

**ORDINANCE NO. 2020- 31**

**AN ORDINANCE RESCINDING ORDINANCE 76-10, AS AMENDED; RESCINDING ORDINANCE 74-32, 82-14, 2002-31, 2003-41, 2003-42, and 2006-85; PROVIDING FOR RESTRICTIONS FOR DRIVING AND PARKING IN THE UNINCORPORATED AREAS OF THE BEACHES OF NASSAU COUNTY; PROVIDING FOR REGULATIONS AS TO USE OF THE UNINCORPORATED BEACHES; PROVIDING FOR AUTOMATIC REVIEW; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners was made aware, beginning in 2018, of concerns as to usage of the beaches; and

**WHEREAS**, driving and parking on the beaches in the unincorporated areas of the beach is controlled by SB 1577 and the Final Judgment of the Circuit Court issued on April 28, 1992 and F.S. §161.58; and

**WHEREAS**, the Board of County Commissioners appointed a committee, in 2019, to receive public comment as to beach issues and suggested revisions to beach related ordinances; and

**WHEREAS**, the committee held approximately fifteen (15) public meetings and heard from approximately sixteen hundred (1,600) citizens and received hundreds of emails and phone calls; and

**WHEREAS**, the committee held additional public meetings to formulate recommendations to the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners received all the comments and emails that the committee received; and

**WHEREAS**, the comments, included, but were not limited to, camping issues, environmental issues, overcrowding and vehicular congestion issues; and

**WHEREAS**, the Board of County Commissioners acknowledges the increased growth in Nassau County and the effect of said growth on beach usage, especially motorized use of the beach; and

**WHEREAS**, the Board of County Commissioners acknowledges there is limited space on the beaches to accommodate motorized vehicles; and

**WHEREAS**, the Board of County Commissioners acknowledges that according to the latest population estimates from the U.S. Census Bureau, Nassau County has been recognized as the fortieth (40<sup>th</sup>) fastest growing county, by percent growth, for counties in the United States with a population over ten thousand (10,000); and

**WHEREAS**, according to the U.S. Census Bureau, within the State of Florida, Nassau County ranked as the fifth (5<sup>th</sup>) fastest growing county from 2018-2019 (by %); and

**WHEREAS**, the population of Nassau County is eighty-eight thousand six hundred twenty-five (88,625) and has a growth rate over three percent (3%) per year; and

**WHEREAS**, the current population, projected growth and limited space for driving and parking on the beach creates issues for safe local vehicular use of the beaches and warrants the restrictions to Nassau County residents and property owners; and

**WHEREAS**, the Board of County Commissioners has determined that motorized vehicles allowed to access the beach should be four-wheel drive, all-wheel drive or meet the definition of Beach Buggy as defined herein for the safety and avoidance of vehicles getting “stuck” and prohibiting other motorized vehicles from accessing the beach; and

**WHEREAS**, the Board of County Commissioners acknowledges that based on restrictions regarding drivers parking and camping on the beach in surrounding jurisdictions, Nassau County

has experienced increasing numbers of people from out of the county driving and camping on the unincorporated areas of the beach; and

**WHEREAS**, the Board of County Commissioners acknowledges that there are threatened and endangered species on the Atlantic Ocean beaches in the unincorporated areas of Nassau County; and

**WHEREAS**, the Board of County Commissioners has determined that the County should allow operators of vehicles who have a valid United States Department of Defense United States Uniformed Services Privilege and Identification Card (a/k/a US Military ID Card) vehicular access; and

**WHEREAS**, based on the Endangered Species Act, the Board of County Commissioners, in conjunction with the City of Fernandina Beach, Florida, has agreed to pursue grant for the creation of a Habitat Conservation Plan (HCP) in order to potentially apply for an “Incidental Take Permit”; and

**WHEREAS**, based on the Endangered Species Act, certain restrictions are required between May 1<sup>st</sup> and October 31<sup>st</sup> of each year; and

**WHEREAS**, the appointed committee had, as a member, a Senior Officer of the Nassau County Sheriff’s Office and the Board of County Commissioners has consulted with the Sheriff’s Office and its own Facilities Department and Senior Management; and

**WHEREAS**, the Board of County Commissioners acknowledges that there is a need for new beach regulations; and

**WHEREAS**, the Board of County Commissioners has determined that based upon limited areas of motorized driving and parking areas on the beach and the safety of beach users, motorized

vehicle use should be restricted to Nassau County residents and property owners, only, subject to exceptions set forth herein; and

