

**ORDINANCE NO. 16- \_\_\_\_**

**AN ORDINANCE OF THE COUNTY OF PINELLAS AMENDING ARTICLE I CHAPTER 90 OF THE PINELLAS COUNTY CODE, RELATING TO THE PARKS AND CONSERVATION RESOURCES DEPARTMENT; CREATING SECTION 90-18 PROVIDING FOR CITIZEN SUPPORT ORGANIZATIONS; CREATING SECTION 90-19 PROVIDING FOR SERVICE ANIMALS; AMENDING SECTION 90-1 RELATING TO THE PARKS AND CONSERVATION RESOURCES ADVISORY BOARD; AMENDING SECTION 90-20 RELATING TO DEFINITIONS; AMENDING SECTION 90-40 RELATING TO VEHICLES AND TRAFFIC CONTROL; AMENDING SECTION 90-50 RELATING TO THE PROTECTION OF PROPERTY, FACILITIES, FLORA AND FAUNA; AMENDING SECTION 90-60 RELATING TO ACTIVITIES WITHIN COUNTY OWNED OR MANAGED LANDS; AMENDING SECTION 90-80 RELATING TO PERMITS; AMENDING SECTION 90-85 RELATING TO COMMERCIAL ACTIVITY, PUBLICITY AND SIGNS; AMENDING SECTION 90-114 RELATING TO BOATING, DOCKS, AND LAUNCHING RAMPS; AMENDING SECTION 90-116 RELATING TO PUBLIC ACCESS, HOURS, FEES AND REGULATIONS; REPEALING SECTION 90-105 RELATING TO SIGNAGE; AMENDING ALL SECTIONS FOR CLARITY AND CONSISTENCY; PROVIDING FOR RENUMBERING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Pinellas County Code Chapter 90, Article I., relates to all parks, environmental lands, and other facilities overseen by the Pinellas County Parks and Conservation Resources Department;

**WHEREAS**, Chapter 90 of the Code was last amended in 2010;

**WHEREAS**, to ensure the welfare of County-Owned or Managed Lands, as defined in Chapter 90, and visitors thereto, the Board has determined that additional regulations pertaining to visitor activities are necessary;

**WHEREAS**, the Board is committed to compliance with Human Rights laws and desires to recognize and codify applicable accommodations;

**WHEREAS**, the Board recognizes the tangible and intangible contributions non-profit

“Citizen Support Organizations” (CSO) operating on Department Lands make to the County and to ensure transparency with the public and proper appropriation of donations, the Board has determined that CSOs must enter into written operating agreements with the County mandating that CSOs annually submit financial, expository reports to the Department;

**WHEREAS**, the Board of County Commissioners additionally desires that Article I of Chapter 90 be further modified to eliminate redundancy and enhance clarity; and

**WHEREAS**, the Board recognizes that streamlining Article I. of Chapter 90 will better inform the public of the laws governing Department Lands, which shall enhance the public’s enjoyment of said lands.

**NOW THEREFORE**, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS of Pinellas County, Florida that:

SECTION 1. Sec. 90-1 of the Code is hereby amended to read as follows:

**Sec. 90-1. - Parks and conservation resources advisory board.**

(a) *Establishment; appointment; qualification; organization.*

- (1) *Establishment.* There is hereby established in and for the county a board to be known as the "Pinellas County Parks and Conservation Resources Advisory Board." ~~The board shall~~ consisting of ~~ten eight~~ members.
- (2) *Appointment.* One member shall be a member of and nominated by the county youth advisory committee and appointed by the board of county commissioners. Of the ~~nine seven~~ remaining members, each county commissioner shall nominate one member without regard to political affiliation, and the members shall be appointed by the board of county commissioners ~~and two members with experience in environmental science and/or policy shall be appointed by the board of county commissioners.~~ The term of office shall be one year and shall run concurrently with the term of the nominating commissioner, or, in the case of the county youth advisory committee ~~and environmental science/policy~~ nominees, from August 1 through July 31. Except in order to maintain concurrency of term, no member of the parks and conservation resources advisory board may be removed prior to the expiration of the member's term except by the board of county commissioners. The parks and conservation resources advisory board may request that the board of county commissioners remove a member of the ~~parks and conservation resources advisory~~ board who misses ~~fifty~~50 percent or more of the meetings scheduled in a year.
- (3) *Qualification.* Each member's background, education and experience shall be such as to qualify said member to carry out the duties and responsibilities vested in the parks and conservation resources advisory board by this article. Members shall be appointed from the county at large. In selecting a new member of the parks and conservation resources advisory board, the board of county commissioners of the county shall consider the

interest and knowledge of such prospective member in parks, environmental lands, and natural resources, including the ecological and economic benefits thereof.

(4) *Organization.* The parks and conservation resources advisory board shall elect annually one of its members as chair and one as vice-chair of the board, and may adopt rules and procedures for the conduct of its meetings. The parks and conservation resources advisory board shall meet at least quarterly to conduct the business of the board, unless notified that there is no business to conduct as determined by the chair.

(b) *Duties.* It shall be the duty of the parks and conservation resources advisory board to assist the board of county commissioners, administrator, and ~~the~~ department by:

- (1) Reviewing and commenting on park or environmental lands plans and design.
- (2) Reviewing and commenting on park or environmental lands operations and procedures.
- (3) Participating in public education and ceremonial activities.
- (4) Hearing citizen comment on park or environmental lands related activities.
- (5) Formulating proposals and suggestions with the goal of improving the parks and environmental lands of the county.
- (6) Reviewing specific issues referred to the parks and conservation resources advisory board from the board of county commissioners.
- (7) Reviewing specific issues referred to the parks and conservation resources advisory board from the county administrator.
- (8) Communicating with the county administrator and the board of county commissioners on issues related to the duties of the parks and conservation resources advisory board.

(c) *Selection of director.* The chair of the parks and conservation resources advisory board or designee may participate in the selection process for the ~~department~~ director, including the interviews of director candidates with county staff.

SECTION 2. Sec. 90-10 of the Code is hereby renumbered Sec. 90-2 and amended to read as follows:

**Sec. 90-102. - Legislative purpose.**

The ~~parks and conservation resources~~ department has been established primarily for the management and protection of the county's parks, preserves, ecological management areas, special purpose areas and other designated department lands and waterways. It is desirous to acquire and protect such lands and waterways for their natural resources, biological diversity, ~~ecological~~, hydrological benefits, and open space significance to the county. ~~Such lands and waterways~~ also

offer, scenic beauty, recreational value, and the potential for educating citizens and visitors. The objective of this ~~article~~ ~~regulations~~ is to permit public use of parks and certain environmental lands and waterways consistent with their protection and management; as set forth in the county comprehensive plan and various management plans, as same may be amended from time to time.

SECTION 3. Sec. 90-20 of the Code is hereby renumbered Sec. 90-3 and amended to read as follows:

**Sec. 90-203. - Definitions.**

When used herein, the following definitions shall apply:

*Activity* means the doing of any act or the failure to do any act by a person.

*Administrator* means the county administrator for Pinellas County.

*Adverse impact* means actual or potential harm or injury to any property, wildlife or plant life or other natural resource within ~~the~~ county-owned or managed lands.

*Beach* means the zone of unconsolidated material that extends landward from the mean high-water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

*Bicycle* means a transportation device composed of a single frame and wheels usually propelled by pedals and steered with handlebars, including passenger bicycles; for purposes of this article, bicycle does not include a motorized bicycle regardless of speed capabilities.

*Board* means the Pinellas County Board of County Commissioners.

*Boardwalk* means an elevated walkway structure across sand or marshy ground.

*Bounce house* means a temporarily inflatable structure of any size that people jump in or on.

