

By Representative Saunders

1 A bill to be entitled
2 An act applying to Collier County; amending ss.
3 1, 2, and 3, chapter 89-449, Laws of Florida,
4 to empower county park enforcement officers to
5 issue citations to enforce any county ordinance
6 within the boundaries of any county park,
7 county operated parking facilities, public
8 beaches, beach access areas adjacent to any
9 county park, and public areas immediately
10 adjacent to county parks; revising list of
11 prohibited offenses; amending s. 4, chapter
12 89-449, Laws of Florida, to permit the violator
13 to pay the appropriate fines as prescribed by
14 county ordinance without a mandatory court
15 appearance; providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 1 of chapter 89-449, Laws of
20 Florida, is amended to read:

21 Section 1. Legislative intent.--It is the intent of
22 the Legislature to authorize the Board of County Commissioners
23 of Collier County to designate employees of the Collier County
24 Department of Parks and Recreation as county park enforcement
25 officers. It is declared as a matter of legislative intent
26 that county park enforcement officers be empowered to issue
27 citations to enforce any county ordinance duly enacted by the
28 board of county commissioners to regulate acts within the
29 county parks, and including, but not limited to, ordinances
30 which regulate the use of county parks, public beaches, beach
31 access areas adjacent to county parks, county operated parking

1 facilities, and public areas immediately adjacent to county
2 parks, to protect sea turtles and prohibit the operation of
3 motor vehicles in, on, or across the beaches of Collier County
4 in order to promote, protect, and enhance the health, safety,
5 and welfare of the citizens of Collier County.

6 Section 2. Section 2 of chapter 89-449, Laws of
7 Florida, is amended to read:

8 Section 2. Jurisdiction.--Any person designated by the
9 board of county commissioners as a county park enforcement
10 officer (park ranger) is hereby authorized to issue citations
11 within the boundaries of any Collier County park, public
12 beaches, beach access areas adjacent to county parks, county
13 operated parking facilities, and public areas immediately
14 adjacent to county parks for violations of any Collier County
15 ordinances, duly enacted by the board of county commissioners
16 to regulate acts within these areas, ~~the county parks~~
17 including, but not limited to, those ordinances which regulate
18 the use of the parks and prohibit certain acts therein,
19 provide for the nesting and protection of sea turtles, and
20 prohibit the operation of motor vehicles in, on, or across the
21 beaches of Collier County within county parks, when such
22 violation is witnessed by said officer.

23 Section 3. Section 3 of chapter 89-449, Laws of
24 Florida, is amended to read:

25 Section 3. Powers and duties.--

26 (1) The Board of County Commissioners of Collier
27 County is hereby authorized to designate employees of the
28 Collier County Department of Parks and Recreation as county
29 park enforcement officers (park rangers). It shall be the
30 responsibility of said board to determine by resolution the
31 training and qualifications of any employee so designated.

1 Such designation and training requirements shall be by
2 resolution adopted at any regular or special meeting of the
3 board.

4 (2) It shall be the duty of any person designated as a
5 county park enforcement officer (park ranger) to issue
6 citations for any offenses which occur within a county park
7 boundary, public beaches, county operated parking facilities,
8 and public areas immediately adjacent to county parks,and
9 which are either prohibited by ordinance enacted by the Board
10 of County Commissioners of Collier County or are specifically
11 prohibited by this section. It shall be such an offense to:

12 (a) Willfully mark, deface, disfigure, injure, tamper
13 with, or displace or remove any building, bridge, table,
14 bench, fireplace, railing, paving, or paving material, water
15 line or other public utility or parts appurtenant thereof,
16 signs, notices or placard whether temporary or permanent,
17 monuments, stakes, posts, or other boundary markers or other
18 structures or equipment, facilities or park property or any
19 appurtenances whatsoever, either real or personal.

20 (b) Cut, break, mutilate, injure, disturb, sever from
21 the ground or remove any growing thing, including, but not
22 limited to, any plant, flower, flower bed, shrub, tree, growth
23 or any branch, item, fruit or leaf thereof; or bring into or
24 have in his possession in any county park any tool or
25 instrument which could be used for the cutting thereof, or any
26 garden or agricultural implements or tools which could be used
27 for the removal thereof; or pile or maintain any material or
28 debris of any kind against or upon the same or attach any
29 rope, cable or other contrivance thereto; or set fire to any
30 trees, shrubs, plants, flowers, grass, plant growth or living
31 timber, or suffer any fire upon land to extend into park

1 lands; or go upon any prohibited lawn, grass plot or planted
2 area, except at such times and in such manner as the director
3 of the parks and recreation department may designate.

4 (c) Throw, discharge, or otherwise place or cause to
5 be placed in the waters of any fountain, pond, lake, stream,
6 bay, or other body of water in or adjacent to any county park
7 or any tributary, stream, storm sewer, or drain flowing into
8 such waters, any substance, matter or thing, liquid or solid,
9 which will or may result in the pollution of said waters.

10 (d) Carry, possess, or drink any alcoholic liquor in
11 any park.

12 (e) Enter or exit any park facility except at
13 established entrance ways or exits, or at established times.

14 (f) Attach any posters or directional signs to trees.

15 (g) Cause or permit a dog or other domestic animal to
16 enter any park facility.

17 (h) Build fires except in specified areas in county
18 parks on cooking grills provided therein.

19 (i) Drive any unauthorized vehicle on any area within
20 the park except the paved park roads or parking areas; or park
21 an authorized vehicle in other than an established or
22 designated parking area; or park any unauthorized vehicle in
23 the county park area overnight.

24 (j) Ride a bicycle on other than a paved vehicular
25 road or path designated for that purpose; leave a bicycle in a
26 place other than a bicycle rack when such is provided, or
27 leave a bicycle lying on the ground or paving or any place or
28 position so as to present any obstruction to pedestrian or
29 vehicular traffic.

30 (k) Violate any rule for the use of the park which has
31 been posted on any park sign in a particular park pursuant to

1 approval by the board of county commissioners including rules
2 and regulations posted on the grounds or buildings in said
3 parks.

4 (1) Possess, carry, or transport on or about their
5 person any glass container in any county park ~~beach access~~
6 ~~area~~.

7 (m) Injure, kill, molest, collect, possess, or cause
8 direct or indirect injury to any species of sea turtle, gopher
9 tortoises, live sand dollars, shorebirds, birds of prey, live
10 shells, and live sea stars or to interfere, destroy, or tamper
11 in any way with the nesting of the sea turtle, birds of prey,
12 gopher tortoises, or shorebirds.

13 (n) Operate or cause to be operated a hand, animal,
14 motor, or engine driven wheel, track or other vehicle or
15 implement on, over or across any part of the sand dune, hill
16 or ridge nearest the Gulf of Mexico, or the vegetation growing
17 thereon or seaward thereof, or to operate or drive such a
18 vehicle on the area seaward thereof, commonly referred to as
19 the beach.

20 Section 4. Section 4 of chapter 89-449, Laws of
21 Florida, is amended to read:

22 Section 4. Enforcement.--A citation issued by a county
23 park enforcement officer (park ranger) under the provisions of
24 this act shall be in a form prescribed by the board of county
25 commissioners. Such citations shall state the date and time of
26 issuance, name and address of the person in violation, the
27 date of the violation, description of the violation, the
28 Collier County Ordinance and section violated, name of the
29 citing county park enforcement officer (park ranger), and a
30 date and time at which the violator shall appear in county
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1 court. The violator may elect a nonmandatory court appearance
2 and pay the fine as prescribed by county ordinance.

3 Section 5. This act shall take effect upon becoming a
4 law.

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