**WHEREAS**, the Board of County Commissioners has determined that the only area for primitive camping is the Burney Park parking area; and

**WHEREAS**, the Board of County Commissioners and the State of Florida are currently under a State of Emergency due to COVID-19; and

**WHEREAS**, the County may issue orders, pursuant to the State of Emergency, that may affect provisions of this Ordinance; and

**WHEREAS**, the Board of County Commissioners acknowledges that these regulations are necessary to ensure the viability of beach uses for Nassau County citizens.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Nassau County, Florida, that:

**SECTION 1. MOTORIZED VEHICLES ON THE ATLANTIC OCEAN BEACHES.**

1. **INTENT.** It is the intent of this Section to provide, for Nassau County residents and property owners, subject to exceptions set forth herein, the customary use of motorized vehicles on the Atlantic Ocean beaches in the unincorporated areas of Nassau County, subject to the provisions of Florida Statutes §161.58, Senate Bill 1577 and the Final Judgment dated April 28, 1992. County beach parking areas are open for any individual to park and utilize the beaches in the unincorporated areas.
2. The parking and driving areas for motorized vehicles on the Atlantic Ocean beaches in the unincorporated areas of Nassau County are as follows:
  - a. The Peters Point Road intersection with the beach area north to the city limits of Fernandina Beach;

- b. The Lewis Street intersection with the beach area north to the developed resort area parcel and south to the developed resort area parcel;
  - c. The southerly end of Amelia Island from the Nassau Sound side to the developed resort area parcel on the Atlantic Ocean side;
  - d. Scott Road intersection with the beach area; and
  - e. 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 (24) 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 Nassau County), in accordance with the provisions of Senate Bill 1577; and
  - f. Annually, the Board of County Commissioners may, at the recommendation of the County Manager, restrict 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.
3. 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 Section 1, Paragraph 5 herein. An occupant of the motorized vehicle entering the beach access areas shall produce at least one 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 or (3) a Nassau County Property Owner's Identification Card created by the Nassau 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. Each vehicle will receive a pass to be prominently displayed on the dashboard at all times while the vehicle is on the beach. Motorized vehicles that do not contain a Nassau County resident or property owner, as set forth herein, or meet the exceptions in Section 1, Paragraph 6 herein, shall be parked in the parking lots at Peter's Point, Scott Road, Burney Park or the Dunes Club parking area on the south end of Amelia Island.

4. An occupant of a motorized vehicle entering the beach access point referenced in Section 1(2)(c), shall be subject to the rules set forth by the Amelia Island State Park.
5. The exceptions to the Nassau County resident restrictions, set forth in Section 1(3) are:
  - a. For operators of vehicles who have a valid United States Department of Defense United States Uniformed Services Privilege and Identification Card (a/k/a U.S.

Military ID Card). The operator must provide said Identification Card to the kiosk operator who will record the name and license plate information and issue a pass; and

- b. 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 shall produce said placard to the kiosk operator who will record the name and license plate information and issue a pass.
6. No motorized vehicles shall be allowed on the Atlantic Ocean beaches between the hours of 9:01 pm and 6:59 am from May 1<sup>st</sup> of 2020 through October 31<sup>st</sup> of 2021. The Board of County Commissioners shall determine, at an advertised public hearing on or before October 31, 2021, the rules and regulations for beach driving from November 1<sup>st</sup> of each year through April 30<sup>th</sup> of each year. The Amelia Island State Park access and portions of the beach controlled by Amelia Island State Park are subject to their rules and regulations.
7. All motorized vehicles shall operate and park within the areas set forth in Section 1, Paragraph 2 herein. Failure to operate vehicles and park within the designated areas will subject the operator to a citation and revocation of the pass issued at the kiosk. The revocation shall require the vehicle to be removed from the beach. The portions of the beach controlled by 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 \$500.00 fine.
8. The speed limit for motorized vehicles shall be ten (10) miles per hour (MPH).

9. 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 Nassau 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 controlled by Amelia Island State Park are subject to their rules and regulations.
10. Receipt of a vehicle pass, issued by Nassau County, subjects any vehicle to a search and a search of any cooler in the vehicle or trunk and confiscation of any alcoholic beverage. If a driver does not consent to a search, a pass will not be issued, and the vehicle cannot park or drive on the beach.

