

ORDINANCE NO 95-15

AN ORDINANCE OF FRANKLIN COUNTY, FLORIDA, PROHIBITING SWIMMING, SURFING OR WADING IN OR REFUSING TO LEAVE THE FRANKLIN COUNTY WATERS GULF OF MEXICO OR ST. GEORGE SOUND UPON LAWFUL ORDER OF A POLICE OFFICER DURING AN EMERGENCY, PROVIDING PENALTIES, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Franklin County has experienced increasing difficulty convincing tourists and other persons to get out of the Waters of the Gulf of Mexico when weather conditions make swimming imprudent; and;

WHEREAS, surfing and swimming in the Gulf of Mexico and St. George Sound during bad weather is dangerous to the surfers and swimmers and rescue personnel,

WHEREAS, the Franklin County Board of County Commissioners finds that, for the protection of persons swimming in the Gulf and St. George Sound, and to reduce the risk to those attempting to rescue swimmers who experience difficulty in rough water, surfing and swimming in these waters during emergencies must be made illegal.

NOW, THEREFORE, BE IT ENACTED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS that:

1. No person shall swim, surf or wade in the waters of Franklin County described in paragraph 4 of this ordinance, nor shall any person fail to obey an order to come out of the water, to stay out of the water, and/or to keep a safe distance from the water during any time of emergency as defined herein.

2. This ordinance may be enforced by any Sheriff or Deputy Sheriff of Franklin County, any person assigned by the State of Florida to Franklin County during an emergency, and having arrest power, and any member of the Florida National Guard called out and assigned to Franklin County during an emergency.

3. Under this Ordinance an emergency is any period of time which is declared an emergency by the Governor of Florida, the Sheriff of Franklin County, the Franklin County Board of County Commissioners or its Chairman, or the Franklin County Emergency Management Official or his assistant.

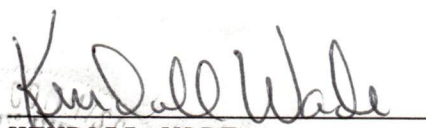
4. This Ordinance shall apply to the waters of Franklin County in the Gulf of Mexico and St. George Sound.

5. Violation of this Ordinance shall be prosecuted as a misdemeanor, and shall be punishable by a fine not to exceed \$500 or by imprisonment in the county jail not to exceed 60 days or by both such fine and imprisonment.

This Ordinance shall take effect upon receipt of official acknowledgment of the filing of a certified copy hereof by the Department of State.

This Ordinance adopted by the Franklin County Board of County Commissioners November 21ST, 1995, after Notice of Intent to enact it was published and filed in the office of the Clerk of the Franklin County Board of County Commissioners at least 15 days prior to enactment.

Attest:


KENDALL WADE
Clerk of Court

THE FRANKLIN COUNTY BOARD
OF COUNTY COMMISSIONERS

By: 
JIMMY G. MOSCONIS
Chairman

(SEAL)

