



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: 6/11/2020 Meeting Date: 6/18/2020

Name: Joel Foreman Department: County Attorney

Division Manager's Signature:

A handwritten signature in blue ink, appearing to be "J. Foreman", is written over the signature line.

1. Nature and purpose of agenda item:

ORDINANCE NO. 2020-08 - AMENDING CHAPTER 78, ARTICLES I, II, III, AND VI OF THE COUNTY CODE OF ORDINANCES RELATING TO THE USE AND REGULATION OF COUNTY PARKS AND RECREATIONAL AREAS

2. Recommended Motion/Action:

To adopt Ordinance 2020-08

3. Fiscal impact on current budget.

This item has no effect on the current budget.

MEMORANDUM

To: Board Agenda, June 18, 2020

From: Joel F. Foreman

Re: **ORDINANCE NO. 2020-08**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
COLUMBIA COUNTY, FLORIDA, AMENDING CHAPTER 78, ARTICLES I, II,
III, AND VI OF THE COUNTY CODE OF ORDINANCES RELATING TO THE
USE AND REGULATION OF COUNTY PARKS AND RECREATIONAL
AREAS.**

Date: June 11, 2020

The attached draft Ordinance 2020-08 would, if adopted, unify the County's park and recreational area regulations while incorporating the Board's desires for changes at Rum Island Park such as parking enforcement and the creation of a park permit to be issued for those wishing to make regular commercial use of any park.

The ordinance imposes the Board's regulations while recognizing the role of the County Manager under Charter to see to the care and custody of the County's property. The Parks and Recreation Director is also authorized, with the County Manager, to create and implement rules that are necessary for the operation of particular parks. For example, the rules at Southside may differ from rules that would apply to Alligator Lake park, but the general regulations would be the same while Board would retain the ability to set many regulations such as hours of operation and entry fees. This will afford staff more discretion in balancing the needs of the public and limitations necessary to ensue the parks remain in good condition.

Recommended motion:

To adopt Ordinance 2020-08.

1 **COLUMBIA COUNTY, FLORIDA**
2 **ORDINANCE NO. 2020-08**

3 **AN ORDINANCE OF THE BOARD OF COUNTY**
4 **COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA,**
5 **AMENDING CHAPTER 78, ARTICLES I, II, III, AND VI OF**
6 **THE COUNTY CODE OF ORDINANCES RELATING TO THE**
7 **USE AND REGULATION OF COUNTY PARKS AND**
8 **RECREATIONAL AREAS AND PROVIDING AN EFFECTIVE**
9 **DATE.**

10 **WHEREAS**, Florida Statutes section 125.01(1)(f) gives the Columbia
11 County Board of County Commissioners the power and authority to “(p)rovide
12 parks, preserves, playgrounds, recreation areas, libraries, museums, historical
13 commissions, and other recreation and cultural facilities and programs;”

14 **WHEREAS**, various ordinances have been codified at Articles I, II, III, and
15 VI of Chapter 78 of the Columbia County Code of Ordinances relating to the use,
16 operation, and regulation of the County’s parks and recreational areas;

17 **WHEREAS**, in the interest of clarity and efficiency, it is appropriate to
18 amend Chapter 78 to make more uniform the County’s regulation of its parks and
19 recreational facilities;

20 **WHEREAS**, the Columbia County Board of County Commissioners is
21 authorized to regulate the operation and use of County parks by Florida Statutes
22 Chapter 125 and the Home Rule Charter for Columbia County;

23 **WHEREAS**, pursuant to the Home Rule Charter for Columbia County,
24 Florida, the County Manager is charged with the supervision and care of all
25 County property; and

1 **WHEREAS**, it is in the public's interest that the County Parks and
2 Recreation Director, as authorized by this ordinance and the County Manager,
3 should be empowered to both oversee and enforce the policies of this Board and
4 the County Manager as to the use and maintenance of the County's parks and
5 recreational areas.

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

8 **Section 1. FINDINGS**

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

11 **Section 2. CODE RELATING TO PARKS AND RECREATION AMENDED**

12 Articles I, II, and III of Chapter 78 of the Columbia County Code of Ordinances are hereby
13 amended as reflected in this section. Words that are stricken through shall be removed from the
14 Code of Ordinances while those words that are underlined shall be added. Ellipses (...) indicate
15 portions of the code have been omitted for brevity but should not be included in the Code nor
16 should they indicate any deletion. Unless a deletion or addition is indicated herein, Chapter 78 of
17 the Code of Ordinances shall not be altered by this Ordinance.