*Citizen support organization* means a not-for-profit corporation incorporated pursuant to the provisions of F.S. § 617, as may be amended, and approved by the Department of State that is organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; and make expenditures for the benefit of the department and/or any county owned or managed lands.

*Code* means the Pinellas County Code and the Pinellas County Land Development Code.

*Commercial activity* means ~~the sale, service or solicitation of goods, items, services, entertainment or amusement for a fee at any county-owned or managed land that is not offered by the department, or department approved concessionaire, licensee, or permittee~~ a transaction for the sale, barter, or other exchange of value; for goods, items, services, entertainment, or amusement, where any part

of the transaction, including but not limited to the offer of sale, negotiation, agreement to sell, transfer of consideration, or the transfer, delivery, or performance of the goods, items, service, entertainment, or amusement occurs in any county-owned or managed land. Exchange of consideration for performance of a commercial activity, such as a payment, fee, coupon, or ticket, does not need to occur in a county-owned or managed land if any part of the activity is performed in a county-owned or managed land.

*County* means Pinellas County.

*County-owned or managed lands* means all parks, environmental lands, department–managed facilities, and public marinas owned by the county or managed by the department. County-owned or managed lands include all submerged lands owned by the county and waters managed by the department located within the boundaries of county-owned or managed lands.

~~*Cultural/historic resources* means any prehistoric or historic site, structure, object, or other real or personal property of historical, architectural, or archaeological value as determined through criteria for designation contained in chapter 146 of the code~~ *County Code*.

*Department* means the department of parks and conservation resources.

*Department-managed facilities* means all facilities other than parks, environmental lands, and public marinas managed by the department including, but not limited to, neighborhood parks, community parks, and other facilities managed by the department.

~~*Department property* means all areas, buildings, locations, and facilities defined under the term "county-owned or managed lands."~~

~~*Department roads* means all surfaced areas ten feet wide or wider designated for vehicular traffic, and passing through any legally defined county-owned or managed land or any part thereof. All other traffic ways, either unpaved or paved are classified as trails or paths.~~

~~*Department staff* means those individuals employed by the department who perform official duties within the county-owned or managed lands.~~

~~*Department waters* means all waters located within the boundaries of county-owned or managed lands, or managed by the department.~~

*Director* means the director of the department.

*Environmental lands* means all preserves and management areas, including, but not limited to, the county-owned real property identified as environmental lands in section 90-1+24 of this article, and any real property leased, subleased, or licensed to the county and identified as environmental lands in the management plan for the individual preserve or management area.

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

*Historic or prehistoric artifact* means material remains of past human life of archaeological interest over fifty years old including but not limited to pottery, basketry, bottles, weapons, and tools.

*Large group* means a gathering of a group exceeding fifty people that does not include a special event permit and/or an accompanying picnic shelter reservation.

*Law enforcement officer* means any person who is elected, appointed, or employed full or part time by the state, the county, or municipality who is vested with the authority to bear arms and make arrests; and whose primary responsibility is the detection and prevention of crime, or the enforcement of the penal, criminal, traffic, or highway laws of the state or county.

*Live-aboard* means the occupancy or use of a watercraft by one or more persons, as a place of habitation, residence, living quarters or for dwelling purposes, temporarily or permanently, continuously or transiently.

~~*Loud and raucous* means any sound which because of its volume level, duration, and character, annoys, disturbs, injures, or endangers the comfort, health, peace, or safety of reasonable persons of ordinary sensibilities within the limits of a county owned or managed land. This term shall be limited to that noise which can be heard within any county owned or managed land from a location not less than 50 feet from the source of the noise.~~

*Management area* means all environmental lands, including waterways, not designated as "preserve." Such lands shall be as referenced in the latest resolution of the board describing the legal boundaries of the particular management area. Properties designated as "management areas" generally do not have a public use component, depending upon the ecological impacts of such use.

*Management plan* means the management plan developed by the department, unique to ~~an each~~ individual county-owned or managed land, as each such plan may be amended from time to time.

*Nude*, or any derivative thereof, ~~shall~~ means to display or expose:

- (1) The human male or female genitals or pubic area with less than fully-opaque covering;
- (2) The portion of the human female breast directly or laterally below a point immediately above the top of the areola with less than a fully opaque covering. This definition shall include the entire lower portion of the human female breast, including the areola and nipple, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other clothing, provided the areola is not exposed; and
- (3) For purposes of this definition, body paint, body dye, a tattoo, latex, or any similar substances shall not be considered an opaque covering.

~~*Ordinance* means the parks and conservation resources ordinance; as same may be amended from time to time.~~

*Parking area* means any part of any county-owned or managed land road, or area contiguous thereto, specifically designated for the standing or stationing of any vehicle with appropriate signage.

*Parks* means regional parks and special purpose parks **owned**, operated, and maintained by the department, ~~including Pinewood Cultural Park, but~~ not including department-managed facilities and public marinas as defined herein, which are under the control of or assigned for upkeep, maintenance or operation by the department.

*Person* means any individual including minors, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer, estate, trust, business trust, syndicate, fiduciary, public or private corporation, and all other groups or combinations of groups.

*Pet* means any domesticated animal typically kept for companionship, protection, transportation or amusement, ~~including wild animals licensed by state law for personal possession~~. Pet also includes domesticated species found in a feral, wild, or abandoned state, **including but not limited to birds, ferrets, pot-bellied pigs, monkeys, and snakes**. However, the term does not include ~~certified~~ service animals, ~~specially trained for providing personal care services to the disabled~~ as defined by the Americans with Disabilities Act, as may hereafter be amended, and Florida Statutes, § 413.08, as may be hereafter amended.

~~*Pinewood Cultural Park or park* means the land and improvement comprising the Florida Botanical Gardens, Heritage Village, and the Gulf Coast Museum of Art, including trails, bridges, fields, museums, buildings, historic buildings and features, sculptures, ponds, streams, waterways, water areas, submerged lands, and shorelines therein and all public service facilities located on or in grounds, submerged lands, waters, buildings and structures which are under the control of or assigned for upkeep, maintenance or operation by Florida Botanical Gardens, Heritage Village, or the Gulf Coast Museum of Art, provided that to the extent there is any inconsistency with the lease agreement between the county and Florida Gulf Coast Art Center, Inc., dated November 18, 1997, as amended (the "lease"), the lease shall control and govern the use and operations of the Gulf Coast Museum of Art premises until said lease terminates as provided therein.~~

*Pollution* means the presence in the air, soil, or waters of any substance, noise, contaminant, or anthropogenic alteration of the chemical, physical, biological, or radiological integrity of the air, soil, or water in a quantity or at a level that is or may be potentially harmful or injurious to human health or welfare, ~~biological diversity~~ animal or plant life, or property, or that unreasonably interferes with the enjoyment of ~~a preserve or management area~~ life or property, **including outdoor recreation**.

*Preserve* means property managed by the department as referenced in the latest resolution of the board describing the legal boundaries of the particular preserve and includes all streams, canals, channels, lagoons, waterways, water areas, submerged lands, shorelines and beaches, as well as all structures and other facilities located within such boundaries. All preserves shall have a board approved management plan.

*Public marina* ~~shall~~ means the Belle Harbour Marina, and any other county-owned facility, which provides public moorings or dry storage for vessels on a rental basis, and is designated as a public marina by resolution of the board ~~of county commissioners~~.

*Regional parks* means A.L. Anderson Park, Boca Ciega Millennium Park, Eagle Lake Park, Fred Howard Park, Fort De Soto Park, John Chestnut, Sr. Park, John S. Taylor Park, Lake Seminole Park, Philippe Park, Ridgcrest Park, Sand Key Park, Sawgrass Lake Park, Wall Springs Park, Walsingham Park, ~~Wall Springs park, War Veterans' Memorial Park~~, and any other facility designated as a regional park by resolution of the board.

