



## COLUMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM REQUEST FORM

The Board of County Commissioners meets the 1st and 3rd Thursday of each month at 5:30 p.m. in the Columbia County School Board Administrative Complex Auditorium, 372 West Duval Street, Lake City, Florida 32055. All agenda items are due in the Board's office one week prior to the meeting date.

Today's Date: 8/31/2018 Meeting Date: 9/6/2018

Name: Joel Foreman Department: County Attorney

Division Manager's Signature:

A handwritten signature in blue ink, appearing to be "J. Foreman", written over a light blue horizontal line.

### 1. Nature and purpose of agenda item:

Adoption Hearing for ORDINANCE NO. 2018-15: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 114, ARTICLE I OF THE COUNTY CODE OF ORDINANCES TO ADD ALOE COURT AND MERRIMACK PLACE TO THE LIST OF COUNTY ROADS UPON WHICH OPERATION OF GOLF CARTS IS PERMITTED

### 2. Recommended Motion/Action:

There is no recommended motion or action.

### 3. Fiscal impact on current budget.

This item has no effect on the current budget.

**MEMORANDUM**

To: Ben Scott, County Manager

From: Joel F. Foreman

**Re: Backup for Adoption Hearing for ORDINANCE NO. 2018-15: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 114, ARTICLE I OF THE COUNTY CODE OF ORDINANCES TO ADD ALOE COURT AND MERRIMACK PLACE TO THE LIST OF COUNTY ROADS UPON WHICH OPERATION OF GOLF CARTS IS PERMITTED**

Date: August 31, 2018

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Attached for the Board's consideration on September 6, 2018, are the following:

1. Memo to Board requesting adoption hearing.
2. Memo to Lake City Reporter requesting publication of hearing notice.
3. Final Draft Ordinance 2018-15

**MEMORANDUM**

To: Ben Scott, County Manager

From: Joel F. Foreman

**Re: Request for Adoption Hearing: Amendment to Chapter 114, Article I, Section 114-2 of the County Code of Ordinances to add Merrimack Place and Aloe Court to the list of County Roads on which golf cart operation is permitted**

Date: August 9, 2018

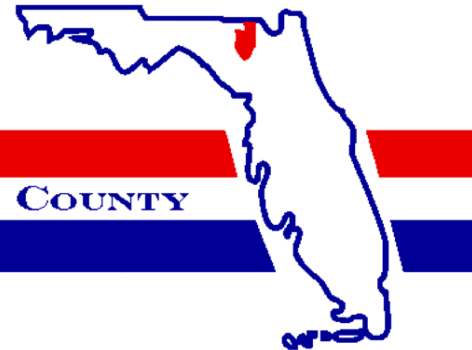
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At Commissioner Nash's request I have prepared an ordinance which, if adopted, would amend the County's code relating to County roads upon which golf carts may be legally operated.

Currently the County prohibits operation of golf carts on all but those roads specifically provided for. The amendment adds Aloe Court and Merrimack Place, both of which constitute all of the roads in a single subdivision, Cypress Creek off of SW CR 252B.

The Board should consider the volume, speed, and character of motor vehicle traffic upon these roads before casting a vote on this ordinance. I am requesting it be set for an adoption hearing on September 6, 2018.

District No. 1 - Ronald Williams  
District No. 2 - Rusty DePratter  
District No. 3 - Bucky Nash  
District No. 4 - Everett A. Phillips  
District No. 5 - Tim Murphy



**BOARD OF COUNTY COMMISSIONERS • COLUMBIA COUNTY**

DATE: August 17, 2018  
TO: Melissa Olson, Lake City Reporter  
FROM: Penny Stanley  
SUBJECT: Notice of Enactment of Ordinances

Please find attached the above referenced public notice to be published in the legal section of the Lake City Reporter on or before **August 26, 2018**

**PLEASE INVOICE: BOARD OF COUNTY COMMISSIONERS  
COLUMBIA COUNTY  
P.O. DRAWER 1529  
LAKE CITY, FL 32056-1529**

Subsequent to the publication of this notice please send an affidavit of proof of publication to:

BOARD OF COUNTY COMMISSIONERS  
COLUMBIA COUNTY  
P. O. DRAWER 1529  
LAKE CITY, FL 32056-1529

Attachment

BOARD MEETS FIRST THURSDAY AT 5:30 P.M.  
AND THIRD THURSDAY AT 5:30 P.M.

P.O. DRAWER 1529 ▼

LAKE CITY, FLORIDA 32056-1529 ▼

PHONE 755-4100

**NOTICE OF ENACTMENT OF ORDINANCES  
BY THE BOARD OF COUNTY COMMISSIONERS OF  
COLUMBIA COUNTY, FLORIDA**

**NOTICE IS HEREBY GIVEN** that the ordinances, which title or titles hereinafter appear, will be considered for enactment by the Board of County Commissioners of Columbia County, Florida, at public hearings on September 6, 2018, at 5:30 p.m., or as soon thereafter as the matters can be heard, in the School Board Administrative Complex located at 372 West Duval Street, Lake City, Florida. Copies of said ordinances may be inspected by any member of the public at the Office of the County Manager, County Administrative Offices, located at 135 Northeast Hernando Avenue, Lake City, Florida, during regular business hours. On the date, time and place first above mentioned, all interested persons may appear and be heard with respect to the ordinances. The title or titles of said ordinances read, as follows:

**ORDINANCE NO. 2018-15**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 114,  
ARTICLE I OF THE COUNTY CODE OF ORDINANCES TO ADD ALOE  
COURT AND MERRIMACK PLACE TO THE LIST OF COUNTY  
ROADS UPON WHICH OPERATION OF GOLF CARTS IS  
PERMITTED; AND PROVIDING AN EFFECTIVE DATE.**

**ORDINANCE NO. 2018-16**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 38, ARTICLE  
II, DIVISION 7 OF THE COUNTY CODE OF ORDINANCES TO  
CONFORM THE COUNTY'S CODE WITH STATE LAW; AND  
PROVIDING AN EFFECTIVE DATE.**

The public hearings may be continued to one or more future dates. Any interested party shall be advised that the date, time and place of any continuation of the public hearings shall be announced during the public hearings and that no further notice concerning the matters will be published, unless said continuation exceeds six calendar weeks from the date of the above referenced public hearings.

All persons are advised that, if they decide to appeal any decisions made at the public hearings, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings are made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceeding should contact Lisa K. B. Roberts, at least seven (7) days prior to the date of the hearing. Ms. Roberts may be contacted by telephone at (386)758-1005 or by Telecommunication Device for Deaf at (386)758-2139.

**COLUMBIA COUNTY, FLORIDA  
ORDINANCE NO. 2018-15**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 114,  
ARTICLE I OF THE COUNTY CODE OF ORDINANCES TO ADD ALOE  
COURT AND MERRIMACK PLACE TO THE LIST OF COUNTY  
ROADS UPON WHICH OPERATION OF GOLF CARTS IS  
PERMITTED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Columbia County Board of County Commissioners previously adopted ordinances prohibiting the operation of golf carts upon county roads with the exception of certain roads identified in those ordinances;

**WHEREAS**, that ordinance is codified at Article I of section 114 of the Columbia County Code of Ordinances;

**WHEREAS**, the Board of County Commissioners desires to add two county roads to the list of county roads upon which golf carts may be operated; and

**WHEREAS**, the Columbia County Board of County Commissioners is authorized to regulate the operation of golf carts within its territorial limits as provided by Fla. Stat. Ch. 125, the Home Rule Charter for Columbia County, Florida, and Fla. Stat. section 316.212.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA:**

**Section 1. FINDINGS**

The above Recitals are incorporated herein by reference and are hereby adopted as Findings in support of this Ordinance.

Pursuant to Fla. Stat. section 316.212, the Board of County Commissioners for Columbia County, Florida, having considered the speed, volume, and character of motor vehicle traffic using these roads, finds that Aloe Court and Merrimack Place are both county roads within the territorial limits of Columbia County, Florida which golf carts may safely travel on or across.

Upon adoption of this Ordinance and pursuant to Section 114-2(d) and Fla. Stat. section 316.212(1), the County's public works department shall post and maintain upon the County's right-of-way appropriate signage at both roads indicating the operation of golf carts is allowed.

**Section 2. AUTHORITY**

This ordinance is enacted pursuant to the statutory authority vested in the Board of County Commissioners by Florida Statutes Chapters 316 and 125 and the Home Rule Charter for Columbia County, Florida.

### **Section 3. CODE RELATING TO OPERATION OF GOLF CARTS AMENDED**

Chapter 114, Article I, Section 114-2 of the Columbia County Code of Ordinances is hereby amended as reflected in this section. Words that are stricken through shall be removed from the Code of Ordinances while those words that are underlined shall be added. Ellipses (...) indicate portions of the code have been omitted for brevity, but should not be included in the Code nor should they indicate any deletion. Unless a deletion or addition is indicated herein, Chapter 102, Article VI of the Code of Ordinances shall not be altered by this Ordinance.

#### **Sec. 114-2. - Operation of golf carts.**

(a) *Definitions.*

Golf cart is a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 mph as set forth in F.S. 320.01(22).

(b) Designation of county roads for use by golf carts. Subject to the restrictions and limitation and complying with aspects and requirements of this section, golf carts may travel on or across the county roads or streets located within all units of the subdivision known as Three Rivers Estates with the exception of Newark Road, the paved portion of Utah Street, Washington Street, and except all other paved roads within the subdivision, including those paved after the effective date of this section; ~~and~~ may travel on or across said road or streets in the platted lands of the development know as Wilson Springs; and may travel on or across the county roads known as Aloe Court and Merrimack Place in the Cypress Creek subdivision. The county road known as Wilson Springs Road is specifically excluded and off limits for golf carts.

(c) Requirements, limitations and restrictions. In consideration of the public health, safety and welfare, the following golf cart requirements, limitations and restrictions shall apply:

- (1) A golf cart may be operated only during the hours between sunrise and sunset.
- (2) The golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rear view mirror, and red-reflectorized warning devices in both the front and rear.

- (3) A golf cart may not be operated on the public roads or streets by any person under the age of 14.
- (d) Signage. The county road department shall post signs along the roads where golf carts are allowed advising motorists of the possible presence of golf carts on the roadway.
- (e) Enforcement. Golf carts may only operate on the county roads designated in this section if they are in compliance with all requirements of the limitations of this section and F.S. 316.212.
- (f) Penalties. A violation of this section is a non-criminal traffic infraction and punishable pursuant to F.S., § 316.212(8).
- (g) Territory embraced. This section shall apply only to the designated unincorporated area of Columbia County.

**Section 4. SEVERABILITY**

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 5. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon a certified copy hereof being filed with the Florida Department of State.

**DULY ADOPTED** by the Board of County Commissioners of Columbia County, Florida, this \_\_\_\_ day of September, 2018.

**BOARD OF COUNTY COMMISSIONERS  
COLUMBIA COUNTY, FLORIDA**

By: \_\_\_\_\_  
**Tim Murphy, Chair**

Approved as to form and legality:

ATTEST:

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Joel F. Foreman, County Attorney

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P. Dewitt Cason, Clerk of Court