18
19 **Chapter 78 - PARKS AND RECREATION**

20 **ARTICLE I. - IN GENERAL**

21 ~~Sees. 78-1-78-30. - Reserved.~~

22 **Sec. 78-1. - Definitions.**

1 The following words, terms, and phrases, when
2 used in this chapter shall have the meanings
3 ascribed to them in this chapter, except where
4 otherwise provided or the context clearly
5 indicates a different meaning:

6 *Alcoholic beverages* means distilled spirits
7 and all beverages containing one-half of one
8 percent or more alcohol by volume. The
9 percentage of alcohol by volume shall be
10 determined by measuring the volume of the
11 standard ethyl alcohol in the beverage and
12 comparing it with the volume of the remainder
13 of the ingredients as though said remainder
14 ingredients were distilled water.

15 *County Parks and Recreation Director* means
16 an employee of the County designated by the
17 County Manager to hold such position.

18 *Dump* means to dump, throw, discard, place,
19 deposit or dispose of litter.

20 *Firearm* means any weapon (including a
21 starter gun) which will, is designed to, or may
22 readily be converted to expel a projectile by
23 the action of an explosive; the frame or
24 receiver of any such weapon; any firearm

1 muffler or firearm silencer; any destructive
2 device; or any machine gun.

3 FWC means the Florida Fish and Wildlife
4 Conservation Commission or its successors in
5 name or interest.

6 Litter means any garbage; rubbish; trash;
7 refuse; can; bottle, box, container; paper;
8 tobacco product; tire; appliance; mechanical
9 equipment or part; building or construction
10 material; tool; machinery; wood; motor vehicle
11 or motor vehicle part; vessel; aircraft; farm
12 machinery or equipment; sludge from a waste
13 treatment facility, water supply treatment
14 plant or air pollution control facility; or
15 substance in any form resulting from domestic,
16 industrial, commercial, mining, agricultural,
17 or governmental operations.

18 Park or Recreational Facility means the
19 following named parks, areas, and facilities
20 of the County:

21 (1) Rum Island Park

22 (2) Mason City Recreational Area

23 (3) Mason City Community Center

24 (4) Paul S. Giebeig Recreational Park

1 (5) Springville Community Center

2 (6) Lulu Community Center

3 (7) Southside Sports Complex

4 (8) South Columbia Sports Complex

5 (9) Fort White Community Center

6 (10) Winfield Community Center

7 (11) Alligator Lake Park Recreation Area

8 (12) The Falling Creek Park

9 (13) Bethlehem Park

10 (14) Deep Creek Community Center

11 (15) Westside Community Center

12 (16) Any other recreational area, park,
13 community center, sports complex, or
14 other similar facility owned or
15 operated for the benefit of the public
16 by the County government

17 Person means any natural person or any
18 corporation, not-for-profit corporation, firm,
19 partnership or principal thereof which is
20 organized and existing under the laws of the
21 United States or any state.

1 Pet. As used herein, shall mean an animal
2 that is tamed or domesticated and kept as a
3 companion.

4 **Cross reference—** Definitions generally, § 1-2.

5 **Sec. 78-2. - Consumption or Possession of**
6 **Alcoholic Beverages Prohibited on Certain**
7 **Public Premises.**

8 No person shall consume any alcoholic
9 beverage or have in his or her possession any
10 alcoholic beverage in any open container or in
11 any resealable container, the seal to which has
12 been broken, on any park or recreational
13 facility or upon any county-owned property
14 adjacent and contiguous to them or a community
15 center. Nor shall such consumption or
16 possession be permitted on the right-of-way of
17 any public street located immediately adjacent
18 to any park or recreational facility.

19
20 **Sec. 78-3. - Rules and Regulations.**

21 (A) The County Manager and the County Parks
22 and Recreation Director are charged with
23 oversight, implementation, and enforcement
24 of regulations imposed by this Chapter.

1 (B) The County Manager and the County Parks
2 and Recreation Director may create and
3 promulgate rules supplemental to those set
4 forth herein for each of the County's
5 parks and recreational facilities to the
6 extent such rules are necessary and
7 appropriate to particular parks or
8 recreational facilities. Such rules shall
9 not conflict with the regulations set
10 forth by the Board of County
11 Commissioners. The Parks and Recreation
12 Director shall be responsible for the
13 implementation and enforcement of such
14 rules. A violation of a rule promulgated
15 under this section shall be a violation of
16 this Article.

17 (C) The County Parks and Recreation Director
18 shall have the authority to set the
19 regular hours of operation for all County
20 parks and recreational facilities, and
21 shall further be authorized to close any
22 park or recreational facility in the event
23 of an emergency or any event presenting a
24 threat to life, health, or safety to the
25 public.