*Special event* means any organized event or activity involving the use of or having a significant impact upon a county-owned or managed land, where the general public is invited to participate or be a spectator, including but not limited to races, tournaments, demonstrations, or festivals. A "musical or entertainment festival" as defined in section 10-26 of the code involving the use of or having a significant impact upon a county-owned or managed land shall require separate permits under chapter 10, article II and this article.

*Special purpose parks* means ~~the Indian Rocks Beach Access Park, Madeira Beach Access Park, Redington Shores Beach Access Park, St. Pete Beach Access Park, and Tiki Gardens/Indian Shores Beach Access Park, beach access parks, the Belleair Boat Ramp, Park Blvd. Boat Ramp, Sutherland Bayou Boat Ramp, the Fred Marquis Pinellas Trail, the Progress Energy Trail, the Belleair Boat Ramp, the Park Blvd. Boat Ramp, Florida Botanical Gardens, Heritage Village, Pinewood Cultural Park, Lealman park, Joe's Creek Greenway, Leach Park, Lealman Park, Leach park, Live Oak Park, Ochs Park, Pinewood Cultural Park, and any other site or facility~~ designated as a special purpose park by resolution of the board.

*Vehicle* means any passengered conveyance ~~(except a baby carriage or wheelchair)~~ powered or drawn by motor for the transportation of persons or material ~~(excluding baby carriages and wheelchairs)~~, ~~whether~~ including but not limited to: -

~~(1) Powered or drawn by motor such as an~~ automobiles, trucks, buses, motorcycles, motorized bicycles regardless of speed ability, scooters, minibikes, all-terrain vehicles, golf carts, or trail bikes, as well as :-

~~(2) Animal drawn as a carriage, wagon or cart;~~

~~(3) Rider propelled or motorized bicycle or trieyele;~~

~~(4) (Trailers and vessel in tow of any size, or description;- Vehicle does not include an Electric Personal Assistive Mobility Devices-as defined in F.S. § 316.003(83), as may be amended from time to time.~~

~~(5) Watercraft of any type, including hovercrafts or similar vehicles;~~

~~(6) Aircraft of any type.~~

*Vessel* means every description of watercraft, barge, and airboat, other than a seaplane on the



water, used or capable of being used as a means of transportation on water.

*Volunteer* means either an event volunteer, who agrees to participate either individually or as member of a group for a single event, or a long term volunteer, who agrees to participate on an ongoing basis. An event volunteer registers and signs a county waiver of liability form; a long term volunteer has passed a national background check, completed the county volunteer orientation, either in person or online, and has signed a county agreement to adhere to county policies and procedures for volunteering with the county.

*Wildlife* means any species living, growing, or occurring in a natural, non-domesticated state, including but not limited to animals.

SECTION 4. Sec. 90-30 of the Code is hereby renumbered Sec. 90-4 and amended to read as follows:

**Sec. 90-~~30~~4. - Areas embraced.**

All county-owned or managed lands, including areas in unincorporated and incorporated areas of the county, shall be embraced by the provisions of this ~~article~~**chapter**, except where otherwise provided herein.

SECTION 5. Sec. 90-40 of the Code is hereby renumbered Sec. 90-5 and amended to read as follows:

**Sec. 90-~~40~~5. - Vehicles and traffic control.**

- (a) *Traffic control.* All persons, **including those operating vehicles and bicycles as defined herein**, shall observe and comply with posted traffic control devices and signs within all county-owned or managed lands.
- (b) *Speed of vehicles.* Within any county-owned or managed land, no person shall operate a vehicle at a speed that is greater than reasonable or prudent, having due regard for the surface width and surface condition and the traffic thereon, particularly when near pedestrians, horses, bicyclists or other public-use trails. At no time shall speed exceed the posted speed limit or 25 miles per hour if no speed limit is posted.
- (c) *Restriction to roads.* No person shall operate any vehicle within parks or environmental lands except on areas approved for vehicular use.
- (d) *Parking.* All vehicles shall be parked only in designated parking areas or in such other areas and at such other times as may be authorized by appropriate signage. **Oversized vehicles and trailer vehicles shall not exceed the limits of the parking space.**
- (e) *Bicycles.* Bicycles shall only be ridden on roads and trails designated for bicycle traffic within parks and environmental lands **and are prohibited on boardwalks.** Where provided, bicycle

racks must be used for the parking of bicycles. Bicycles shall not be chained or locked to trees, any other plant life or structures, or placed so as to obstruct pedestrian or vehicular movement.

- (f) *Entering county-owned or managed lands.* Any person entering or leaving a county-owned or managed land, whether by foot, ~~or~~ vehicle, ~~or~~ bicycle, shall do so solely through designated entry and exit points. No vehicle, except as authorized by ~~the staff of~~ the department, shall enter or park in any county-owned or managed land until the required fee, if any, has been paid.
- (g) *Vehicle emergencies.* In case of emergency requiring a vehicle to stop or park in an unauthorized location, the driver must immediately report to a county employee or volunteer to receive an exemption from this section. ~~Commercial activities necessary to remove or repair a vehicle in the case of an emergency are permitted.~~
- ~~(h) *Trucks.* No truck, commercial vehicle, or bus of any type shall be driven on any restricted park roads or county-owned or managed property without authorization from the department for the purpose of work, service or activities. Those trucks and buses used for transporting persons to a county-owned or managed land for any approved purposes will be afforded use of ingress and egress upon instruction by the department staff.~~
- ~~(i-h) *Soliciting rides or fares.* No pedestrian shall solicit rides from any driver nor shall any driver of any vehicle or bicycle solicit riders for money or fares, in any county-owned or managed land unless authorized by the department director.~~
- ~~(i) *Washing and maintenance.* No person shall wash, grease, repair, or perform maintenance on a vehicle on any park roadway, parkway, driveway, parking lot, or other property, except in emergencies; provided that waxing and polishing is permitted if it is in an area open to vehicles and does not interfere with other activities or traffic flow.~~
- (j) *Miscellaneous motorized vehicles.* No unauthorized person shall operate any motorized scooter, motorized skateboards, go-cart, all-terrain vehicle, golf cart or electric cart in any parks or environmental lands. No electric or motorized toy vehicles are allowed on county-owned or managed lands, except in prescribed areas. The prohibitions herein shall not apply to an electric personal assistive mobility device to the extent authorized by state law.

SECTION 6. Sec. 90-50 of the Code is hereby renumbered Sec. 90-6 and amended to read as follows:

**Sec. 90-506. - Protection of property, facilities, flora, and fauna.**

- (a) *Buildings and facilities.* No person shall engage in any of the following activities on any county-owned or managed land without prior written authorization from the administrator or designee:
  - (1) Willfully mark, deface, damage, displace, destroy, remove, or tamper with any buildings, facilities, bridges, piers, tables, benches, railings, paving or paving materials,

water lines or other utilities, permanent or temporary signs, placards, ~~or~~ notices, monuments, stakes, posts, gateways, locks, fencing, boundary markers, or other structures, equipment or county property;

(2) Use any county-owned or managed land or related facility, including but not limited to buildings, bridges, piers, tables, benches, or railings in a manner that precludes regular and customary usage to other patrons, unless such person has obtained the right to exclusive usage from the department;

~~(3) Fix, tie, chain, or hitch any hammock, line, sports net, bicycle or banner to any sign pole, boardwalk rail, bench, fence or similar structure within any county-owned or managed land unless otherwise designated for such use;~~

~~(34) Construct, ~~or~~ erect, or place any buildings, monuments, memorials, plaques, tributes, or structures of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across such lands;~~

~~(45) Use tacks, nails, staples, or other items that penetrate wood on shelters, signs, trees, boardwalks, or other structures;~~