**SECTION 2. CAMPING ON THE BEACH.**

1. Based on the Endangered Species Act, no camping shall be allowed on the Atlantic Ocean beaches in the unincorporated areas of Nassau County between May 1<sup>st</sup> of each year through October 31<sup>st</sup> of each year, except as set forth in Section 2, Paragraph 2, herein. The portions of the beach controlled by Amelia Island State Park are subject to their rules and regulations.
2. Beach camping, on the Atlantic Ocean beaches in the unincorporated areas of Nassau County, between November 1<sup>st</sup> 2020 and October 31<sup>st</sup> 2021 shall not be permitted or allowed. The Board of County Commissioners shall determine, at an advertised public hearing on or before October 31, 2021, the rules and regulations for beach camping from November 1<sup>st</sup> of each year through April 30<sup>th</sup> of each year. The portions of the beach controlled by Amelia Island State Park are subject to their rules and regulations.

3. 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 \$500 fine and/or sixty (60) days in jail.

**SECTION 3. 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 Florida.
  - b. A group shall be no less than ten (10) individuals and no more than thirty (30) individuals.
2. Process and Limits of Group Camping:
  - a. Each group must obtain a group camping permit through the Nassau 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 fully completed group camping permit application, including all required back-up documentation, must be submitted to Nassau 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 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 Nassau 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 Nassau 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 Nassau 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 pm and 6:00 am 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 park. Failure to vacate the park will be considered a trespass and a violation is a second-degree misdemeanor punishable by a five-hundred dollars (\$500) fine or sixty (60) days in jail.
- b. Civil citations that include a two-hundred fifty dollars (\$250) fine may also be issued for violations of these regulations by the County security agents.
- c. The Sheriff's Department may issue citations for a violation of this Ordinance and County designated security shall have the authority to revoke any camping permit for a violation of this Ordinance.

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.

**SECTION 4. 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<sup>st</sup> through October 31<sup>st</sup> of each year.

2. Fires, outside of those dates, shall be allowed subject to the following:
  - a. No fires allowed in the dunes or areas outside the designated areas for vehicles.
  - 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 dollars (\$500) fine and/or sixty (60) days in jail.

**SECTION 5. ALCOHOL.**

1. 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.
2. 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 dollars (\$500) fine or sixty (60) days in jail.

**SECTION 6. GLASS CONTAINERS.**

1. 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.

2. A violation of this provision may subject the violator to a civil citation with a fine of one-hundred dollars (\$100). Said citation may be issued by the County security agent.

**SECTION 7. LITTER.**

1. 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.
2. A violation of this provision may subject the violator to a civil citation with a fine of one-hundred dollars (\$100). Said citation may be issued by the County security agent.

**SECTION 8. 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.

**SECTION 9. 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. Said determination to be made by a County security agent. A determination by a County security agent of a violation shall cause the issuance of a civil citation and confiscation of the equipment. The civil citation shall be in the amount of one-hundred fifty dollars (\$150) and shall provide for a court appearance if the citation is not paid within thirty (30) days of issuance.
2. Between the hours of 11:00 pm and 6:00 am, no electronically amplified music shall be allowed on the beach or in the beach parking areas. A determination by a County security agent of a violation shall cause the issuance of a citation and confiscation of the equipment. The civil citation shall be in the amount of one-hundred fifty dollars (\$150) and shall provide for a court appearance if the citation is not paid within thirty (30) days of issuance.
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 dollars (\$500) fine and/or sixty (60) days in jail.

**SECTION 10. BEACHFRONT PARKING AREAS.**

1. The beachfront parking areas are:
  - a. Peter's Point.
  - b. Scott Road.
  - c. Burney Park.
  - d. South End parking area known as the "Dunes Club" parking area.

2. Vehicles, campers, recreational vehicles, fifth wheels, tractor trailers or truck and trailers shall be permitted in the beach parking areas subject to the following:
- a. No vehicles, campers, recreational vehicles, fifth wheels, tractor trailers, trucks or truck trailers shall utilize more than one designated parking spot. The failure to park in one 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 of the aforementioned parking areas. Failure to remove the vehicle shall constitute a trespass and is a second-degree misdemeanor. The operator or owner shall be responsible for towing charges, including impoundment charges.
  - b. 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 pm and before 6:00 am. Truck tractors utilized for the Concours d'Elegance 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.