1 (D) It shall be unlawful for any person or
2 persons to do the following acts on or in
3 any park or recreational facility or on
4 the right-of-way of any public street
5 located immediately adjacent to any such
6 premises:

7 (1) To destroy natural vegetation or
8 otherwise deface the natural
9 environment or public property or
10 improvements thereon.

11 (2) To dump litter.

12 (3) To have dogs, horses, other pets, or
13 livestock except:

14 a. Service or assistance animals;

15 b. Hunting dogs during permitted hours
16 and in areas where hunting is
17 permitted; or

18 c. Animals as permitted by written
19 approval signed by the County
20 Manager or Parks and Recreation
21 Director.

22 (4) To engage in any overnight camping
23 except primitive-type camping within

1 designated, restricted areas in
2 accordance with county resolution.

3 (5) To swim nude or be otherwise nude while
4 in plain view of others upon or
5 adjacent to any park or recreational
6 facility.

7 (6) To possess or discharge any crossbow or
8 bow and arrow except in connection with
9 hunting as specifically authorized or
10 as by authorized law enforcement
11 personnel.

12 (7) To build or maintain any open fire,
13 except in grills or other containers
14 specifically provided by the county for
15 the building or maintaining of such a
16 fire. No other grill or fire container
17 may be used upon any park or
18 recreational facility except in
19 designated areas.

20 (8) To destroy, damage or deface any
21 structure, fencing, buildings, tables,
22 or other improvements on the site.

23 **Sec. 78-4. - Fees.**

1 (A) The County may from time to time by
2 resolution adopted by the Board of County
3 Commissioners impose reasonable fees to be
4 charged for access to or certain uses of
5 any park or recreational facility.

6 (B) To the extent necessary to enhance the
7 public's use or enjoyment of a park or
8 recreational facility, the County may from
9 time to time by resolution adopted by the
10 Board of County Commissioners collect
11 reasonable fees for parking at any park or
12 recreational facility.

13 (C) To maintain the public's reasonable access
14 to and enjoyment of park or recreational
15 facilities, regular commercial uses of
16 parks or recreational facilities shall
17 require issuance of an annual permit
18 through the office of the County Parks and
19 Recreation Director.

20 a. "Regular commercial use" means usage of
21 any park or recreational facility or
22 part thereof for any commercial purpose
23 more than six times in any 12-month
24 period.

1 b. The cost of permits issued under this
2 section shall be established from time
3 to time by resolution of the Board of
4 County Commissioners. No more than four
5 permits may be issued for any one park
6 or recreational facility at any given
7 time.

8 c. Permits shall entitle the holder thereof
9 to the same use of park or recreational
10 facilities enjoyed by members of the
11 public and subject to the same
12 restrictions. A permit shall not entitle
13 the holder to any special privileges or
14 uses other than the opportunity to use
15 the park or recreational facilities for
16 commercial purposes.

17 d. Regular commercial use of any park or
18 recreational facility without a permit
19 shall constitute a violation of this
20 Article for each instance of such use,
21 and offenses shall be punishable as
22 provided by Florida law. The County
23 Manager or County Parks and Recreation
24 Director shall prohibit regular
25 commercial use without a permit, up to
26 and including requesting assistance from

1 the Sheriff to secure expulsion of
2 offending individuals or entities from
3 all parks and recreational facilities
4 unless and until a permit is obtained.

5 e.Other commercial uses may be restricted
6 or prohibited by the County Manager or
7 County Parks and Recreation Director as
8 appropriate to the specific needs,
9 limitations, or situational or seasonal
10 circumstances of each park or
11 recreational facility.

12 f.This part shall not apply to commercial
13 uses of community centers to the extent
14 commercial uses are undertaken through a
15 license agreement between the County and
16 a third-party for the operation of that
17 community center.

18 **Sec. 78-5. - Hours of Operation.**

19 The County may from time to time by resolution
20 adopted by the Board of County Commissioners
21 set the regular hours of operation of all parks
22 and recreational facilities including the hours
23 which said areas shall be closed for various
24 activities. This part shall not limit the

1 authority of the Parks and Recreation Director
2 pursuant to section 78-2.

3 **Sec. 78-6. - Certain Vehicles and Modes of**
4 **Transportation Limited.**

5 (A) Except in designated parking areas and on
6 roadways providing ingress and egress to
7 such parking areas, no automobiles of any
8 description shall be permitted upon any
9 park or recreational areas. This provision
10 shall not prohibit County or law
11 enforcement vehicles from going upon the
12 park or recreational areas for official
13 purposes.

14 (B) Bicycles shall be permitted in designated
15 areas.

