

**CALHOUN COUNTY**  
**ORDINANCE NO. 2007 - 05**

**AN ORDINANCE OF CALHOUN COUNTY, FLORIDA; PROVIDING DEFINITIONS; PROVIDING FOR THE PROHIBITING OF OVERNIGHT CAMPING AT PUBLIC PROPERTY; PROVIDING FOR PERMITTING; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners, owns, maintains or controls various parcels or property including, boat landings, parks, open spaces and other areas within Calhoun County; and

**WHEREAS**, due to concerns regarding liability, vandalism, public health and safety, the Board of County Commissioners has deemed it necessary, to prohibit overnight camping at said public property.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, THAT:**

**SECTION 1. DEFINITIONS**

For the purpose of this Ordinance, the following terms shall mean:

**OVERNIGHT CAMPING** shall mean sleeping at or occupying the public property between twelve a.m. and sunrise. The temporary occupation of said area for the purposes of removing a boat from a water way shall not constitute camping. Camping typically involves the use of tents, recreational vehicles or other similar items to provide shelter.

**PUBLIC PROPERTY** shall mean all property owned, leased or maintained by Calhoun County except that property which has been leased by Calhoun County to third parties.

**SECTION 2. CAMPING PROHIBITED**

Overnight Camping shall be prohibited on all public property, provided that public property which has been leased to third party persons or entities shall not be governed by this prohibition.

The Board of County Commissioners shall post signs informing the public of the ban on overnight camping on such property that has been heretofore frequented by campers. The actual presence of the sign prohibiting overnight camping shall not be a requirement for the prosecution of violations of this ordinance.

**SECTION 3. PERMITS**

At its absolute and sole discretion, the Board of County Commissions may permit

camping on public property, provided that the applicant files with the Clerk of Court, at least thirty days prior to the first date of camping, a written request for camping. The request shall state the duration of the camping, the purpose of the camping and the propose location. The applicant shall also pay a fee of \$10.00 with the application. The Board of County Commissioners shall at its regular meeting consider the applications and determine whether camping shall be allowed.

#### SECTION 4. PENALTIES

It shall be unlawful for and person to violate this ordinance. Upon the conviction for a violation of any provision of this ordinance, the defendant shall be punished by a fine not to exceeding \$500.00 or imprisonment not to exceed 60 days, or by both fine or imprisonment. Each day's violation of any provision of this ordinance shall constitute a separate offense.

#### SECTION 5. SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

#### SECTION 6. EFFECTIVE DATES

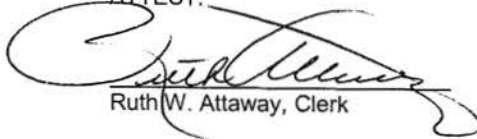
This Ordinance shall take effect upon its passage by a majority vote of the Board of County Commissioners in and for Calhoun County, after due notice and publication, in the regular meeting on the 17<sup>th</sup> day of July, 2007, and upon being filed with the Secretary of State.

ADOPTED THIS 21<sup>st</sup> DAY OF August, 2007, BY A VOTE OF 4  
TO 0.

BOARD OF COUNTY COMMISSIONERS  
CALHOUN COUNTY, FLORIDA

BY: Willie T. Grant  
Willie T. Grant, Chairman

ATTEST:

  
Ruth W. Attaway, Clerk

(SEAL)

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