

**JEFFERSON COUNTY, FLORIDA
CODE OF ORDINANCES**

Chapter 40 PARKS AND RECREATION FACILITIES

Sec. 40-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

BOAT RAMP means any structure or clearing that extends to or waterward of the normal high-water elevation or any structure or clearing upon which a vessel can be launched or retrieved, which is open to use by the public, but excluding those facilities limited to non-motorized, hand launching of vessels.

COUNTY PARK or RECREATION FACILITIES means all real properties owned or controlled by the county, regardless of the extent of development or official designation, which serve as picnic areas, recreation areas, nature areas, exercise facilities, athletic fields and such other areas, buildings, or park facilities as are established or designated by the county for the use and enjoyment of the general public. The Wacissa River Park shall also include that area of the right-of-way of Wacissa Springs Road extending from the park entrance to the intersection with Gamble Road and including the roadway shoulder within 25 feet of either side of the pavement.

DEPARTMENT means the Jefferson County Parks and Recreation Department.

DEPARTMENT DIRECTOR means the Director of the Jefferson County Parks and Recreation Department, or such person's designee.

DEPARTMENT PERSONNEL mean all persons employed by the department.

PARK FACILITIES means any improvements or structures, either natural or artificial, including, but not limited to, buildings, shelters, benches, tables, playground equipment, walls, fences, fountains, walkways, toilet facilities, and signs located in, upon or around a county park.

PARK ROADS means all surface areas either paved or unpaved which have been designated as routes for vehicular traffic. All other traffic ways are classified as a form of trail or path.

PARKING AREAS means any designated part of any park or road or any area contiguous thereto which has been set apart for the stopping, standing or parking of any vehicle.

SERVICE ANIMAL means a service animal as defined by the Americans with Disabilities Act (ADA), meaning a dog that is trained to do work or perform tasks for the benefit of a person with a disability.

VEHICLE means any device in, upon or by which a person or property is or may be transported on highways, streets or roadways; except that the term "vehicle" shall not include bicycles or electric or battery-powered toy cars.

VESSEL means every type of boat, watercraft, barge, airboat, or other or other means of transportation on the water, other than a seaplane.

(Ord. No. 22-08182022-02 , § 2, 8-18-2022)

Sec. 40-2. Designation of hours of operation.

- (a) Unless otherwise specified by the department director, the hours of operation for public use shall be from sunrise to sunset, provided however, that if the department director designates other hours of operation a schedule thereof shall be posted in the park. No unauthorized person shall be present on a county park or recreation facility at times other than those set forth herein. The unauthorized presence of any person in a

county park or recreation facility at times other than those authorized by this section shall be unlawful and subject to penalties.

(b) The Wacissa River Park shall be open 24 hours a day.

(Ord. No. 22-08182022-02 , § 2, 8-18-2022)

Sec. 40-3. Regulation of uses and activities.

(a) *Vehicle, vessel use.* No vehicle or vessel or any trailers shall be stopped so as to obstruct traffic or parked in unauthorized areas. Vehicles, vessels, and trailers shall be parked only in designated parking spaces. Unless a different speed is posted, maximum speed shall be five miles per hour.

(b) *Boat ramps.* Users of county boat ramps shall comply with the following:

- (1) No person shall block access to any boat ramp or leave vessels unattended. Any vessel left unattended for more than ten minutes may be removed, impounded, and/or disposed of by the county.
- (2) Boat ramps are for loading or unloading of vessels only. Vessels not being used must be removed from the boat ramp area immediately.
- (3) All persons renting vessels (including, but not limited to, kayaks, canoes, tubes, and paddle boards) are responsible for such vessels while within their possession. Persons renting vessels are responsible for the proper return of such vessels to the vendor or lessor upon conclusion of use by the renter. Vessels are not to be left in any beach area, boat ramp area, or other county park or recreation facility area.