16 (C) Boats, including human-powered craft and
17 boats of common horsepower motors, shall
18 be allowed. Boating speed may be limited
19 on or about the County's lands by
20 resolution. Skiing, hydroplaning, jet
21 skiing, and like motorized watersports are
22 prohibited.

23 (D) Unless expressly authorized and posted,
24 and as otherwise restricted by Florida
25 law, single-rider and side-by-side all-

1 terrain vehicles ("ATV"s), motorcycles or
2 motorbikes are prohibited outside of
3 parking areas and ingress-egress roadways
4 in all parks and recreational areas,
5 except County-authorized maintenance,
6 management, or law enforcement vehicles.

7 (E) Notwithstanding anything herein to the
8 contrary, no provision of this article
9 shall prohibit or restrict access to a
10 public boat ramp for the limited purpose
11 of launching a trailered watercraft.

12 **Cross reference—** Traffic and vehicles, ch. 114.

13 **Sec. 78-7. - Penalties for violation of**
14 **article.**

15 Any person violating the provisions of this
16 article shall be guilty of a misdemeanor of the
17 second degree, punishable as provided by
18 section 1-10.

19 **ARTICLE II. - ALLIGATOR LAKE MANAGEMENT**

20 **Sec. 78-31. - Findings.**

21 (a) The county, through the assistance of a
22 grant award from the Florida Communities
23 Trust (FCT), a nonregulatory agency within
24 the state department of community affairs,

1 has purchased and owns certain properties
2 located in the county, including properties
3 in both the unincorporated area of the
4 county as well as the City of Lake City,
5 Florida, a municipal corporation (Lake
6 City), said properties being more
7 particularly described in Exhibit "A"
8 attached hereto, and to include additional
9 properties either purchased by the county or
10 by agreement between the county and the
11 landowner to be included in the development,
12 maintenance, and management of the Alligator
13 Lake Project, all of said properties
14 sometimes herein referred to as the
15 "Alligator Lake property."

16 (b) The county has implemented programs in
17 conjunction with other local and state
18 agencies, including the Suwannee River Water
19 Management District ("District"), and
20 Florida Fish and Wildlife Conservation
21 Commission ("FWC"~~commission~~), and the county
22 wishes to implement improvements for the
23 development of a wildlife and fisheries
24 management, environmental education,
25 wildlife appreciation, public access and
26 outdoor recreation program at Alligator
27 Lake.

1 (c) The county as the owner of the Alligator
2 Lake property desires to utilize existing
3 available and future resources, personnel,
4 equipment, and regulations and guidelines,
5 including those contained in this article to
6 accomplish planned activities and facilities
7 to be provided at the Alligator Lake
8 property.

9 (d) The county recognizes the continuing need
10 for close cooperation with other local and
11 state agencies, and the establishment of
12 rules and guidelines for the maintenance and
13 operation of the Alligator Lake properties
14 and water for multiple uses for the benefit
15 of the citizens of the county and the state.

16 **~~Sec. 78-32. - Definitions.~~**

17 ~~The following words, terms, and phrases, when~~
18 ~~used in this article, shall have the meanings~~
19 ~~ascribed to them in this section, except where~~
20 ~~the context clearly indicates a different~~
21 ~~meaning:~~

22 ~~Alcoholic beverages means distilled spirits~~
23 ~~and all beverages containing one-half of one~~
24 ~~percent or more alcohol by volume. The~~
25 ~~percentage of alcohol by volume shall be~~

1 ~~determined by measuring the volume of the~~
2 ~~standard ethyl alcohol in the beverage and~~
3 ~~comparing it with the volume of the remainder~~
4 ~~of the ingredients as though said remainder~~
5 ~~ingredients were distilled water.~~

6 ~~Commission means the Florida Fish and~~
7 ~~Wildlife Conservation Commission or its~~
8 ~~successors in name or interest.~~

9 ~~Firearm means any weapon (including a~~
10 ~~starter gun) which will, is designed to, or may~~
11 ~~readily be converted to expel a projectile by~~
12 ~~the action of an explosive; the frame or~~
13 ~~receiver of any such weapon; any firearm~~
14 ~~muffler or firearm silencer; any destructive~~
15 ~~device; or any machine gun.~~

16 ~~Person means any natural person or any~~
17 ~~corporation, not-for-profit corporation, firm,~~
18 ~~partnership or principal thereof which is~~
19 ~~organized and existing under the laws of the~~
20 ~~United States or any state.~~

