

ORDINANCE NO. 2021

AN ORDINANCE OF CITRUS COUNTY, FLORIDA PROVIDING FOR LAUNCH FEES; PROVIDING THAT AMOUNT OF THE LAUNCH FEES BE SET BY BOARD RESOLUTION; PROVIDING FOR PENALTIES AND ENFORCEMENT; PROVIDING FOR THE USE OF REVENUE GENERATED FROM THE FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION INTO THE CODE; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS, AND; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Florida Statutes, Chapter 125.01, the Board of County Commissioners has the power to carry on county government and adopt ordinances and resolutions necessary for the exercise of its powers, prescribe fines and penalties for the violation of ordinances in accordance with law; and

WHEREAS, it is the intent of the Board of County Commissioners to promote, protect and improve the health, safety, and welfare of the citizens of Citrus County, Florida; and

WHEREAS, watercraft launch fees are necessary to raise funding to ensure continued maintenance and improvements to our facilities; and

WHEREAS, a portion of the County's ad valorem tax revenue collected from County property owners is used to provide maintenance and improvements; and

WHEREAS, non-residents do not contribute to the County's Ad valorem tax base therefore should be required to pay a higher fee in recognition of this fact; and

WHEREAS, the Board of County Commissioners of Citrus County, Florida, finds that it is in the best interest of the public health, safety and welfare to assess a fee for ~~the launching of~~ watercraft from County owned boat ramps.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY, FLORIDA THAT THE CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

Section 1. Article III is added to Chapter 106 of the Citrus Code of Ordinances to provide for the assessment, collection, enforcement and use of watercraft launch fees as follows:

Article III. Watercraft Launch Fees

Sec. 106-47. Definitions

1. Launch fees are the daily or annual fee charged for the launching of watercraft via a trailer at a County owned boat ramp.
2. Permit is the annual permit issued by the County evidencing payment of the required annual fee for the launching a watercraft via a trailer at a County owned boat ramp.

3. Watercraft are any and all kinds or types of flotation vessels designated for use on the water whether or not motorized including, but not limited to, boats, canoes, kayaks, jet skis, skidoos, pedal craft, pontoon boats, rafts, inflatable craft, tubes, paddleboards or wind propelled surfboards .

Sec. 106-48. Imposition of Launch Fees

1. Any person launching a watercraft via a trailer at a County owned boat ramp shall pay a launch fee, the amount of which shall be set by resolution of the Board. The Board may set a different amount based upon residency.
2. Annual permits may be purchased from Citrus County's Parks and Recreation Division. Annual permits shall be displayed on the permit holder's vehicle or trailer or as may be otherwise directed by the Parks and Recreation Division.
3. The amount of the launch fee may be changed by resolution of the Board.
4. Launch fees may be waived for special events by resolution of the Board.

Sec. 106-49. Administration and Enforcement

1. Any person, firm or corporation who violates the provisions of this ordinance shall be guilty of a civil infraction.
2. The civil fine for the first violation of this ordinance shall be fifty dollars (\$50.00), plus administrative and court costs.
3. Increased civil fines may be imposed for repeated violations of this ordinance. A "repeat violation" is a second or subsequent violation of this ordinance committed within six months of a prior violation and for which the person, firm or corporation admits responsibility or is determined guilty.
4. The civil fine for the first repeat violation shall be two-hundred fifty dollars (\$250.00), plus administrative and court costs.
5. The civil fine for a second or subsequent violation shall be five hundred dollars (\$500.00), plus administrative and court costs.
6. The Citrus County Sheriff's Department, Citrus County Code Enforcement Officers and any other employees of Citrus County designated by the County Administrator are authorized to issue civil citations under this ordinance. The citation may be served by personal delivery, by first class mail or by affixing the citation to the vehicle, water vessel or trailer.

Sec. 106-50 Revenue Generated from Launch Fees

1. All revenue generated from launch fees will be placed in a restricted fund to be used strictly for new projects and improvements related to County owned boat launches.
2. Projects and improvements could include, but are not limited to: parking expansion, replacement of wooden docks and pilings with aluminum, concrete, or composite materials, installation of tedder ramp, development of canoe and kayak launch, improvements to amenities such as restrooms, and development of new County boat ramps.

Section 2. **Severability.** If any section, sentence, clause, phrase 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 so as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 3. **Codification.** The publisher of the County's Code of Ordinances, the Municipal Code Corporation, is directed to incorporate the addition of the provisions of Chapter 26, Article III to the Citrus County Code of Ordinances where indicated.

Section 4. **Modification.** The provisions of this Ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed with the Clerk.

Section 5. **Effective Date.** This Ordinance shall take effect as provided by law.

PASSED AND DULY ADOPTED, in open session, with a quorum present and voting, this ____ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS
OF CITRUS COUNTY, FLORIDA

ATTEST:

ANGELA VICK, Clerk

SCOTT CARNAHAN, Chairman

APPROVED AS TO FORM FOR THE
RELIANCE OF CITRUS COUNTY ONLY:

DENISE A. DYMOND LYN
County Attorney