
 - (5) All Natural Lands acquired pursuant to Chapter 35, Nassau County Conservation Lands Acquisition and Management Program. Such lands are subject to the provisions of that Chapter including adoption of Management Plans.
 - (6) 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.
- (h.) Law enforcement shall mean any governmental body which exercises jurisdiction over Parks, Trails, Natural Lands, and any facilities contained therein. This includes, but is not limited to, Nassau County Code Enforcement, Nassau County Building Official, or Nassau County Sheriff's Office.
- (i.) Motor Vehicle shall mean any vehicle which is self-propelled and licensed by the State.
- (j.) Open containers mean any container which is immediately capable of being consumed from or the seal of which has been broken.
- (k.) Person shall mean an individual, group, and/or organization.
- ~~(b-)~~(l.) Recreational facility shall mean any area devoted to active or passive recreation on property owned, leased, managed, operated, or maintained by the County.

Sec. 23½-3. Reserved Hours of Operation.

Except as provided in Section 23 ½ -78 and unless otherwise posted, all County Parks and recreational facilities hours of operation are from dawn until midnight (12:00 a.m.), provided however, that County boat ramps and trails shall remain open at all times.

Sec. 23½-4. ~~Alcoholic beverages at county operated boat ramps and recreation areas~~Prohibited Activities.

- (a) *Purpose.* The purpose of this section is to provide for the rules, regulations, and prohibited activities regulate the consumption of alcoholic beverages at County owned or controlled boat ramps and recreation areas Parks as defined in this chapter. It shall be prohibited for any person in a County Park to:
- (b) *Definitions.* For the purpose of this section, the following terms and/or definitions shall have the meaning given herein:

~~Alcoholic beverages~~ means all beverages containing more than one (1) percent of alcohol by weight.

~~Boat ramp~~ means 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.

~~County~~ means the unincorporated areas of Nassau County, Florida.

~~Open container~~ mean any container which is immediately capable of being consumed from or the seal of which has been broken.

~~Recreation areas~~ means 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.

- (1) -Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving materials, water lines, park signs, notices, placards, equipment or other public utilities.
- (2) Dig or remove any soil, rock, sand, stones, trees, shrubs or plants or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
- (3) Damage, cut, carve, mark, transplant or remove any plant, or injure the bark, or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area.
- (4) Construct or erect any building or structure of whatever kind, whether permanent or temporary, or run or string any public service utility into, upon, or across such lands, except upon written approval of the County.

- (5) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountains, pond, lake, stream or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the degradation of the quality of said waters.
- (6) Bring into, dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, construction debris, yard waste, or refuse, or other trash. Trash shall be placed in the proper receptacles where available. If receptacles are not available, all waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.
- (7) Drive any motorized vehicle on any area except the designated park roads or parking areas, or such areas as may on occasion be specifically designated as temporary areas.
- (8) Park a motorized vehicle anywhere except in a designated parking area.
- (9) Park a vehicle overnight.
- (10) Wash any vehicles or use county water for other than for drinking or sanitary reasons.
- (11) Bathe or otherwise be or remain in a water body, fountain, and/or reservoir.
- (12) Use or engage in any activity that creates an unreasonable interference or danger to other persons. Such activity shall include, but not be limited to, the use of golf clubs, archery equipment, discuss, javelin, shotput, or any aircraft, rocket, or missile powered by fuel or mechanical means.
- (13) Expose or offer for sale any article or thing, nor shall any person station or place any stand, cart or vehicle for the transportation, sale or display of any such article or merchandise within the limits of any park or recreation area. Exception is made as to any regularly licensed concessionaire acting by and under the authority and regulation of the County and providing foods, goods or services for the benefit of the public.
- (14) Kindle, build, maintain or use a fire except in places provided for such purposes. Any fire shall be continuously under the care and direction of a competent adult from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or other material within or against any building, boat or vehicle, or near any tree or underbrush.
- (15) Possess or consume alcoholic beverages except under the authority and permit of the County.
- (16) Solicit alms or contributions for any purpose, whether public or private.
- (17) Camp or stay overnight anywhere except in areas designated for these activities.

(18) Sleep or lounge on seats, or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting, or indecent language or engage in any disorderly conduct or behavior tending to breach the public peace.

(+)(19) Erect or occupy any tent, stand or other structure in any park or playground, or sell or give away from any such tent, stand or other structure any food, drink or other thing, without County authorization.

(c) *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.

(d) *Penalty.*

(1) It shall be unlawful for any person to violate or fail to comply with any provision of this ~~section~~Chapter 23 ½. The violation of any provision of this ~~section~~Chapter 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 pursuant to Section 125.69, Florida Statutes, as amended. Each day any violation of any provision of this ~~section~~Chapter shall continue shall constitute a separate offense.

Sec. 23½-5. ~~Recreational land regulation~~Special use areas.