21 ~~**Cross reference**—Definitions generally, § 1-2.~~

22 **Sec. 78-33. - Management of property.**

23 The county may by resolution from time to
24 time open or close any portion of the land,

1 lake, stream, or other water body of the
2 Alligator Lake property to the taking of
3 wildlife or fish or restricting or increasing
4 the public's use of the property for the
5 purpose of establishing, protecting or managing
6 the wildlife and environmentally sensitive
7 portions of the property with assistance of the
8 ~~commission~~FWC. The county or its designee shall
9 direct or maintain appropriate signage for the
10 property and it shall be unlawful for any
11 person to deface, remove, or change any signs
12 placed by the county or its cooperating
13 agencies. This authority shall be supplemental
14 to authority given to the County Manager or
15 Parks and Recreation Director under Article I
16 of this Chapter.

17 **~~Sec. 78-34. - Hours of operation.~~**

18 ~~The county shall by resolution set the hours~~
19 ~~of operation of the Alligator Lake property~~
20 ~~including the hours which it shall be opened~~
21 ~~and closed to the public for various activities~~
22 ~~on the property.~~

23 **~~Sec. 78-35. - Prohibited activities.~~**

1 ~~It shall be unlawful for any person to~~
2 ~~engage in the following activities on the~~
3 ~~property:~~

4 ~~(1) — Overnight camping except primitive-~~
5 ~~type camping within designated and~~
6 ~~restricted areas which may be permitted~~
7 ~~by special use permits issued by the~~
8 ~~county in accordance with county~~
9 ~~resolution;~~

10 ~~(2) — Drink or possess alcoholic beverages;~~

11 ~~(3) — To have dogs, except Seeing-eye or~~
12 ~~other assistance dogs and hunting dogs~~
13 ~~(during the permitted hours for hunting~~
14 ~~only);~~

15 ~~(4) — To swim nude or be otherwise nude~~
16 ~~while on the property;~~

17 ~~(5) — To possess or discharge any crossbow~~
18 ~~or bow and arrow except in connection~~
19 ~~with hunting as specifically herein~~
20 ~~authorized, and except by duly authorized~~
21 ~~law enforcement personnel;~~

22 ~~(6) — To destroy natural vegetation or~~
23 ~~otherwise deface the natural environment~~
24 ~~of the property in any manner whatsoever;~~

1 ~~(7) To litter;~~

2 ~~(8) To build or maintain any open fire on~~
3 ~~the property, except in grills or other~~
4 ~~containers specifically provided by the~~
5 ~~county for the building or maintaining of~~
6 ~~a fire;~~

7 ~~(9) To destroy, damage or deface any~~
8 ~~structure, fencing, buildings, tables, or~~
9 ~~other improvements on the site.~~

10 ~~**Sec. 78-36. - Vehicles and certain modes of**~~
11 ~~**transportation limited.**~~

12 ~~No motorized vehicles of any description,~~
13 ~~except maintenance vehicles or official~~
14 ~~vehicles of the county, its employees and~~
15 ~~agents or the county's authorized agents, shall~~
16 ~~be permitted on the property, except in~~
17 ~~designated parking areas and on roadways~~
18 ~~providing ingress and egress to such parking~~
19 ~~areas. Bicycles shall be permitted in~~
20 ~~designated areas. No water skiing, jet skiing~~
21 ~~and hydroplaning shall be permitted on the~~
22 ~~property. Boating shall be allowed with boats~~
23 ~~having common horsepower ratings and boating~~
24 ~~speed may be limited by county resolution. All-~~
25 ~~terrain vehicles (e.g., three-wheelers or four-~~

1 ~~wheelers) and motorcycle or motorbike use is~~
2 ~~specifically prohibited on the site, except by~~
3 ~~authorized maintenance, management or law~~
4 ~~enforcement personnel. Notwithstanding anything~~
5 ~~herein to the contrary, no provision of this~~
6 ~~article shall prohibit or restrict access to~~
7 ~~the South Alligator Lake boat ramp.~~

8 ~~**Cross reference**—Traffic and vehicles, ch. 114.~~

9 ~~**Sec. 78-37. - Hunting.**~~

10 Hunting other than duck hunting shall be
11 prohibited unless ~~except~~ as specifically
12 provided by the county resolutions., ~~except~~
13 ~~duck hunting, may be allowed as specifically~~
14 ~~provided by the county resolution. All duck~~
15 hunting shall be in accordance with applicable
16 ~~commission~~FWC rules and regulations ~~presently~~
17 ~~existing or as amended. The county may by~~
18 resolution request the ~~commission~~FWC to enact
19 management area rules to address any fish,
20 nonfish, or wildlife provisions the county may
21 deem appropriate.