~~(56) Enter, occupy, or use in any manner any lifeguard stand or station, ~~or any~~ lifeguard vessel ~~or~~, surfboard, or other lifesaving equipment at any time; ~~or~~~~

~~(67) Climb on or over any buildings, ~~or~~ facilities, fences, benches, picnic tables, structures, ~~or~~ historic ruins, or boardwalk and bridge railings ~~unless expressly permitted under section 90-80~~; nor shall any person stand or sit on any structure not intended for such use;:-~~

~~(7) Dispose of trash or garbage generated outside county-owned or managed lands in any refuse facility within a county-owned or managed land, with the exception of disposing of recyclable materials in recycling containers provided by the county; or~~

~~(8) Possess food on or within any boardwalks, observation tower, or designated dog park.~~

(b) *Plant life.* All plant life, living or dead, terrestrial, aquatic, and epiphytic species, within any county-owned or managed land is either the property of the county or is property managed by the county. No person shall engage in any of the following activities on any county-owned or managed land without prior written authorization from the administrator or designee:

(1) Cut, carve, ~~break off~~, nail into, or otherwise damage ~~the bark, ~~or break off~~ limbs, or branches ~~or mutilate in any way or harvest the flowers and seeds of~~~~ of any plant or tree, except ~~by special permit or~~ within designated special use areas; nor shall any person harvest any flowers or seeds or otherwise mutilate a plant or tree, except within designated special use areas;

(2) Dig in, disturb, or in any other way impair the natural condition of any area, **except within designated special use areas**; nor shall any person place debris or materials of any kind on or about any tree or plant, or climb, or attach any rope, wire, wooden boards, or ladders thereto, **except by special permit or within designated special use areas; or**

(3) Transplant, possess, or remove any plant or plant part from any county-owned or managed land; **except by special permit**, nor shall any person introduce any plant species by willful act, negligence, or for any other reason. **or**

~~(4) Fix, tie, chain, or hitch any animal, vehicle, hammock, sports net, banner, etc. or bicycle to any tree or other plant life, sign pole, boardwalk rail, bench, fence or similar structure within any county-owned or managed land unless otherwise designated for such use.~~

~~(c) Sand, soil, and wood.~~ No person shall, without prior written authorization from the administrator or designee, on any county-owned or managed land:

(1) Move or remove any sand, clay, soil, rock, stones, timber, or other wood or natural materials, whether submerged or not;

(2) Make any search or excavation by tool, equipment, blasting, or other means or agency; or

(3) Perform any manner of turf or landscape maintenance activity unless duly authorized as a county employee, contractor, or volunteer.

~~(d) Wildlife.~~ No person shall engage in any of the following activities on any county-owned or managed land without prior written authorization from the administrator or designee:

~~(1) Possess, molest, harm, frighten, kill, trap, hunt, chase, capture, shoot, or throw any object at any wildlife; within the boundaries of any county-owned or managed land; nor shall any person remove the eggs, nest, or young of any wildlife; within the boundaries of any county-owned or managed land; nor shall any person collect, remove, possess, give away, sell or offer to sell, buy or offer to buy, or accept as a gift any specimen, dead or alive, of any wildlife from within the boundaries of any county-owned or managed land; except by special permit granted by the department or in accordance with a valid fishing permit issued by the state. However, this prohibition shall not apply to de minimus collection or removal, such as incidental collection of shells or bait fish; Fishing, including the collection of shells containing living wildlife, is further restricted in section 90-7(3) of the code. The collection of shells containing no living wildlife, however, is permitted, except at archaeological sites, on a county or state historic site, on a site listed with the National Registry of Historic Places, or other sites as designed by the administrator or designee.~~

(2) Feed or attempt to pet any wildlife;

~~(3) Remove live shells; provided however that dead shell collection is permitted, except at archaeological sites, on a county or state historic site, on a site listed with the National~~

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~~Registry of Historic Places, or other sites as designated by the administrator or designee;~~  
~~or~~

(43) Introduce any pet, plant or other wildlife into any county-owned or managed land by

willful abandonment, negligence, or for any other reason.

~~(ed) —*Historic Artifacts and Remains**Historic artifacts.* No person shall, without prior written authorization from the administrator or his designee,;~~

~~(1) Without prior written authorization from the administrator or designee, willfully mark, deface, damage, displace, destroy, excavate, disturb, remove, or tamper with any cultural resource, historic or prehistoric artifact, or skeletal remains of any species, bone, shell, or geological specimen within any county-owned or managed land; or nor shall any person attempt any such activity, except by special permission granted by the department;~~

~~(2) Without a permit for scientific research under section 90-9, dispose of or deposit the skeletal or cremated remains of any species within any county-owned or managed land.~~

~~(e) *Sand and soil.* No person shall, without prior written authorization from the administrator or his designee, on any county-owned or managed land:—~~

~~(1) Move or remove any property such as any beach sand, whether submerged or not, or any soil, rock, stones, down timber or other wood or materials; or—~~

~~(2) Make any search or excavation by tool, equipment, blasting, or other means or agency.~~

SECTION 7. Sec. 90-60 of the Code is hereby renumbered Sec. 90-7 and amended to read as follows:

**Sec. 90-607. - Activities within county-owned or managed lands.**

(a) *Hiking.* Walking, running, jogging, and/or hiking is permitted only along trails or pathways or areas specifically designated for such use or uses and during posted hours.

~~(b) — *Public use.* The department reserves the right to limit public access to any county-owned or managed land when deemed necessary or when public use is deemed a disturbance to any county-owned or managed land or wildlife. No person shall loiter in or around any restroom, dressing room, bathhouse, or parking lot in any county-owned or managed land.—~~

(be) *Horseback riding.* Horseback riding is permitted only along trails or ~~in~~ areas specifically designated for such use. Horses shall be thoroughly broken, properly restrained, and ridden with due care. Horses shall not be allowed to graze or go unattended and must be on a lead at all times. Horses may only be hitched to hitching posts clearly identified for such use. No horse-drawn carriages, carts or wagons shall be allowed or used within any county-owned or managed land.

~~(cd) *Fires.* No person shall ignite or attempt to ignite a fire, except in a grill, stove, fireplace, or designated fire circle.~~

- (1) ~~for campfires in areas designated for such use.~~ Campfires or any other open burning, even in approved areas, may be prohibited when deemed necessary by the department or by restrictions mandated by state or federal agencies. ~~No person shall build or light any fire upon the ground, or on any other object in any area except in a grill, stove, fireplace, or designated fire circle, nor use any type of gasoline, kerosene, or diesel fuel as an accelerant to start a fire in a grill. Nor shall any person who starts or utilizes a fire shall leave the area without completely extinguishing the fire.~~
- (2) No person shall use any type of gasoline, kerosene, or diesel fuel as an accelerant to start a fire in a grill, nor use a grill or other device in such a manner as to burn, char, or blemish any bench, table, or other county property. No person shall ~~nor~~ dispose of hot coals, ~~anywhere except in designated areas. No person shall dispose of any~~ burning matches, smoking materials, or other flammable materials except in designated areas or receptacles.
- (3) Frying of any kind is prohibited, including but not limited to turkey fryers, deep fat fryers, skilletts, and electric frying pans.
- (4) Grilling on the beach is prohibited, except where expressly permitted under a special event permit.
- (5) Possession of fireworks is prohibited, except where expressly permitted under a special event permit.
- (6e) Smoking is prohibited in environmental lands except in designated areas. The department may, in its sole discretion, prohibit smoking ~~Smoking. Smoking may be prohibited~~ at other county-owned or managed lands by the department, ~~in its sole discretion,~~ when necessary for fire prevention purposes. ~~No person shall dispose of any burning matches, smoking materials or other flammable materials except in designated receptacles. Smoking is prohibited in environmental lands except in designated areas.~~

(d~~f~~) *Camping.*

- (1) Camping is strictly prohibited at all times unless ~~specifically permitted by the~~ camping permit and copy of the camping rules and regulations are obtained prior to camping ~~department. as set forth below.~~ When permitted, camping shall be limited to those areas specifically designated for such use. ~~Campers shall obey all rules and regulations.~~
- (2) ~~Campers must obtain a permit and copies of the rules and regulations from the department prior to camping.~~ Campers must have a valid permit and a valid picture identification card while camping. It shall be unlawful for any person to camp on any county-owned or managed land for a period of time in excess of 14 days in a 30-day period.