(a) The County Manager is authorized to set aside, establish, alter, and/or discontinue special use parks or special use areas in one (1) or more of the County Parks. The special use parks or areas may allow for activities otherwise prohibited by this chapter. Before establishing, altering, or discontinuing such special use area, the County Manager shall determine, in his or her reasonable discretion, priority of need for such an area and whether the activity may be carried on safely, without adverse environmental impacts, and without unreasonable interference to other persons. Under the direction of the County Manager, the County shall mark the boundaries of special use areas and establish rules and post such signs concerning the special use area that the County Manager deems appropriate. ~~Title. This section shall be known as the "Nassau County Recreational Land Regulation Ordinance".~~

(b) If the County Manager establishes a special use park or area, the County Manager may designate such hours or days of usage, the particular activity or activities which are permitted, and such conditions as he or she determines to be reasonably required for the

~~safety or convenience of persons and property. Purpose. The purpose of this section is to further enhance the use of all county owned or controlled county lands.~~

~~(c) Uses:~~

~~(1) The board of county commissioners shall, by separate resolution, provide for the specific uses for each parcel of recreational land owned or controlled by the county. The recreational uses shall set forth not only the activities allowed but also the types of motorized vehicles allowed. Once the uses have been established by separate resolution, appropriate signs shall be posted by the county engineer advising of the uses that are allowed and prohibited.~~

~~(2) The board of county commissioners shall determine said uses at a regularly scheduled public hearing and shall receive recommendations from the appropriate department heads.~~

~~(d) Penalty. Once the board of county commissioners has set forth the allowable uses and set forth the prohibited uses by resolution, a violation of said uses shall be a second degree misdemeanor punishable by ten (10) days at the county detention facility and/or a fine of five hundred dollars (\$500.00) for each infraction.~~

Sec. 23½-83. Rental rates for the use of county facilities and ball parks.

(a) The board of county commissioners shall approves by separate resolution a the following fee schedule of rental amounts for the use of county facilities.

Fee Schedule for Nassau County Facilities:

- Rental fee, sales tax and deposit fees are to be collected from all renters, except those that are exempt pursuant to this section.
- Deposit minimum one hundred dollars (\$100.00) or fifty (50) percent of the total rent (whichever is greater.)

Community Centers: Bryceville, Callahan, Hilliard, Yulee and American Beach:

	Commercial	General Public	Non-Profit
Full Day	\$300.00	\$225.00	\$0.00
½ Day	225.00	150.00	0.00
Kitchen	75.00	75.00	0.00

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline

Multi-Use Facility:

	Commercial	General Public	Non-Profit
Full Day	\$575.00	\$425.00	\$0.00
½ Day	375.00	275.00	0.00
Kitchen	75.00	75.00	0.00

Fee Schedule for Nassau County Ball Parks:

Yulee Sports Complex—Gym:

	Commercial	General Public	Non-Profit
Full Day	\$400.00	\$275.00	\$0.00
½ Day	225.00	200.00	0.00

Sports Complex: Use of the baseball field, football field and soccer field:

	Tournament	General
Unmarked Field	\$150.00	\$50.00
Light Fee per Hour	\$15.00 × ___ hrs = \$ ___	\$15.00 × ___ hrs = \$ ___

~~(b) — The board of county commissioners further approves the maintenance department as the entity that addresses any conflicts between persons renting county facilities, and the maintenance department person in charge to determine if the facility is properly cleaned.~~

Additions = red underline
 Deletions = ~~red strikethrough~~
 Relocated = green double underline

~~(c) — Bona fide not-for-profit organizations must complete the necessary paperwork and obtain approval from the facilities maintenance director before renting a county facility.~~

~~(d) — This section shall not apply to the rental of county facilities by governmental agencies or county offices for the conduct of governmental or county business.~~

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.

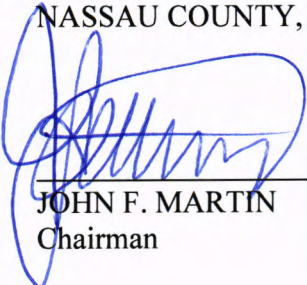
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality 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.

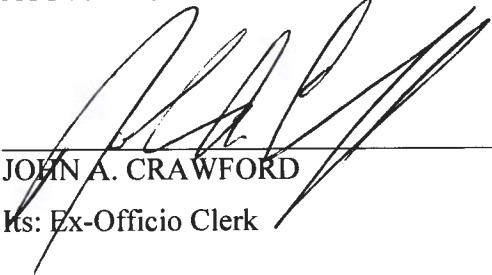
ADOPTED THIS 9th DAY OF December, 2024 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



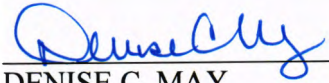
JOHN F. MARTIN
Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY

Additions = red underline
Deletions = red strikethrough
Relocated = green double underline



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

December 12, 2024

John A. Crawford
Clerk of the Circuit Court
Nassau County
76347 Veteran's Way, Suite 456
Yulee, Florida 32097

Dear John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2024-024, which was filed in this office on December 12, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL

Heather Nazworth

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Friday, December 13, 2024 8:34 AM
To: Heather Nazworth
Subject: *EXTERNAL*: RE: Nassau County, FL Code of Ordinances - 2023(11325) OrdBank

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

svj (she/her/hers)
Production Support Specialist Supplement Department • **CivicPlus**
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Powering and Empowering Local Governments

From: Heather Nazworth <hnazworth@nassauclerk.com>
Sent: Thursday, December 12, 2024 11:00 AM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Nassau County Ordinances 2024-022,023, and 024

Gentlemen:

Enclosed please find a certified copy of Ordinance Nos. 2024-022, 2024-023, and 2024-024 were adopted by the Nassau County Board of County Commissioners in a regular session on December 9, 2024. **Also, please provide a confirmation email.**

Please include these ordinances in the supplement. Thank you for your assistance in this matter.

On behalf of John A. Crawford, Ex-Officio Clerk

Heather Nazworth

Chief Deputy Clerk Services/BOCC/VAB

Nassau County Clerk of the Circuit Court/Comptroller

76347 Veterans Way, Ste. 456

Yulee, FL 32097

Direct (904)548-4666

Toll Free (800) 958-3496

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Email: hnazworth@nassauclerk.com

Website: www.nassauclerk.com

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