22 ~~**Sec. 78-38. - Fees.**~~

23 ~~The county by resolution may impose reasonable~~
24 ~~fees to be charged for the use of the Alligator~~
25 ~~Lake properties.~~

1 **Sec. 78-39. - Penalties for violation of**
2 **article.**

3 Any person violating the provisions of this
4 article shall be guilty of a misdemeanor of the
5 second degree, punishable as provided by
6 section 1-10.

7 **Sec. 78-40. - Small-game hunting area.**

8 (...)

9 **Secs. 78-41-78-70. - Reserved.**

10 **ARTICLE III. - RESERVED RUM ISLAND PARK**

11 ~~**Sec. 78-71. - Application of article**~~
12 ~~**provisions; land description.**~~

13 ~~This article applies to usage of county-~~
14 ~~owned property known as Rum Island Park, which~~
15 ~~is more particularly described as the south~~
16 ~~one-half of Section 35, Township 7 South, Range~~
17 ~~16 East; lying north of the Santa Fe River, in~~
18 ~~the county, containing 47.5 acres (upland),~~
19 ~~more or less.~~

20 ~~**Sec. 78-72. - Prohibited acts.**~~

21 ~~It shall be unlawful for any person or~~
22 ~~persons to do the following at Rum Island Park:~~

1 ~~(1) — To camp after the park is closed as~~
2 ~~provided herein;~~

3 ~~(2) — To drink or possess alcoholic~~
4 ~~beverages;~~

5 ~~(3) — To have dogs, equine (horses) or other~~
6 ~~pets;~~

7 ~~(4) — To swim nude;~~

8 ~~(5) — To swim while the park is closed as~~
9 ~~provided herein;~~

10 ~~(6) — To destroy natural vegetation or~~
11 ~~otherwise deface the natural environment;~~

12 ~~(7) — To litter;~~

13 ~~(8) — To build or maintain any open fire,~~
14 ~~in, at or on, or in, at or on the waters~~
15 ~~located within county owned property~~
16 ~~described above and known as Rum Island~~
17 ~~Park;~~

18 ~~(9) — To have or ride ATV or other similar~~
19 ~~off-road vehicles in Rum Island Park.~~

20 ~~**Sec. 78-73. — Hours for public use.**~~

21 ~~Rum Island Park shall be open to the public~~
22 ~~for proper uses of the property from one hour~~

1 prior to sunrise until its close one hour after
2 sunset.

3 ~~Sec. 78-74. - Intent of board.~~

4 ~~It is the specific intention of the board of~~
5 ~~county commissioners not to prohibit proper~~
6 ~~uses of the described properties including, but~~
7 ~~not limited to, such uses as family gatherings,~~
8 ~~picnics, and fishing.~~

9 ~~Sec. 78-75. - Penalty for violation of article.~~

10 ~~Any person who violates this article shall~~
11 ~~be guilty of a misdemeanor and shall be~~
12 ~~prosecuted in the name of the state in a court~~
13 ~~having jurisdiction of misdemeanors, by the~~
14 ~~prosecuting attorney thereof and, upon~~
15 ~~conviction, shall be punished as provided in~~
16 ~~section 1-10.~~

17 (...)

18 **ARTICLE VI. - RESERVED REGULATIONS AND**
19 **RESTRICTIONS FOR CERTAIN PUBLIC AREAS**

20 ~~Sec. 78-141. - Definitions.~~

21 ~~Alcoholic beverage. As used herein, the term~~
22 ~~"alcoholic beverage" shall mean any wine, wine~~
23 ~~cooler, beer, liquor or other beverage~~
24 ~~containing any quantity of alcohol.~~

1 ~~Dump.~~ As used herein, ~~"dump"~~ shall mean to
2 ~~dump, throw, discard, place, deposit or dispose~~
3 ~~of.~~

4 ~~Litter.~~ As used herein, the term ~~"litter"~~
5 ~~shall mean any garbage; rubbish; trash; refuse;~~
6 ~~can; bottle, box, container; paper; tobacco~~
7 ~~product; tire; appliance; mechanical equipment~~
8 ~~or part; building or construction material;~~
9 ~~tool; machinery; wood; motor vehicle or motor~~
10 ~~vehicle part; vessel; aircraft; farm machinery~~
11 ~~or equipment; sludge from a waste treatment~~
12 ~~facility, water supply treatment plant or air~~
13 ~~pollution control facility; or substance in any~~
14 ~~form resulting from domestic, industrial,~~
15 ~~commercial, mining, agricultural, or~~
16 ~~governmental operations.~~

17 ~~Pet.~~ As used herein, shall mean an animal
18 ~~that is tamed or domesticated and kept as a~~
19 ~~companion.~~

