

ORDINANCE NO. 2005-13
GULF COUNTY, FLORIDA

AN ORDINANCE OF GULF COUNTY, FLORIDA REGULATING THE REMOVAL OF GARBAGE RECEPTACLES FROM CERTAIN DESIGNATED TOURIST CORRIDORS, PROVIDING FOR A PENALTY FOR VIOLATION, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gulf County, Florida is presently experiencing tremendous population growth and attracting large numbers of tourist who visit Gulf County for its many attractions, and

WHEREAS, the placement for extended periods of time of garbage receptacles within the right-of-ways of certain designated tourist corridors increases the congestion within those areas and creates a hazard to the public, and

WHEREAS, garbage receptacles which are left abandoned on the right-of-way of these designated areas create a litter and animal scavenger problem which poses a threat to the environment and public health of the citizens of Gulf County, Florida, and

WHEREAS, the Gulf County Board of County Commissioners is charged pursuant to Florida Statute 125.01 with protecting the health, welfare and safety of Gulf County citizens and visitors,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR GULF COUNTY, FLORIDA, that;

1. This regulation shall be known as the Gulf County Garbage Receptacle Roll Back Ordinance.
2. For the purposes of this Ordinance, Gulf County hereby designates the following area as "tourist corridors" as referred to throughout this Ordinance:

The areas of Hwy 98 commencing at the Bay County line and concluding at the Franklin County line.

The entirety of Cape San Blas Road.

The entirety of County Road 30A.

The entirety of County Road 30B.

3. Within the designated tourist corridors above, any and all garbage receptacles may be placed upon the right-of-way of Gulf County, Florida for collection by a licensed solid waste disposal service no earlier than 6:00 p.m. the day before the garbage collection is due to commence and shall be removed from the right-of-

ways of said designated tourist corridors no later than 8:00 p.m. on the day of scheduled pickup by the licensed solid waste hauler serving the area.

4. The first violation of this Ordinance shall result in the imposition of a civil penalty in the amount of \$25.00 to be assessed against the landowner from which the garbage receptacle originated. A second violation this Ordinance within twelve (12) months of the date of the first violation shall result in the imposition of a civil penalty in the amount of \$100.00 to be assessed against the landowner from which the garbage receptacle originated. A third offense in violation of this Ordinance occurring with twelve (12) months of the issuance of the second offense shall result in the imposition of a civil penalty in the amount of \$250.00 to be assessed against the property owner from which the garbage receptacle originated.

5. The recipient of said civil penalty citation shall pay said citation with thirty (30) days as directed on the face of the citation. Any person may appeal the issuance of a citation and the fine assessed thereunder by filing a written notice of appeal with the Office of the Chief Administrator of Gulf County, Florida, 1000 C.G. Costin, Sr., Blvd, Port St. Joe, FL 32456. Said appeal must be filed within thirty (30) days of the issuance of a citation. The failure to either pay the citation in a timely fashion or file a timely notice of appeal shall result in the imposition of a lien against the real property which is the subject of said citation.

6. Any provision of this Ordinance held to be unconstitutional or otherwise invalid shall be deemed severed from said Ordinance and remainder of said Ordinance shall remain in full force and affect.

7. This Ordinance shall become effective as provided by law.

ADOPTED in open session with a quorum present and voting on 12 July 2005.