(c) *Swimming at county parks and recreation facilities.*

- (1) Swimming at any county park or recreation facility shall be at the swimmer's own risk. The county does not provide any guarantees as to the water quality, safety, or suitability of county parks and county facilities for swimming. The county is not liable for any illnesses or injuries that may occur.
- (2) The county does not provide lifeguards or water safety equipment at any county park or recreation facility All persons should exercise caution and provide proper supervision for minors and non-swimming persons.
- (3) All persons should exercise proper caution when swimming any county park or recreation facility and be aware that boats and other vessels, snakes, alligators and marine life may be present, which could result in injury.
- (4) Swimming is not permitted in boat ramp areas.
- (5) Water borne bacteria and parasites may be present in natural water bodies even if a swim advisory has not been posted. All swimmers may be at risk of contracting a serious illness from contact with natural water bodies. Swimmers should take precautions to minimize such risks by:
 - a. Don't swallow the water;
 - b. Shower after swimming;
 - c. Wash hands before eating;
 - d. Avoid water contacting an open cut, wound or skin infection;
 - e. Pay attention to all surroundings and follow advisory signs; and
 - f. Avoid entering the water if advised by a doctor or if at a heightened risk due to age, infirmity, or a compromised immune system.

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- (d) *Animals.* Anyone with ownership, care, custody or control of an animal within a county park or recreation facility shall comply with the following:
- (1) Domestic animals shall not be permitted in the water or within 125 feet of public swimming areas, except when such animals are in the process of being loaded or unloaded into a vessel from a boat ramp area. Notwithstanding the foregoing, service animals are permitted to access all areas of a county park or recreation facility where the public is permitted to go, provided service animals shall not be permitted to enter the water.
 - (2) Dogs or other domestic animals may be on county park or recreation facility property only where not prohibited by posted signage or paragraph (1) above. Where allowed, such animals must remain on leashes and under the control of the owner or other responsible person at all times.

(Ord. No. 22-08182022-02 , § 2, 8-18-2022)

Sec. 40-4. Prohibited activities in county park and recreation facilities.

- (a) Except for activities of a governmental agency within the scope of its governmental authority, it shall be unlawful for any person to do any one or more of the following in a county park or recreation facility:
- (1) Possess any glass bottle, except for a factory sealed container stored within a vehicle.
 - (2) Operate any audio device that can be heard by a person with normal hearing faculties, without the help of any hearing enhancements, at a distance of 100 feet or more from the source of the sound, except for equipment used by law enforcement and county personnel.
 - (3) Engage in any activity which is dangerous to the health, safety or welfare of another.
 - (4) Engage in any activity which is not an activity allowed in such park, park area, or park facility, as such is indicated on posted signage.
 - (5) Fires and fireworks are prohibited.
 - (6) Shave, shower, or bathe in a public restroom or locker room in any county park or recreation facility, provided, that showering is permitted where shower facilities are specifically provided for public use.
 - (7) Stop, stand or park any vehicle as defined in this article in an area not specifically designated for parking.
 - (8) Operate any vehicle in any county park or recreation facility in or on any area not specifically designated as park road, except in areas where such vehicle use is allowed or approved, or otherwise operate any vehicle in violation of the laws regulating traffic F.S. ch. 316.
 - (9) Discharge or deposit human wastes except in established restroom facilities.
 - (10) Write on, draw on or otherwise deface, damage, remove or destroy any park facilities.
 - (11) Hunt, trap or pursue wildlife of any kind except as specifically authorized by the department director.
 - (12) Discharge a firearm, air rifle, air gun, sling shot, bow and arrow, spear gun, or instrument of any kind that discharges or is capable of discharging a projectile by explosive means unless such instrument or device is required for participation in an activity which is organized or sponsored by the department director. Nothing herein shall be interpreted, applied or enforced in a manner which might constitute the regulation of firearms or ammunition, an area of regulation which is preempted to the state by F.S. § 790.33.
 - (13) Take into, dump or deposit in any county park or recreation facility any trash or refuse of any kind; however, such refuse and trash as is generated during park or recreation area use may be disposed of

properly by placing it in designated containers. Where such containers are not available, persons responsible for the refuse or trash shall remove it from the park for proper disposal elsewhere.

