

**ORDINANCE
2009-14**

An Ordinance amending Walton County Ordinance 2008-24 and section 5-34 of the Walton County Code to provide clarification of proof of residency to obtain permits to allow dogs on the beach; providing for severability; and providing for an effective date.

WHEREAS, the Walton County Tax Collector issues permits to allow dogs on the beach;

WHEREAS, the Walton County Tax Collector desires clear guidance of who is eligible to obtain such permits;

WHEREAS, the Walton County Board of County Commissioners finds that it is in the interest of the public health, safety, and the general welfare of the public to require owners to maintain direct control of dogs in the County;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners to adopt the following:

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 animal 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-Daylight Savings Time. Any Walton County real property owner or permanent

resident desiring a permit shall be required to pay a \$30.00 fee. 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) The Walton County Tax Collector will issue the permits upon receipt of a completed application. The Walton County Tax Collector shall retain \$5.00 (five dollars) 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

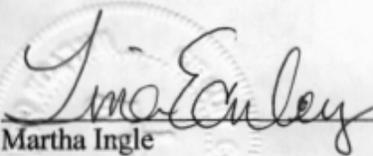
In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

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 8th day of September, 2009.

Attest:


for Martha Ingle
Clerk of Court

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

BY: 
Sara Comander, Chair