(3) All waste shall be placed in disposal containers where provided. Where no disposal containers are provided, or where the containers provided are full, all waste shall be carried away by the user of the camping area and properly disposed of outside of the county-owned or managed land.

(4) Tents shall be stand-alone type and may not be attached to trees or any other vegetation or structure with any guy wire, rope, extension brace, support, fastener or any other device.

(eg) *Fishing.* Fishing is prohibited except ~~where permitted~~ in those public areas designated for such activity. Persons fishing shall obey all state and federal laws pertaining to fishing as well as any posted rules and regulations. Fishing is prohibited from beaches in any area where bathing and swimming are permitted. No person shall leave the area without disposing of unwanted fish and bait on piers, catwalks, or other areas where fishing is authorized. ~~Excluding saltwater fish as defined in F.S. § 379.101 as may be amended, non-target organisms, including but not limited to turtles, birds and frogs, that are incidentally captured using standard techniques (i.e. bycatch) shall be released unharmed. Cast netting or use of traps within or from the bank of any freshwater body in any county-owned or managed land is prohibited.~~

(fh) *Bathing and swimming.* Swimming, bathing, or wading is prohibited except in those public areas designated for such activity. Further, ~~no person shall engage in the following activities in any county-owned no person shall managed land:~~

~~(1) Swim or bathe in any waters after sunset, or in any beaches or waters closed to the public.~~

(12) ~~The Use of soap or other cleansers, in any swimming area or any other public waters, including but not limited to beaches, stormwater facilities, lakes, or streams, and stormwater facilities;-~~

~~(23) The erection of Erect any tent, shelter, or structure on or in any beach, or bathing, or wading area in such a manner that a guy wire, rope, extension, brace or support connected or fastened from any such tent, shelter, or structure to any other structure, stake, rock, or other object is necessary; any, nor shall any other such structure, tent, or shelter, or other such structure must provide an lack an unobstructed view of the interior from at least two sides; or-~~

(34) Possess, carry, or transport any glassware, bottles, or any other potentially dangerous or sharp objects into any beach, or bathing, wading, or swimming ~~pool~~ areas.

(gi) *Picnicking.*

(1) Use of park and environmental lands property, including picnic shelters, tables, and benches generally follows the rule of first-come, first-served, ~~unless reserved beforehand through the department's reservation program. However, this practice shall not preclude the department from assigning or reserving these facilities for the use of particular persons or groups.~~ Picnicking is permitted only in areas specifically



designated for such use.

- (2) All refuse, waste, and trash shall be placed in disposal containers where provided in all county-owned and managed lands. Where no disposal containers are provided, or where the containers provided are full, all refuse shall be carried away by the user of the picnic facility and properly disposed of outside of the county-owned or managed land. ~~No person shall dispose of trash or garbage generated outside county owned or managed lands in any refuse facility within a county owned or managed land, with the exception of disposing of recyclable materials in recycling containers provided by the county.~~

(hj) *Audio devices.* Radios, ~~tape players,~~ electronic musical ~~players~~ or instruments, and all other audio devices are permitted so long as they are played at volume levels that do not disturb, annoy, injure, or endanger the comfort, health, peace, or safety of the wildlife or reasonable persons of ordinary sensibilities or unnecessarily detract from a peaceful atmosphere. Such noise shall not be heard within any county-owned or managed land from a location more than ~~50~~-fifty feet from the source of the noise, unless a special ~~event~~ permit has been issued for such use.

(ik) *Nudity.* It shall be unlawful for any person over the age of four years old to appear nude in any county-owned or managed land, ~~including but not limited to, appearing nude to sunbathe, subject to the exemptions listed below~~ provided that a person may appear nude:

- (1) In a restroom, ~~dressing,~~ locker or shower facility, provided, ~~however,~~ that ~~except as permitted by section 70-214 of the code,~~ no person over the age of six shall occupy or enter any ~~restroom, dressing room, bathhouse, or other structures~~ such facility which ~~is~~ reserved or designated by the department for the exclusive use of the opposite sex without adult supervision, ~~except as permitted by section 70-214 of the code;~~
- (2) In a privately owned, ~~fully enclosed~~ fully enclosed, temporary dwelling used for camping at ~~camp sites~~ campsites;
- (3) When the conduct of being nude cannot constitutionally be prohibited by county ordinance because it is otherwise protected pursuant to the United States Constitution or the Florida Constitution under existing judicial decisions; ~~or;~~
- (4) ~~When a mother is breast feeding her baby~~ When breastfeeding a baby, and then only the extent reasonably necessary to allow breast-feeding.

~~(l) — Commercial activity. No person, or organization other than the department or regularly licensed concessionaries acting by and under the authority of the county shall offer for sale, rent, or trade, any article or service, or station or place any stand, cart, or vehicle, for the transportation, sale or display of any article of merchandise within the limits of any county owned or managed land unless authorized outlined by permit. No persons shall tell fortunes or foretell futures for compensation in any county owned or managed land.~~

(jm) *Hunting and weapons.*

(1) Firearms as defined in F.S. § 790.001 are exempt from this article and regulation is preempted to state law.

(2) No person shall carry, use, or possess weapons, toys, or instruments that discharge projectiles of any description, including but not limited to air rifles, spring guns, bows and arrows, paint guns, water cannons, slingshots, and boomerangs, or any other form of weapon harmful or dangerous to wildlife or dangerous to human safety on or in any county owned or managed land except at and in accordance with the rules and regulations as a participant in a program approved by the board of county commissioners, unless authorized by law. Firearms as defined in F.S. § 790.001 are exempt from this provision and regulation is preempted to state law.

(n)(3) Knives or other blades used exclusively for fishing, camping, and other authorized outdoor activities are permissible. All other melee weapons or instruments that pose a threat to human safety or wildlife are prohibited.

(4) ~~Toy and replica firearms, fireworks, long bows, cross bows, compound bows, and explosives.~~ No person shall have in his or her possession nor shall any person discharge any toy or replica firearm, air rifle, air gun, toy cannon, fireworks, long bow, cross bow, compound bow, explosive, sling shot, or any toy or instrument that discharges projectiles either by air, elastic, explosive substance, or any other force within any county owned or managed land. Parents or guardians will be held strictly responsible and accountable for the actions of minors with regard to the prohibitions in this and other subsections of this article.

(k) ~~Alcoholic beverages.~~ Possession or consumption of alcoholic beverages within any county-owned or managed land is prohibited, except that, notwithstanding contrary provisions of the code, possession is permitted at county boat ramp facilities and possession and consumption are permitted at public marinas, and consumption is permitted onboard a vessel moored at a public marina, notwithstanding contrary provisions of the code. This prohibition may be waived if:

(1) The county has approved a contract or issued a permit, which by its terms allows the sale and/or consumption of alcoholic beverages in a specified area or place; or

(2) The board by resolution has temporarily waived the prohibition of subsection (1) above for a special event or activity in a specified area or place.

(l) ~~Pets.~~

(1) No pets, except horses accessing and utilizing trails designated for horseback riding, are permitted in any environmental land.

(2) Within parks, department- managed facilities, and public marinas, pets, including but

~~not limited to birds, ferrets, pot bellied pigs, monkeys, and snakes, shall be caged or on an adequate leash not greater than six feet in length. Pets shall not be left unattended or off of a leash except in designated areas posted by signage. No pets are permitted in any playgrounds, swimming areas, beaches (except for designated dog beaches), boardwalks, bathrooms, showers, any place where food and drinks are sold or consumed, and any other areas as designated by the county administrator or designee.~~

- (3) The owner or person in charge or in control of the pet shall immediately remove all feces deposited by such animal and dispose of same in a sanitary manner.
- (4) The owner or person in charge or in control of the pet shall be held responsible for the pet's behavior and actions at all times.
- (5) Except where expressly allowed, no pets are permitted in any playgrounds, swimming areas, beaches, boardwalks, bathrooms, showers, and dining areas. The department may designate further areas where pets are prohibited. Those persons in possession or control of pets within any county-owned or managed land shall obey all county ordinances including but not limited to chapter 14 of the code except ~~for section 14-31 of said chapter (unlawful restraint of cats and dogs), which shall not apply to this subsection 90-7(4)~~ where chapter 14 is less restrictive than the provisions of this article.

(m) *Exotic Wildlife and State Licensed Wild Animals.*

- (13) No livestock or class I, II, or III exotic wildlife, as defined by Florida Statute, shall be permitted in any county-owned or managed land unless expressly authorized by the administrator or designee.
- (2) ~~(2)~~ No wild animals for which a state license is required are permitted in any county-owned or managed lands.
- (4) ~~The owner or person in charge or in control of the pet shall remove all feces deposited by such animal and dispose of same in a sanitary manner.~~
- (5) ~~The owner or person in charge or in control of the pet shall be held at all times responsible for its behavior and actions.~~
- (6) ~~Where permitted, pets must be confined to designated areas or trails. Those persons in possession or control of domestic animals within any county owned or managed land shall obey all county ordinances including, but not limited to, chapter 14 of this Code, as same may be amended from time to time.~~

(nq) *Gambling.* No person shall engage in any form of gambling as prohibited by state law.

(of) *Pollution.* Any act resulting in pollution is prohibited, including, but not limited to the use of fountains, ponds, lakes, streams, bays or any other bodies of water adjacent to or within

county-owned or managed lands, or the tributaries, storm sewers or drains flowing into them as dumping places for any substance, including fuel, which will or may result in the pollution of said waters.

- (ps) *Metal detectors.* The use of metal detectors is prohibited except ~~in parks in designated areas.~~ on beaches in parks.
- (qt) *Aircraft.* No person operating, directing, or responsible for any airplane, helicopter, drone, glider, hang glider, hot air balloon, dirigible, parachute or other aerial apparatus, including those radio controlled or otherwise unmanned, ~~will~~ shall take off from or land in or on any county-owned or managed land ~~or waterway,~~ except for purposes of public safety ~~when human life is endangered~~ or where written permission has been obtained from the administrator or ~~designee~~ director.
- (rx) *Bounce houses.* No person shall possess or erect a bounce house without a permit issued by the department. When permitted, bounce houses shall only be erected and used at areas designated for such use by the department.
- (sa) *Miscellaneous.* No person shall engage in any activity within any county-owned or managed land that is dangerous to the health, safety or welfare of any person or that ~~would~~ could foreseeably ~~cause damage to the property of other patrons~~ damage private or county property ~~or county-owned or managed lands,~~ including, but not limited to, hitting golf balls, racing or speeding in a dangerous manner, and diving or jumping from bridges or catwalks. Nor shall any person engage in any activity within any county-owned or managed land that interferes with the use and enjoyment of the county-owned or managed land and its facilities by other patrons. ~~No person shall use roller skates, roller blades, in-line skates or skateboards in county-owned or managed lands, except in areas specially designed for such activities by the department.~~ No person shall possess helium-filled balloons in any county-owned or managed lands, except in enclosed buildings,; provided, however, that the helium balloons shall be properly secured when bringing balloons into and out of enclosed buildings. The department reserves the right, within the confines of applicable law, to limit other activities within any county-owned or managed land when, at the department's sole discretion, an area is deemed unable to support such activities.
- ~~(v) — No person shall dispose of cremated remains within any county-owned or managed land.~~
- (w) ~~No person shall change any parts, repair, wash, grease, or perform other maintenance on a vehicle on any park roadway, parkway, driveway, parking lot, or other property, except in emergencies; provided waxing and polishing is permitted if it is in an area open to vehicles and does not interfere with other activities or traffic flow.~~

SECTION 8. Sec. 90-70 of the Code is hereby renumbered Sec. 90-8 and amended to read as follows:

**Sec. 90-708. - Restrictions on the sale or conveyance of regional park property.**

Except as otherwise permitted by ~~subsections (1) and (2) herein~~ this article, the county shall not sell, convey or transfer any fee simple interest in any county-owned regional park property, or

portion thereof, or lease or license any regional park property for a period of longer than ten years, to any other person unless approved by resolution adopted by at least a majority vote plus one of the board ~~of county commissioners~~ at a public hearing advertised in accordance with the requirements of F.S. § 125.66(2)(a); provided that the requirements for a public hearing and a super majority vote shall not apply to:

- (a) The exchange of regional park property for reasonably equivalent regional park property when it is deemed to be in the best interests of the public as determined by board ~~of county commissioners~~ and the requirements of F.S. § 125.37 are satisfied; and
  - (b) The sale, transfer, conveyance, or dedication of regional park property to another governmental unit for a public purpose in accordance with the requirements of F.S. § 125.38.

SECTION 9. Sec. 90-80 of the Code is hereby renumbered Sec. 90-9 and amended to read as follows:

**Sec. 90-809. - Permits.**

- (a) *Permit required.* A ~~park and conservation resources permit, issued by the department~~ department permit, is required before a person may engage in ~~certain the~~ activities, ~~which are listed in subsection (b) below, in any parks or environmental lands~~ county-owned or managed land. ~~The terms of the permit will specify whether~~ If a person may remain on site after operating hours or access areas closed to the public, the terms of the permit will so specify. Application forms may be obtained from the department; a fee may be required. ~~This department~~ permit does not relieve the applicant from the permit requirements of section 10-26 et seq. ~~or any other sections in the code.~~
- (b) *Activities requiring a permit.* Activities for which permit applications must be submitted include, but are not limited to, ~~any of~~ the following:
  - (1) Scientific research including, but not limited to, biological assays, species identification or collection, species observation, archaeological survey, and hydrological, geological, or chemical studies. This does not include ~~such~~ activities ~~such~~ as visual observation of wildlife or vegetation within public areas. ~~A scientific research permit granted under this subsection constitutes prior written authorization from the administrator or designee for purposes of compliance with section 90-6.~~
  - (2) ~~Group nature~~ ~~Activities either prior to or after the posted hours of operation, or that require access to restricted areas not open to the public.~~
  - (23) All commercial photography, television broadcasting, and ~~all~~ private photography involving special settings or structures or the performance of any person. An additional film permit may be required as issued by the St. Petersburg/Clearwater film commission. Permits ~~will are~~ not be required for bona fide newspaper, press association, newsreel and/or television news department personnel, ~~who are identified by accredited press cards, or passes. , and assigned their respective editors to make photographs for use of~~

~~such communications media. Such personnel are will be~~ regarded as persons performing a task involving the freedom of the press as set forth in the constitution of the United States and, accordingly, ~~will shall~~ not be restricted by this subsection (b)(2).

(3) Camping.

(4) Bounce houses.

~~(4) All group activities involving 50 or more persons.~~

~~(5) Any special events as provided by departmental regulations.~~

~~(6) Large groups.~~

~~(7) Commercial activity.~~

(c) *Transferability.* Permits are not transferable and may only be utilized by those persons to whom the permit was issued.