- (14) Using a park or recreation area for the purpose of benefitting, promoting, or furthering the interests of a criminal gang in violation of F.S. § 874.04.
 - (15) Manufacture, possess, consume, purchase, sell or offer for sale any alcoholic beverage as defined in F.S. ch. 561, or controlled substances as defined F.S. § 893.03.
 - (16) Enter any park or recreation facility intoxicated on alcohol or a controlled substance in a manner that endangers the safety of another person or property or causes a public disturbance in violation of F.S. § 856.011.
 - (17) Pick flowers or damage or remove plants, trees, shrubs, grass or any other part of a county park or recreation facility, unless authorized in advance by the department director.
 - (18) Erect signs or distribute, display or affix signs on any tree, post or county park or recreation facilities, except signs posted or authorized by the department director.
 - (19) Throw, discharge or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream or other body of water located in or adjacent to any county park or county facility, or any drain flowing into such waters, any substance, matter or thing, either liquid or solid, which may pollute such waters.
 - (20) Failure to adhere to directives and instructions issued by department personnel and law enforcement officers.
- (b) *Commercial activity.*
- (1) *Generally.* Commercial activity is not permitted within a county park or recreation facility unless specifically approved in advance in writing by the department director.
 - (2) *Commercial Activity in the Wacissa River Park.* All commercial activity is prohibited in the Wacissa River Park, as defined herein. Prohibited commercial activity includes, but is not limited to, the rental of vessels (including, but not limited to, kayaks, canoes, tubes, and paddle boards) and food/drink sales. Notwithstanding this prohibition, it shall be lawful for a customer renting a vessel from a vendor to launch from park facilities, provided the rental transaction does not occur in the Wacissa River Park. At the customer's request, the vendor may assist with launch and retrieval of the vessel so long as such activity does not violate any other park rule. The vendor may only occupy a parking space within the designated parking area while actively assisting a customer with launching or retrieval of a rented vessel. Off-site tour operators may use the park facility for launching, but such operators shall park only in designated areas, are limited to one vessel per person, and shall comply with such other regulations as the department director may from time to time require, such as, without limitation, pre-registration.

(Ord. No. 22-08182022-02 , § 2, 8-18-2022)

Sec. 40-5. Penalties and enforcement.

- (a) In addition to all other means of enforcement provided for in Florida law and the Jefferson County Code of Ordinances, violations of this chapter may be enforced by the county and the sheriff's office as provided for in F.S. § 125.69. Such enforcement includes prosecution in the same manner as misdemeanors and imposition of fines not to exceed \$500.00 or imprisonment in county jail not to exceed 60 days or by both a fine and imprisonment. Furthermore, any violation of this chapter shall be cause for immediate removal or ejection from the county park or recreation facility and denial of future use of county parks and recreation facilities, as determined by the department director.

(b) *Civil infraction.*

- (1) In addition to all other means of enforcement provided for in Florida law and the Jefferson County Code of Ordinances, a civil citation issued pursuant to chapter 21 of the Code may be issued to any person violating the provisions of this chapter. In such circumstances, the violation shall be deemed a civil infraction.
- (2) Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date, and location designated in the citation. Any person requesting a hearing in county court waives the right to pay the minimum civil penalties. Penalties shall be in addition to court costs established by statute.
- (3) *Minimum civil penalties for a violation not otherwise listed are as follows:*
 - a. First offense:\$50.00
 - b. Second offense:\$100.00
 - c. Second offense (commercial activity)\$100.00 + One Year Trespass Warning
 - d. Third and subsequent offenses:\$200.00

(Ord. No. 22-08182022-02 , § 2, 8-18-2022)

Sec. 40-6. Rates, fees and charges for use of county park and recreation facilities.

The board county commissioners may adopt a fee schedule, in the form of a resolution, setting forth the rates, fees and charges for use of county park and recreation facilities.

(Ord. No. 22-08182022-02 , § 2, 8-18-2022)