

ORDINANCE 2018-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING CHAPTER 90, ARTICLE II, BEACHES, OF THE CODE OF ORDINANCES; AMENDING SECTION 90-48 BY REDUCING THE DESIGNATED PARKING AREA FOR VEHICLES ON THE BEACH AT THE SADLER ROAD ACCESS TO 300 FEET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, AS FOLLOWS:

SECTION 1. It is hereby proposed that Article II, In General, Section 90-48 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 90-48. - Traffic regulations; speed limit.

(a) It shall be unlawful for traffic to proceed on the Atlantic Ocean beaches except as follows:

(1) There shall be no vehicular driving except in those areas designated by the city commission.

(2) No vehicular traffic shall be permitted except at the designated parking area at the Sadler Road access and except as permitted in subsection ~~(a)(4)~~ and (a)(5) of this section.

(3) There shall be a designated parking area for vehicular traffic that shall extend from the north line of the Sadler Road access to a point ~~600~~ 300 feet south of the south line of the Sadler Road access along the Atlantic Ocean beach. This area may be changed, based upon demand, by action of the city commission; provided, however, that such areas may not be enlarged without a prior study and determination of a demonstrated need for such expanded or enlarged area.

~~(4) — The city commission may, by resolution, authorize an individual special permission to operate a vehicle on the Atlantic Ocean beach in areas not otherwise authorized to traffic. This permit shall be granted under consideration of hardship and shall be limited to the purpose stated in the resolution.~~

(5) Certain vehicles permitted; issuance of permits.

a. In addition to the above, there shall be permitted two-way driving south of the Sadler Beach parking area only for:

(1) On a first come, first serve basis, disabled persons with a valid disabled person parking permit issued pursuant to F.S. § 320.0848. Each disabled person eligible to receive a beach-driving permit hereunder shall be a city resident and is solely responsible for providing proof of successful completion of beach driving training. The city has information and options available for completing such beach driving training.

(2) Only automobiles and trucks, as defined by F.S. § 320.01, are permitted to be driven on city beaches with a valid permit issued by the City pursuant to subsection 5 a.(1) above.

b. It is the intent of this subsection (a)(5) to permit restricted beach vehicular driving to accommodate disabled persons and shall not be construed in any manner to authorize or permit unrestricted beach driving or cruising. The number of permits to be issued pursuant to this subsection shall be limited to no more than 15 such permits per year, and such permits shall each expire on September 30th each year. The city manager shall promptly advise the city commission whenever the number of such permits outstanding equals 15.

(6) Upon presentation of proper identification, annual permits authorized by subsection (a)(5) of this section shall be issued at city hall. The fee for disabled persons shall be waived.

(7) Any permit holder determined to have violated any of the provisions of this section shall be subject to having his/her permit revoked upon written notice and hearing before the city manager on the same.

(b) It is unlawful to exceed the vehicular speed limit of 15 miles per hour, or to operate a vehicle in a careless or reckless manner on the Atlantic Ocean beaches. By resolution, the speed limit may be reduced upon determination of the city police department or the proper authorities.

SECTION 2. Severability. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

SECTION 3. Effective Date. This Ordinance shall take effect immediately upon its final passage and adoption.

ADOPTED this _____ day of _____, 2018.

CITY OF FERNANDINA BEACH

John A. Miller
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney