

ORDINANCE NO.: 22-08

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BAY COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO BAY COUNTY CODE CHAPTER 18, PARKS AND RECREATION, ARTICLE II, PARK RULES, SECTION 18-28, PROHIBITION FOR PUBLIC BOAT RAMPS AND RECREATIONAL AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Bay County, Florida:

SECTION 1. PURPOSE. Chapter 18, Parks and Recreation, Article II, Park Rules, Section 18-28 is hereby amended and shall read as follows:

Sec. 18-28. **Prohibitions for public boat ramps and recreational areas.**

(a) No person shall dock, anchor or in any way secure a watercraft to any public boat ramp, or premises adjacent thereto, which is owned by the county or under the care and/or custody of the county, for more than 15 minutes, unless the owner of the watercraft has an emergency situation, in which case the watercraft shall be removed as soon as possible.

(b) Prohibited Commercial Use:

(1) No person shall use the premises, and/or associated portions, of any neighborhood county owned or operated park, boat ramp, or other recreational area or facility, listed below in subsection (d), for commercial purposes of any type, including, but not limited to:

- a. Picking up and dropping off passengers;
- b. Soliciting or advertising commercial activity for hire;
- c. Designating the county site address as the physical address of a commercial business or the meeting location for a commercial business activity;
- d. Collecting or attempting to collect any compensation at a county site.

(2) Vendors providing specific services to Bay County through a valid agreement are exempt from the provisions of subparagraph (b)(1) above.

(c) Exemptions Allowed Commercial Uses:

(1) Commercial fishing guides, excursion guides, airboat tour guides, or any other type of commercial guided boat excursion/charter, who hold valid licenses, as required, may utilize, for commercial purposes, the premises, and/or associated portions, of specified county owned or operated parks, boat ramps, or other recreational areas or facilities listed below in subsection (e), for picking up and dropping off passengers only. It is unlawful to utilize these areas for any other commercial purpose, including, but not limited to:

- a. Soliciting or advertising commercial activity for hire;
- b. Designating the county site address as the physical address of a commercial business or the meeting location for a commercial business activity;
- c. Collecting or attempting to collect any compensation at a county site.

~~are exempt from the regulations set forth in subsection (b)(1) above~~

~~2) Vendors providing specific services to Bay County through a valid agreement are exempt from the provisions of subsections (b) (1) through (4) above.~~

(2) Persons utilizing approved County boat ramps for commercial activities must complete an application and pay the designated fee prior to facility use.

(d) Neighborhood County Boat Ramps (Prohibited Commercial Use):

- (1) Shoreline Circle Boat Ramp (Shoreline Circle Panama City, FL) (Pretty Bayou)
- (2) Dolphin St. Boat Ramp (Dolphin St. Panama City Beach, FL) (Grand Lagoon)
- (3) Safari St. Boat Ramp (Safari St. Panama City Beach, FL) (Grand Lagoon)
- (4) Oriole Street Boat Ramp (Oriole St. Panama City Beach, FL) (Grand Lagoon)
- (5) Quail St. Boat Ramp (Quail St. Panama City Beach, FL) (Grand Lagoon)
- (6) Donald Penny Boat Ramp (SR 77A-Southport, FL) (Fanning Bayou)
- (7) McCall-Everitt Boat Ramp (CR-2321 Panama City, FL) (Deerpoint Lake)
- (8) David W. Hutchinson Boat Ramp (10035 C.R. 2301 Bayou George, FL) (Bayou George/Deerpoint Lake)
- (9) Bay Head North Boat Ramp (Cherokee St. Bayou George, FL) (Bayou George/Deerpoint Lake)
- (10) Bay Head South Boat Ramp (Cherokee St. Bayou George, FL) (Bayou George/Deerpoint Lake)

(11) Pine Log Boat Ramp (Pine Log State Forest) (Pine Log Creek)

(12) All other County parks and recreational facilities except as stated in subsection (e) below.

(e) County Boat Ramps (Allowed Commercial Use)

(1) Crooked Creek Boat Ramp (6370 Titi Road Panama City, FL) (Crooked Creek/West Bay)

(2) McCall-Everitt Boat Ramp (County Road 2321 Panama City, FL) (North Bay)

(3) Ira Hutchinson Park 4405 (County Road 2321 Panama City, FL) (Deerpoint Lake)

(4) High Point Landing 7925 (County Road 2311 Panama City, FL) (Deerpoint Lake)

(5) Burnt Mill Creek Boat Ramp (Burnt Mill Creek Rd.) (Burnt Mill Creek/West Bay)

(6) Maude Holmes Boat Ramp (Sandy Creek Rd. Callaway, FL) (Sandy Creek/East Bay)

(7) Lake Powell Boat Ramp (Lake Powell Rd. Panama City Beach, FL) (Lake Powell/Phillips Inlet)

(8) B.V. Buchanan Boat Ramp (B.V. Buchanan Bridge Panama City Beach, FL) (West Bay)

(9) West Hathaway Bridge Boat Ramp (S.W. Side of Hathaway Bridge) (St. Andrews Bay)

(10) McKenzie Boat Ramp (McKenzie Rd. Southport, FL) (North Bay)

SECTION 2. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Bay County that if any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of the Ordinance.

SECTION 3. REPEAL. All ordinances or parts of ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed..

SECTION 4. INCLUSION IN CODE. This ordinance shall become and be made part of the Code of Bay County, Florida. Sections of the ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or other appropriate designation.

SECTION 5. EFFECTIVE DATE. A certified copy of the ordinance as enacted shall be filed by the clerk of Board with the office of the Secretary of State of the State of Florida within

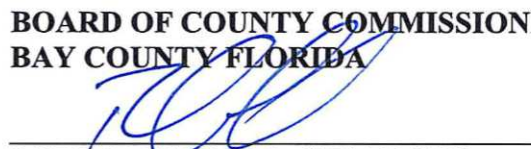
ten (10) days after enactment, and this ordinance shall take effect in accordance with Section 125.66(2), Florida Statutes.

DULY ADOPTED in regular session this 5 day of April, 2022.

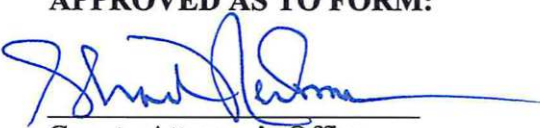
ATTEST:


Bill Kinsaul, Clerk

**BOARD OF COUNTY COMMISSIONERS
BAY COUNTY FLORIDA**


ROBERT CARROLL, CHAIRMAN

APPROVED AS TO FORM:


County Attorney's Office