(d) *Revocation.* Any permit issued pursuant to this section may be revoked for failure to comply with any condition imposed on the permit. ~~or for inconsistency with the criteria set forth in subsection (e).~~

(e) *No entitlement to permit.* Because of the proprietary nature of the ~~parks and environmental lands~~ county-owned and managed lands, this section does not create any right or entitlement to a permit.

SECTION 10. Sec. 90-85 of the Code is hereby renumbered Sec. 90-10 and amended to read as follows:

**Sec. 90-~~85~~10. — Commercial activity Advertising, publicity, and signs.**

(a) Commercial activity on county owned or managed land that is not conducted by the department, or a county-approved concessionaire, licensee, or permittee, is prohibited. Nothing in this section shall be deemed to preclude the county from entering into a sponsorship agreement with commercial or noncommercial entities.

~~(a) — No person shall use county owned or managed lands for the purpose of advertising or calling attention to any article or service for sale or for hire, nor shall any signs, slogans, loudspeakers or advertising display of any nature whatsoever be used for such purposes. No person shall place or station on any county owned or managed lands any vehicle whatsoever displaying any such advertising intent of advertising or used for such purposes herein mentioned.~~

(b) No person shall place or affix any display, distribute, post or fix any banner, sign, handbill, pamphlet, circular, placard, or any other printed matter upon a vehicle within any county owned or managed land, except as provided ~~containing commercial advertising on any county owned or managed land, unless approved by by department permit the director.~~

(c) No person shall place any sign within any county owned or managed land, unless the sign is placed in correlation to an event or gathering, for which a reservation through the department was made or permit from the department was obtained, and which is occurring within that specific county owned or managed land on the day the sign is placed. Persons placing such signs must remove them from the premises before leaving the property. Any such sign placed pursuant to this provision shall be temporary in nature, no larger than 18 x 24 inches, and placed into the ground by small stakes designed so as to minimize damage to the landscaping.

(de) ~~Nothing in this section shall be deemed to preclude the county from entering into a sponsorship agreement with commercial or noncommercial entities.~~ Any person wishing to distribute any handbills, pamphlets, circulars, placards, or other printed materials may not do so in a manner or location that interferes with the public's enjoyment of the park, or in such a manner as to result in littering or pollution.

SECTION 11. Sec. 90-90 of the Code is hereby renumbered Sec. 90-11 and amended to read as follows:

**Sec. 90-~~90~~11. - Resident personnel.**

It is hereby acknowledged that it may be necessary for certain persons to have their primary residences within boundaries of county-owned or managed lands as authorized by the board or ~~county~~ administrator or to receive temporary permission to reside within the same pursuant to written approval from the department. Such personnel and their families and guests are exempted from the regulations and prohibitions of sections 90-~~607~~, 90-~~809~~, and 90-~~8510 of this Code~~ while said persons are within the boundaries of the primary residence as defined by the residential lease or residential license agreement between said personnel and the county, or within the temporary residence. At all times, however, resident persons remain subject to all applicable state laws, other county ordinances, and the terms and conditions of the lease, license, or permit while within the residence.

SECTION 12. Sec. 90-100 of the Code is hereby renumbered Sec. 90-12 and amended to read as follows:

**Sec. 90-~~100~~12. - Exemptions.**

Any person performing duties authorized by the board or ~~the county~~ administrator or ~~his or her~~ designee, while performing duties pursuant to this article or other law or within his or her official capacity, is hereby exempted from all prohibitions and restrictions of this article. However, all such persons shall comply with any and all other applicable federal, state or local laws.

SECTION 13. Sec. 90-105 of the Code is hereby repealed in its entirety.

~~Sec. 90-105. - Signage.~~

~~All temporary and/or permanent signs installed by the county must be obeyed. No person shall engage in activities other than those prescribed in certain areas set aside and posted for such~~

~~purposes. For example, in areas set aside for boating, swimming is prohibited; in areas set aside for swimming, boating and personal (motorized) watercraft are prohibited.~~

SECTION 14. Sec. 90-110 of the Code is hereby renumbered Sec. 90-13 and amended to read as follows:

**Sec. 90-~~110~~13. - Enforcement and penalties.**

- (a) It shall be a violation of this article for any person to fail to comply with any prohibition, mandate, restriction or other declaration set forth herein.
- (b) All provisions of this article may be enforced by all authorized law enforcement officers, and all personnel authorized by the ~~county~~ administrator or ~~his or her~~ designee.
- (c) Except as otherwise provided by law or ordinance, a person convicted of a violation of this article shall be punished by a fine not to exceed \$500.00. With respect to violations of ~~this Code~~~~this article~~ that are continuous with respect to time, each day the violation continues is a separate offense.
- (d) In addition to the penalties provided in subsection (c) of this section, a person who violates this article may also be liable ~~any person or persons convicted of violating any provisions of this article may be liable for civil penalties or damages to the county in accordance with the county environmental enforcement act under chapter 58 of the code, including for civil penalties up to \$10,000 per offense where each day the violation continues constitutes a separate offense.~~
- (e) ~~All damages and civil penalties collected as a result of any violation of this article shall be deposited in the environmental lands trust fund as created by the board.~~

SECTION 15. Sec. 90-112 of the Code is hereby renumbered Sec. 90-14 and amended to read as follows:

**Sec. 90-~~112~~14. - Identification of county-owned environmental lands subject to Charter restrictions.**

County-owned environmental lands in the following preserves and management areas are hereby designated as environmental lands subject to the provisions of Section 2.08, Pinellas County Charter, as further described in the maps appended to Ordinance No. 08-46 and as Appendix C to ~~this the c~~Code:

- (1) Allen's Creek Management Area.
- (2) Alligator Lake Management Area.
- (3) Anclote Islands Management Area.



- (4) Brooker Creek Preserve.
- (5) Cabbage Key Management Area.
- (6) Cow Branch Management Area.
- (7) East Lake Management Area.
- (8) Joe's Creek Management Area.
- (9) King Islands Management Area.
- (10) Lake Seminole Management Area.
- (11) Lake Tarpon Management Area.
- (12) Lake Tarpon West Management Area.
- (13) Long Branch Management Area.
- (14) Mariner's Point Management Area.
- (15) Mobbly Bayou Preserve.
- (16) Ozona Management Area.
- (17) Shell Key Preserve.
- (18) Travatine Island Management Area.
- (19) Weedon Island Preserve.

SECTION 16. Sec. 90-113 of the Code is hereby renumbered Sec. 90-15 and amended to read as follows:

**Sec. 90-~~113~~15. - Group gatherings, performances, and speeches.**

The board ~~of county commissioners~~ shall have the authority to designate certain county-owned or managed lands or portions of county-owned or managed lands ~~which will be available for any~~ public demonstrations, gatherings, performances, and speeches which, due to the size of ~~prospective~~the groups, will interfere with the use of the county-owned or managed land by the general public. ~~Such~~ Groups intending to use such designated county-owned or managed land for public demonstrations, gatherings, performances, and speeches shall give advance notice to the ~~county department in advance of their intended use of the county-owned or managed land~~ and may be required to obtain a special event or large group permit.

SECTION 17. Sec. 90-114 of the Code is hereby renumbered Sec. 90-16 and amended to read as follows:

**Sec. 90-~~114~~16. - Boating, docks, and launching ramps.**

- (a) No person shall bring into or operate any vessel ~~or other watercraft~~ on any county-owned or managed ~~water, lakes, canals, rivers, or ponds~~lands other than those so designated for such use or purpose by the ~~county~~ administrator or ~~designee~~ or applicable state law.
- (b) All persons navigating or operating a ~~motor equipped vessel or other watercraft~~vessel in county-owned or managed ~~waters~~lands shall comply with ~~all established speed regulations, U.S. Coast Guard navigation regulations~~the Florida Fish and Wildlife Conservation Committee Boating Regulations and U.S. Coast Guard Navigation Rules and Regulations, ~~environmental regulations as applicable, and any other applicable county ordinance.~~ Said persons shall recognize marked manatee protection zones and boating safety zones, including but not limited to the vessel exclusion zones, combustion-motor exclusion zones, no wake zones, and minimum wake zones identified in section 130 of the code.
- (c) No vessel shall enter marked swim areas or zones, whether designated by the state or county. ~~No motor equipped vessel shall operate nor shall any person engage in water skiing in county owned or managed waters within 200 feet of areas where bathers and swimmers are present.~~
- (d) No person other than a concessionaire contracted by the ~~county, board of county commissioners to operate county owned or managed property~~ shall be permitted to rent, hire, or operate for charge, any ~~kind of vessel or watercraft, whether powered or not,~~ on any county-owned or managed ~~waters~~lands.
- (e) To the extent authorized by state law, ~~t~~The department may regulate ~~the operational activities of combustion engines and noncombustion engines as to vessel type and motor size and type of vessels~~ within county-owned or managed ~~waters~~lands, streams, and canals.
- (f) Vessels shall not be operated in such a manner as to molest or harm wildlife or to cause damage to aquatic life, substrate or county property. No refuse, trash, oil or bilge water shall be thrown or pumped overboard within county-owned or managed lands. Sanitary facilities on vessels, which discharge overboard, must not be used while vessels are within the county-owned or managed lands.
- (g) The following standards shall apply to the use of docks and, ~~launching ramps,~~boat ramps within county-owned or managed lands:
  - (1) All persons shall use designated boat ramps or launch areas when launching or landing motorized vessels. ~~and boat and vessel use in county owned or managed waters, streams and canals.~~

- (24) Docks and ramps ~~must~~ shall be kept clear of all equipment or gear.
- (3) Boat ramps are for active loading and unloading only.
- ~~(2) No refuse, trash, oil or bilge water shall be thrown or pumped overboard within county-owned or managed waters.~~
- ~~(3) Sanitary facilities on vessels which discharge overboard must not be used while vessels are within the county-owned or managed waters.~~
- ~~(4) Overnight dwelling on vessels docked or moored to park property or within park waters is prohibited except in areas so designated.~~
- (5) No person shall moor a ~~watercraft vessel~~ within any ~~area designated as a~~ county-owned or managed land for a period of time in excess of 14 days in any 30-day period.
- ~~(6) Boats operating in park waters must obey with the provisions in this section and in the United States Coast Guard navigation rules and any other applicable county ordinances.~~
- ~~(67) Any defacement or damage of piers or of dock property must~~ shall be repaired or corrected at the expense of the person or persons responsible for such defacement or damage.
- ~~(78) Docking and mooring facilities shall not be used for commercial activity purposes without prior authorization from the department. No person shall use or occupy any docking or mooring space for an unreasonable amount of time, not to exceed 30 minutes, to the exclusion of other park patrons for an unreasonable amount of time. Barring exigent circumstances, such period of time shall not exceed thirty minutes.~~
- (98) Fuel containers shall only be used while refueling ~~boats or~~ vessels, and no fuel containers of any type shall be left unattended.
- ~~(10) Boats shall not be operated in such a manner as to molest or harm wildlife or to cause damage to aquatic life, substrate or county property.~~
- ~~(912) Storage of vessels and/or trailers is prohibited except in designated storage facilities.~~
- (g) ~~All persons must use the designated boat ramp areas and must abide by such regulations of the department.~~

SECTION 18. Sec. 90-116 of the Code is hereby renumbered Sec. 90-17 and amended to read as follows:

**Sec. 90-11617. – Public Access; Hours; Fees; Rregulations.**

- ~~(a) The department is authorized and directed to charge fees, including parking, entrance, user,~~

~~or other fees, for activities on, or use and hours of operation of, county owned or managed land as established by resolution of the board.~~ (a) The department reserves the right to limit public access to any county-owned or managed land when deemed necessary to protect the public welfare or inherent natural resources. No person shall loiter in or around any restroom, dressing room, locker room, shower facility, or parking lot in any county-owned or managed land.

- ~~(b)~~ The hours of operation for all county-owned or managed lands is 7:00 a.m. to sunset unless otherwise posted or authorized by department permit.
- ~~(c)~~ Upon resolution of the board, the department is authorized to charge fees, including parking, entrance, user, or other fees, for activities on or use of county-owned or managed lands.
- ~~(d)~~ The department shall have the authority to adopt regulations relating to the use of county-owned or managed lands that are not in conflict with this article.

SECTION 19. Sec. 90-18 is hereby created and added to the Code as follows:

**Sec. 90-18. – Citizen Support Organizations**

- (a) Prior to conducting any operations on county owned or managed lands, a citizen support organization (CSO) shall enter into a written agreement with the county. The agreement shall establish duties of the department and the CSO, including but not limited to the requirements set forth in subsections (c) and (d) of this section. The agreement may grant a CSO certain permissions consistent with this article and the department’s mission, such as artifact excavation and monument erection.
- (b) The department and a CSO shall each have the authority to terminate a written agreement entered into pursuant to subsection (a) with and without cause. Upon termination or expiration of such written agreement, a CSO shall, within 15 days, cease operations on county owned or managed lands and remove any reference to the department or county owned or managed lands from its entity name.
- (c) Between September 15 and September 30 of each year, each CSO shall provide the department with the following:
  - (1) A balance sheet and supporting financial statements for the ending current fiscal year;
  - (2) The CSO’s budget for the upcoming fiscal year;
  - (3) The CSO’s most recent federal Internal Revenue Service Return of Organization Exempt from Income Tax Form (Form 990);
  - (4) The CSO’s annual goals and objectives;
  - (5) An evaluation of the CSO’s operations and programs for the ending current fiscal year;

and

- (6) A list of the CSO's current officers.
- (d) The department shall annually make the information obtained from each CSO pursuant to subsection (c) available on the department's website.
- (e) The reporting requirements in subsection (c) apply equally to CSOs in existence before and after the effective date of this section 90-18. A CSO with a current, active written operating agreement with the county as of the effective date of this section, however, is not required to enter into a new agreement with the county and otherwise comply with this section to the extent such compliance is inconsistent with the CSO's current agreement until the current agreement expires or is terminated by the CSO or county.

**SECTION 20.** Sec. 90-19 is hereby created and added to the Code as follows:

**Sec. 90-19. Service Animals**

- (a) Service animals shall be maintained in accordance with the provisions of section 90-7 and individuals utilizing service animals must comply with all provisions of this article, except as follows:
  - (1) Service animals are permitted to accompany disabled patrons in all areas open to the public; and
  - (2) Notwithstanding any provision to the contrary contained in chapter 14 of this code, if a leash of six feet would interfere with the service animal's ability to work or the disabled individual's disability prevents using a leash of six feet or less, the service animals must be otherwise harnessed, leashed, or tethered to the disabled individual, the individual's mobility device, or the animal's handler using the most reasonable restrictive length of leash, harness, or tether over six feet. If a harness, leash, or tether interferes with the service animal's work or the individual's disability prevents using these devices, the individual must maintain control of the animal through voice, signal, or other effective controls.
- (b) An individual with a disability may be asked to remove a service animal from the premises if:
  - (1) The animal is out of control and the animal's handler does not take effective action to control it; or
  - (2) The animal is indoors or on a paved surface and is not housebroken.

**SECTION 21. Severability.** If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this

Ordinance invalid or unconstitutional.

SECTION 22. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to section, article, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 23. Filing of Ordinance; Effective Date. Pursuant to Section 125.66 of the Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.