

ORDINANCE
2011-58

AN ORDINANCE AMENDING WALTON COUNTY ORDINANCE 2009-14 AND SECTION 5-34 OF THE WALTON COUNTY CODE OF ORDINANCES TO DESIGNATE AN ISSUING AUTHORITY FOR "DOGS ON THE BEACH" PERMITS; PROVIDING FOR AN INCREASE IN FEES; PROVIDING FOR REPLACEMENT TAGS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Walton County Tax Collector wishes to terminate the issuance of the Dogs on the Beach permits by her office; and

WHEREAS, the Walton County Board of County Commissioners ("Board") finds that it is in the best interest of the health, safety, and the general welfare of the public to designate an issuing authority for Dogs on the Beach permits.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, Florida, as follows:

Section 1. Authority, purpose and intent.

This ordinance is adopted pursuant to Section 125.01, Florida Statutes.

Section 2. Section 5-34 of the Walton County Code is amended to read:

Section 5-34. Dogs on the beach.

(a) All dogs shall be prohibited from public beaches of Walton County except as provided below:

- (1) Dogs assisting those who are sight and hearing impaired or service animals; or
- (2) Dogs owned by Walton County real property owners or permanent residents who have obtained a permit and who maintain the dog on a leash. Proof of real property ownership or Walton County residency is required (such as deed, driver's license, tax receipt, utility bill, lease agreement, or voter's registration showing address). For property titled in the name of a business, a person must show proof that they own a controlling interest in the property to be considered eligible for a permit (copy of State or other document showing percentage of ownership or list of officers). The permit will allow leashed dogs on the beach between the hours of 4:00 p.m. and 8:00 a.m. of the following day during Daylight Savings Time and between the hours of 3:00 p.m. and 9:00 a.m. of the following day during non-

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Daylight Savings Time. Any Walton County real property owner or permanent resident desiring a permit shall be required to pay a \$40.00 fee, of which \$5.00 will be utilized to help fund the Habitat Conservation Plan. Replacement cost for a lost tag shall be \$10.00. All permits issued shall be for a period of one year and will expire on August 1 of each year with a grace period until August 15 of each year. Proof of rabies vaccination must be presented prior to obtaining a permit.

(3) Owners of dogs shall be responsible for pick up of their dogs' waste.

(4) Permits will be issued by the Board's designee upon receipt of a completed application. If the Board's designee is a constitutional officer, they shall retain \$10.00 (ten dollars) for each tag issued, as a processing fee.

(b) Nothing in this section shall be interpreted to apply to a property owner of the sandy area next to the mean high tide which would interfere with said owner's right to have their own animal on said property.

(c) Nothing in this section shall be interpreted to repeal Ordinances 2005-10 and 2006-08.

Section 3. Severability

In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date


This Ordinance shall become effective when filed with the Secretary of State.

Adopted by the Board of County Commissioners of Walton County, Florida, at a duly advertised public hearing, this 22 day of March, 2011.

Attest:

for 
Martha Ingle
Clerk of Court

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

BY: 
Larry Jones, Chair

