

SPONSORED BY:

MAYOR BROWN



ORDINANCE NO. 2017-26

A BILL TO BE ENTITLED

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA,
AMENDING CHAPTER 14, OFFENSES; SECTION 14-7 CAMPING
PROHIBITED; EXCEPTIONS; PENALTIES AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, The City Council of the City of Neptune Beach desires to protect its citizens by diligently updating the Code of Ordinances of the City of Neptune Beach

Now, Therefore, be it ordained by the City Council of Neptune Beach, Florida:

Section 1. That Chapter 14, Section 14-7 Camping prohibited, exceptions; penalties shall be amended as follows:

Section 14-7. - Camping prohibited; exceptions; penalties.

- (a) For the purposes of this section, "camping" is defined as:
 - (1) Sleeping or otherwise being in a temporary shelter out-of-doors; or
 - (2) Cooking over an open flame or fire out-of-doors except small, self-contained, commercially available heating devices not requiring any special facilities to be safely operated.
- (b) Camping is prohibited on all public property, except as may be specifically authorized by the City Manager and/or his designee.
 - (1) Violation of this subsection may be enforceable as provided in Section 1-12 of the City's Code of Ordinances.
- (c) Camping is prohibited on all residential property in the city, except for the following:
 - (1) During a thirty (30) day period, camping overnight is limited to a total of three (3) days. One day is equal to any portion of a 24-hour period.
- (d) Any person or persons, corporate entity, or any agent thereof who violates any of the provisions of this section may, upon conviction, be guilty of a noncriminal violation punishable as provided for under Chapter 162, Florida Statutes, or by appearance before a county judge if a citation is issued by a police officer, code enforcement officer, animal control officer or others acting at the direction of the City Manager. The department of public safety and all officers under its supervision may issue a citation for a civil penalty. A surcharge equal to all administrative costs, including any

filing fees required by the clerk of court for the filing of civil citations by the City of Neptune Beach shall be assessed and collected from the defendant upon each civil penalty imposed for violation of this section. For violations of this section, the civil penalty shall be assessed and paid in the following amounts:

First offense: \$250.00, per day;

Second offense: \$500.00, per day; and,

Third offense: \$1,000.00, per day.

A defendant may pay the civil penalty as specified above, in lieu of appearing in county court. A defendant may exercise this option by paying the specified fine at the public safety building within ten (10) days of notice of violation and penalty. If the civil penalty is not paid by such time, the City shall proceed to enforce such violation as otherwise provided by law.

- (e) All terms, conditions, authority and remedies as enumerated in Chapter 28 of the City's Code of Ordinances are incorporated herein. For violations of this section that go uncorrected or addressed by a defendant, the City may determine the actions are a nuisance as defined in Chapter 28 and may act accordingly.

Section 2. This Ordinance shall become effective after passage by the City Council.

VOTE RESULTS OF FIRST READING:

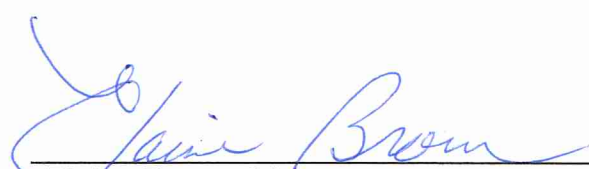
Mayor Elaine Brown	YES
Vice Mayor Scott Wiley	YES
Councilor Richard Arthur	YES
Councilor Rory Diamond	YES
Councilor Fred Jones	YES

Passed on First Reading this 6th day of November, 2017.

VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Elaine Brown	YES
Vice Mayor Scott Wiley	YES
Councilor Richard Arthur	YES
Councilor Rory Diamond	YES
Councilor Fred Jones	YES

Passed on Second and Final Reading this 4th day of December, 2017.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, City Clerk



Approved as to form and content:


Patrick Krechowski, City Attorney