20 ~~Sec. 78-142. - Consumption or possession of~~
21 ~~alcoholic beverages on certain public premises.~~

22 ~~No person shall consume any alcoholic~~
23 ~~beverage or have in his possession any~~
24 ~~alcoholic beverage in any open container or in~~
25 ~~any resealable container, the seal to which has~~

1 ~~been broken, on any of the following public~~
2 ~~premises, together with all Columbia County~~
3 ~~owned property adjacent and contiguous to the~~
4 ~~described properties used for public~~
5 ~~recreational facilities or a community center,~~
6 ~~or on the right-of-way of any public street~~
7 ~~located immediately adjacent to any such~~
8 ~~premises, located in the unincorporated area of~~
9 ~~Columbia County, Florida:~~

10 ~~(1) The Mason City Recreational Area~~
11 ~~located on U.S. Highway 41 South in~~
12 ~~Columbia County, Florida, described as:~~

13 ~~All of Block 14 and all of 1st Avenue~~
14 ~~lying between Block 14 and Block 15, in~~
15 ~~Townsite of Mason City, Florida,~~
16 ~~according to plat on file and of record~~
17 ~~in the office of the Clerk of Circuit~~
18 ~~Court, in and for Columbia County,~~
19 ~~Florida.~~

20 ~~Begin at the Northwest Corner of Lot 1,~~
21 ~~Block 15, according to Town Plat of Mason~~
22 ~~City, Florida, and run N 88°55' E along~~
23 ~~the South line of Florida Street a~~
24 ~~distance of 725.5 feet to the West line~~
25 ~~of U.S. Highway No. 41; thence S 3°53' E~~
26 ~~along said West line of U.S. Highway No.~~

1 ~~41 a distance of 418.2 feet; thence S~~
2 ~~88°55' W a distance of 756 feet, more or~~
3 ~~less, to the West boundary of said Lot 1,~~
4 ~~Block 15; thence N 0°7' W a distance of~~
5 ~~418 feet to the point of beginning.~~

6 ~~(2) The Paul S. Giebeig Recreational Park~~
7 ~~described as:~~

8 ~~That portion of the following described~~
9 ~~real property known as the Paul S.~~
10 ~~Giebeig Recreational Park to-wit:~~

11 ~~SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 19, Township 3~~
12 ~~South, Range 17 East, lying North and~~
13 ~~East of U.S. Highway No. 41, being Block~~
14 ~~2, Des Plains, a subdivision of the NE $\frac{1}{4}$~~
15 ~~of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of~~
16 ~~the SE $\frac{1}{4}$, Section 19, Township 3 South,~~
17 ~~Range 17 East, as lies Northeast of U.S.~~
18 ~~Highway No. 41; plat of said subdivision~~
19 ~~being on file in the Office of the Clerk~~
20 ~~of the Circuit Court in and for Columbia~~
21 ~~County, Florida, in Plat Book 2, Page~~
22 ~~113.~~

23 ~~(3) The Springville Community Center~~
24 ~~described as:~~

1 ~~The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of~~
2 ~~Section 25, Township 2 South, Range 15~~
3 ~~East, containing ten acres, more or less.~~

4 ~~(4) The Lulu Community Center described~~
5 ~~as:~~

6 ~~Blocks "D" and "E" in the town of Lulu,~~
7 ~~Florida, also three acres in a triangle~~
8 ~~in the SW corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of~~
9 ~~Section 27, Township 4 South, Range 18~~
10 ~~East, bounded on the easterly side by the~~
11 ~~Southern Railroad (formerly G.S. and~~
12 ~~F.R.R.) and on the South by the town of~~
13 ~~Lulu.~~

14 ~~ALSO:~~

15 ~~All that piece or parcel of land situate,~~
16 ~~lying and being in Section 27, Township 4~~
17 ~~South, Range 18 East, Columbia County,~~
18 ~~Florida, and being a portion of the~~
19 ~~right-of-way of the Granter (now~~
20 ~~abandoned) and being more particularly~~
21 ~~described as follows, to-wit:~~

22 ~~Beginning at the intersection of the~~
23 ~~Southwesterly right-of-way line of State~~
24 ~~Road No. 100 and the Northwesterly right-~~
25 ~~of-way line of County Road No. 241;~~

