

ORDINANCE NO. 97-10

AN ORDINANCE PROHIBITING THE POSSESSION AND/OR DISPLAY OF ANY PUBLIC STOP SIGN, TRAFFIC SIGN, STREET SIGN OR OTHER SIGNAL SHIELD OR INSIGNIA BELONGING TO CALHOUN COUNTY; PROVIDING FOR SANCTIONS; PROVIDING FOR SEVERABILITY AND REPEALER, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, questions have arisen regarding the adoption of certain ordinances in Calhoun County, including questions regarding the adoption of the predecessor of this ordinance and in an abundance of caution and pursuant to the emergency procedures contained in Florida Statute §125.66(3), the Board of County Commissioners have chosen to readopt certain ordinances; and,

WHEREAS, it is in the best interest of Calhoun County to provide for the safety of those individuals who use the streets, roads and highways of Calhoun County; and

WHEREAS, due to the removal of county traffic signs, street signs, stop signs or other signal shields and insignia, the citizens and motoring public of Calhoun County have been subject to unnecessary risk and danger; and

WHEREAS, this risk, danger and inconvenience may be minimized by prohibiting the possession of any County traffic sign, street sign, stop sign or other county shield and insignia, and the prohibiting the possession of said signs, shields and insignia will assist in the protection of the citizens and motoring public of Calhoun County; and

WHEREAS, pursuant to the general powers of the County government;

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA:

This ordinance of Calhoun County, Florida be the same as hereby enacted to read as follows:

1. **Common Title:** This ordinance shall be known and may be cited as the Calhoun County Public Sign Ordinance.

2. **Declaration of Policy:**

It is the policy of Calhoun County, in keeping with the laws of the State of Florida, and the spirit of the Constitution of our state, to provide a safe environment for its citizens.

3. **Definitions:** As used herein:

Sign: The terms "sign" shall refer to any shield, insignia, traffic sign, stop sign and/or street sign which is the property of Calhoun County.

4. **Prohibitions:** It shall be unlawful for any person to possess, maintain or display any county sign as defined herein.

5. **Sanctions:** Any person who violates any provision of this ordinance may be sentenced to pay a fine of not more than \$500.00 and be sentenced to jail for a period of not more than sixty (60) days, plus applicable court costs and fees.

6. **Severability and Repealer:** If any subsection, section, paragraph, sentence, clause or phrase of this ordinance is held for any reason to be unconstitutional, void or invalid for any reason, the validity of the remaining portion of the ordinance shall not be affected thereby. All other ordinances or portion of ordinances in force at the time this ordinance becomes effective which are in conflict with any provision hereof, shall be deemed to have been repealed and are repealed to the extent of any such conflict; otherwise to remain in full force and effect.

7. **Enforcement:** This ordinance may be enforced by any law enforcement officer of the State of Florida or of Calhoun County, Florida.

8. **Effective Date:** This ordinance shall become effective upon its passage by the County Commission of Calhoun County, Florida.

PRESENTED AND READ in full or by title to the Board of County Commissioners for Calhoun County, Florida, on the 16th day of DECEMBER, 1997. *M.A.*

PASSED by the Board of County Commissioners for Calhoun County, Florida, the 16th day of Dec, 1997.

CALHOUN COUNTY BOARD OF
COMMISSIONERS

Donnell Whitfield
DONNELL WHITFIELD
Chairman

ATTEST
Willie D. Wise
WILLIE D. WISE
CLERK