

ORDINANCE AMENDING SECTION 13-64, ORDINANCE 97-19
ARTICLE IV: LITTER CONTROL

ORDINANCE 2003- 27

FRANKLIN COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Franklin County, Florida has conducted a public hearing after due public notice,

NOW THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. Section 13-64 of Ordinance 97-19, Article IV, is hereby amended to delete the following provision:

“Section 13-64. Dumping litter prohibited.

Unless otherwise authorized by law or permit, it is unlawful for any person to dump litter in any manner or amount:

(1) In or on any public highway, road, street, alley or thoroughfare including any portion of the right of way thereof, or any other public lands, except in containers or areas lawfully provided therefor. When any litter is thrown or discarded from a motor vehicle, the operator or owner of the motor vehicle, or both, shall be deemed in violation of this section. Failure to pay said fine or appear in court as directed by a citation issued for violation of this article, shall constitute a separate offense, a second degree misdemeanor, punishable as provided for in F.S. Section 775.082(5) and 775.083.

(2) In or on any freshwater lake, river or stream or tidal or coastal water of the county. When any litter is thrown or discarded from a vessel, the operator or owner of the vessel, or both, shall be deemed in violation of this section; or

(3) In or on any private property, unless prior consent of the owner has been given and unless such litter will not cause a public nuisance or health hazard, or be in violation of any other state or local law, rule, or regulation.”

2. Section 13-64 of Ordinance 97-19, Article IV, Section 13-64(1) is hereby replaced with the following new provision:

“Section 13-64. Dumping litter prohibited.

Unless otherwise authorized by law or permit, it is unlawful for any person to dump litter in any manner or amount:

(1) In or on any public highway, road, street, alley or thoroughfare including any portion of the right of way thereof, or any other public lands, except in containers or areas lawfully provided therefor. When any litter is thrown or discarded from a motor vehicle, the operator or owner of the motor vehicle, or both, shall be deemed in violation of this section. Failure to pay said fine or appear in court as directed by a citation issued for violation of this article, shall constitute a separate offense, a second degree misdemeanor, punishable as provided for in F.S. Section 775.082(5) and 775.083.

(2) In or on any freshwater lake, river or stream or tidal or coastal water of the county. When any litter is thrown or discarded from a vessel, the operator or owner of the vessel, or both, shall be deemed in violation of this section; or

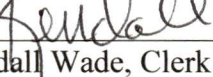
(3) In or on any private property, unless prior consent of the owner has been given and unless such litter will not cause a public nuisance or health hazard, or be in violation of any other state or local law, rule, or regulation.

(4) Dumping litter at recycling sites is a violation of this Article. Recycling Waste into a recycling bin does not constitute dumping litter, unless the waste dumped into the recycling bin is a type that the bin is not labeled to receive. It is a violation of this article to dump waste into a recycling bin if that bin is not labeled to receive such waste for recycling.

FRANKLIN COUNTY

BY: 
Cheryl Sanders, Its Chairman

CLERK OF COURT

BY: 
Kendall Wade, Clerk



Dated: July 1, 2003