

ORDINANCE 13-07

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH RELATING TO PART II, CHAPTER V, ARTICLE I, SECTION 5-4 OF THE CODE OF THE CITY OF ST. AUGUSTINE BEACH; RESTATING AND AMENDING SECTION 5-4, COUNTY OCEAN PIER WITHIN THE CITY TO INCLUDE REGULATION OF PIER SPLASH PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE BEACH, FLORIDA:

Section 1. Chapter 5, Section 5-4, County Ocean Pier, be and the same is hereby restated and amended to read as follows:

Sec. 5-4. - County Ocean Pier and Pier Splash Park.

- (a) County Ocean Pier. The following activities and conduct are prohibited with respect to the county ocean pier:
- (1) Possession, use or control by one (1) person of more than two (2) fishing rods on the pier;
 - (2) Possession, use or control of the following items on the pier:
 - a. Pets;
 - b. Bicycles or skateboards;
 - c. Glass containers;
 - d. Camping equipment;
 - (3) Diving or jumping from the pier;
 - (4) Shark fishing from the pier;
 - (5) Docking against or touching the pier from the ocean waters at points located a distance of twenty (20) or more feet east of the ocean waterline as such waterline exists at the time of such docking or touching; or being on or in the ocean waters within four hundred (400) feet of the pier at any location in the water that is twenty (20) more feet east of the ocean waterline as such waterline exists at the time of such incident, whether being in or on the water by boat, raft, surfboard, swimming or otherwise;
 - (6) Entering upon the pier at any place not designated by the county as a pier entry point;
 - (7) Entry or being upon the pier during such times that the pier has been closed to the public.
- (b) Pier Splash Park. The following activities and conduct are prohibited with respect to the pier splash park:

(1) Possession, use or control of the following items within pier splash park:

- a. Pets;
- b. Bicycles or skateboards;
- c. Glass containers;
- d. Camping equipment;

(c) Any person violating this section shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction shall be punished as provided in section 1-9.

Section 2. Other Code Sections Unchanged. Any section or sections of the Code of the City of St. Augustine Beach not specifically modified herein shall survive in full force and effect and remain unchanged unless a conflict arises in which case this Ordinance shall control.

Section 3. Severability. If any phrase, clause, sentence, subsection, section, or provision of this Ordinance is held to be invalid, or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid, or unconstitutional the remaining phrases, clauses, subsections, or provisions of this Ordinance.

Section 4. Codification. Other than Section 1 hereof, this Ordinance shall not be codified, but a copy of this Ordinance shall be maintained in the offices of the City Manager.

Section 5. This ordinance shall take effect ten days following passage.

PASSED by the City Commission of the City of St. Augustine Beach, Florida, upon Second Reading this 3rd day of June, 2013.

ATTEST:

**CITY COMMISSION OF THE CITY OF
ST. AUGUSTINE BEACH**

City Manager

By: _____
Mayor-Commissioner

First reading: May 6, 2013

Second reading: June 3, 2013