- c. Campers, recreational vehicles, fifth wheels, tractor trailers, or trucks with trailers that remain after 9:00 pm or come onto the property before 6:00 am, 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. 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.
- d. Camping in the beachfront parking areas is prohibited except for group primitive 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 dollars (\$500) fine or sixty (60) days in jail.
- e. 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 dollars (\$500) fine or sixty (60) days in jail.

- f. 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.

## **SECTION 11. HORSES**

1. 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.
2. Horse trailer parking is prohibited at Burney Park, Scott Road Beach Access, the Dunes Club Beach Access and the American Beach/Evan's Rendezvous grass parking areas.
3. Horses are allowed on the unincorporated beach areas of Nassau County subject to the following:
  - a. No horses are allowed in the dunes.
  - b. Horses shall be under control of the rider at all times.
  - c. Horses shall not be allowed in the shelter areas in the beach parking locations or in the public showers.
  - d. Horses must be equipped with a manure catch bag. Manure is not to be discarded into the ocean or on the beach.
  - e. Horseback riding is only allowed after sunrise and before sunset from November 1<sup>st</sup> of each year until April 30<sup>th</sup> of each year.
  - f. Horses are not permitted in the water or "slew" areas.

- g. 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.
- h. Between the dates of May 1<sup>st</sup> and November 1<sup>st</sup>, horses are prohibited on the beach between the hours of 9:00 pm and 7:00 am each day.
- i. 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.

4. **ENFORCEMENT.**

- a. 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 dollars (\$500) fine 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.
- b. Parking a horse trailer and vehicle in the Burney Park, Scott Road Beach Access, the Dunes Club 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.

- c. Violation of the provisions in Paragraph 4 shall subject the rider to removal from the Atlantic Ocean 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 dollars (\$500) fine or sixty (60) days in jail.

**SECTION 12. DOGS.**

1. Dogs may be permitted on the Atlantic Ocean 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.
2. A violation of this provision may subject the violator to a civil citation with a fine of one-hundred dollars (\$100). Said citation may be issued by the County security agent.

**SECTION 13. DEFINITIONS.**

1. ALCOHOLIC BEVERAGE - A beverage containing more than one percent (1%) of alcohol by weight.
2. BEACH - The sandy wet and dry portions of the Atlantic Ocean beach within the unincorporated areas of Nassau County.
3. BEACH BUGGY - 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.
4. BEACH SECURITY AGENT - A security agent authorized by the Board of County Commissioners to patrol and enforce all beach related non-criminal county and parking ordinances pertaining to the beach code.

5. CAMPER - 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 Florida Statutes, §320.01.
6. DUNE - 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.
7. LITTER - Any garbage, rubbish, trash, refuse, can, bottle, container, paper materials or similar materials.
8. LITTERING - 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.
9. 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.
10. PRIMITIVE CAMPING - 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.

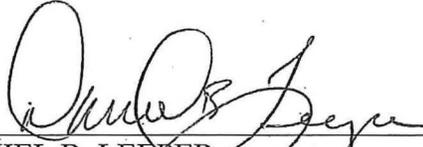
11. TRUCK TRACTOR - A motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semi-trailer that is attached or coupled thereto by means of such a fifth wheel and which has no provision for carrying loads independently pursuant to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

**EFFECTIVE DATE.**

This ordinance shall become effective upon its being filed in the office of the Secretary of State.

**DULY ADOPTED** this 12th day of October, 2020.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

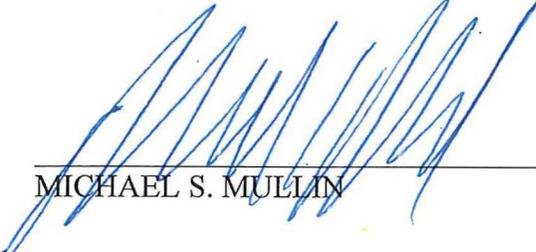
  
\_\_\_\_\_  
DANIEL B. LEEPER  
Its: Chairman

ATTEST AS TO CHAIRMAN'S SIGNATURE:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

MES  
10-13-20

Approved as to form by the Nassau County Attorney:

  
\_\_\_\_\_  
MICHAEL S. MULLIN