1 ~~thence S 37° 53'00" W, along said~~
2 ~~Northwesterly right-of-way line of County~~
3 ~~Road No. 241, a distance of 100.00 feet~~
4 ~~to a point on the Southwesterly line of~~
5 ~~the Grantor; thence N 52° 13'19" W, along~~
6 ~~said Southwesterly line, a distance of~~
7 ~~1582.10 feet to a concrete monument on~~
8 ~~the westerly maintained right-of-way line~~
9 ~~of a County graded road; thence in a~~
10 ~~Northwesterly direction along said~~
11 ~~westerly maintained right-of-way line, a~~
12 ~~distance of 129 feet, more or less, to a~~
13 ~~concrete monument on the Southwesterly~~
14 ~~right-of-way line of State Road No. 100;~~
15 ~~thence S 52°13'19" E along said~~
16 ~~Southwesterly right-of-way line, being~~
17 ~~also the Northeasterly line of the~~
18 ~~Grantor, a distance of 1660.03 feet to~~
19 ~~the point of beginning; said parcel~~
20 ~~contained 3.74 acres, more or less, and~~
21 ~~being located substantially as shown on~~
22 ~~boundary survey dated April 8, 1998,~~
23 ~~prepared by Donald F. Lee, Florida~~
24 ~~Registered Professional Land Surveyor and~~
25 ~~Mapper No. 3628, and incorporated herein~~
26 ~~by reference.~~

27 ~~(5) The Southside Sports Complex.~~

~~(6) The South Columbia Sports Complex and
Fort White Community Center described as:~~

~~Commence at the Southeast Corner of
Section 28, Township 6, South, Range 16
East, Columbia County, Florida and run
thence N 0 deg. 15'59" W along the East
line of said Section 28, 1119.82 feet to
the point of beginning, thence continue N
0 deg. 15'59" W along said East line,
828.74 feet, thence S 88 deg 46'31" W
parallel to the South line of said
Section 28, 1301.01 feet to the East
right of way line of State Road No. 47,
thence S 1 deg. 33'41" W along said East
right of way line, 829.60 feet, thence N
88 deg. 46'31" E parallel to the South
line of said Section 28, 1327.47 feet to
the point of beginning. Said lands being
a part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE
 $\frac{1}{4}$ and that part of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ lying
East of State Road No. 47.~~

~~(7) The Winfield Community Center
described as:~~

~~The West 24.55 acres of the Southwest $\frac{1}{4}$
of the Southwest $\frac{1}{4}$ of Section 34,
Township 2 South, Range 16 East, Columbia~~

1 County, Florida. Subject to: That part
2 within the maintained right-of-way of
3 Winfield Road (a county maintained road).

4 ~~(8) The Alligator Lake Park Recreation~~
5 ~~Area located adjacent to Old Country Club~~
6 ~~Road (CR 133).~~

7 ~~(9) The Falling Creek Park located~~
8 ~~adjacent to Fall Creek Road (CR 131).~~

9 ~~(10) The Bethlehem Park located adjacent~~
10 ~~to North U.S. Highway 441.~~

11 ~~(11) The Deep Creek Community Center~~
12 ~~located adjacent to North U.S. Highway~~
13 ~~441.~~

14 ~~(12) The Westside Community Center located~~
15 ~~adjacent to CR 252.~~

16 ~~(13) Any recreational area, park,~~
17 ~~community center, sports complex, or~~
18 ~~other similar facility owned or operated~~
19 ~~for the benefit of the public by the~~
20 ~~County government or by private~~
21 ~~organizations which are at least~~
22 ~~partially funded by the County~~
23 ~~government, and which by resolution or~~
24 ~~implication may in the future be included~~

1 ~~by Columbia County under the terms of~~
2 ~~this article.~~

3 ~~Sec. 78-143. -- Rules and regulations.~~

4 ~~Further, it shall be unlawful for any person~~
5 ~~or persons to do the following acts on any of~~
6 ~~the properties described in section 78-142,~~
7 ~~including the public premises or the right-of-~~
8 ~~way of any public street located immediately~~
9 ~~adjacent to any such premises located in the~~
10 ~~unincorporated areas of Columbia County,~~
11 ~~Florida, to-wit:~~

12 ~~(1) -- To destroy natural vegetation or~~
13 ~~otherwise deface the natural environment~~
14 ~~or public property; and~~

15 ~~(2) -- To dump litter.~~

16 ~~(3) -- To have dogs, equine (horses) or other~~
17 ~~pets, except upon prior written approval~~
18 ~~from Columbia County.~~

19 **Section 3. SEVERABILITY**

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

Section 4. 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 June 2020.

BOARD OF COUNTY COMMISSIONERS

COLUMBIA COUNTY, FLORIDA

By: _____

Toby Witt, Chair

Approved as to form and legality:

ATTEST:

Joel F. Foreman, County Attorney

P. Dewitt Cason, Clerk of Court