

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NUMBER 1072

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING SECTION 17.12, CONSUMPTION AND SALE OF ALCOHOLIC BEVERAGES WITHIN MARTIN COUNTY PARKS, OF THE GENERAL ORDINANCES, MARTIN COUNTY CODE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, the Board of County Commissioners of Martin County is authorized pursuant to Sections 1 and 6 of Article VIII, Constitution of the State of Florida, and Chapter 125, Florida Statutes, to adopt ordinances; and

WHEREAS, the Board has determined it is appropriate to update its Code of Ordinances from time to time to address current trends, State laws and outdated information; and

WHEREAS, the Board has determined it should be clear that the County has the authority to regulate and permit specific activities to protect the public health, safety and welfare; and

WHEREAS, the Board has determined it is appropriate to update and regulate alcohol in County Parks; and

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

PART ONE: EXISTING SECTION 17.12, CONSUMPTION AND SALE OF ALCOHOLIC BEVERAGES WITHIN MARTIN COUNTY PARKS, GENERAL ORDINANCES, MARTIN COUNTY CODE, SHALL BE AMENDED AS FOLLOWS:

Sec. 17.12. - Consumption and sale of alcoholic beverages within Martin County parks.

17.12.A. Consumption of alcoholic beverages in County parks is allowed under the following conditions:

1. Consumption of alcoholic beverages is only allowed during the hours the park is open to use by the public.
2. Consumption of alcoholic beverages is only allowed in pavilions, play areas, athletic facilities, and parking lots with an approved permit issued by the County.
3. Consumption of alcoholic beverages is prohibited in restroom facilities.

4. Consumption of alcoholic beverages at Sailfish Splash Waterpark is only allowed with an approved permit issued by the County and limited to when the park is closed to use by the public, only within buildings or on the deck areas, and only when all pools or other water features are closed to any use by anyone including those attending, conducting, or participating in the event.

5. Consumption of alcoholic beverages at beach parks is prohibited west of the coastal dune line except by permit or if purchased from and consumed on premises of a permanent concession facility located at that beach park.

17.12.B. Sale of alcoholic beverages in County parks is allowed for special events with an approved permit issued by the County, provided that:

1. The sale of alcoholic beverages is restricted to a County approved vendor licensed to sell alcohol for the event; or
2. The sale of alcoholic beverages is restricted by permit from the State of Florida, Department of Business and Professional Regulation, Department of Alcoholic Beverages for events and activities.
3. Glass containers may be allowed during permitted special events only if approved as part of the permit.

PART TWO: CONFLICTING PROVISIONS.

Special acts of the Florida legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART THREE: SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any other person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

PART FOUR: APPLICABILITY.

This ordinance shall be applicable in the unincorporated area of Martin County.

PART FIVE: FILING WITH THE DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART SIX: EFFECTIVE DATE.

This ordinance is effective upon filing with the Department of State.


PART SEVEN: CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article" or other appropriate word, and the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that parts two through seven shall not be codified.

DULY PASSED AND ADOPTED THIS 10TH DAY OF JULY, 2018:

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA


CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL
SUFFICIENCY:


SARAH W. WOODS, COUNTY ATTORNEY



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 19, 2018

Ms. Carolyn Timmann
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1072, which was filed in this office on July 19, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

Notice Of Filing

Stuart, Florida 34995
Telephone: (772) 287-1745
Facsimile: (772) 287-8045
Email: jpc@reblawpa.com

By:
John P. Carrigan, Esquire
Florida Bar No.: 68439
Pub: June 25 and July 2, 2018

Wheels/Recreation
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Notice To Creditors
IN THE CIRCUIT COURT FOR
ST. LUCIE COUNTY, FLORIDA
PROBATE DIVISION
File No. 2018CP000678
Division Probate

**IN RE: ESTATE OF
ALBERT ROBERT DEVLIN a/k/a
ALBERT R. DEVLIN
Deceased.**

NOTICE TO CREDITORS

The administration of the
estate of Albert Robert Devlin

deceased, whose date of death was April 14, 2018, is pending in the Circuit Court for St. Lucie County, Florida, Probate Division, the address of which is 201 South Indian River Drive, Building B, 3rd Floor, Fort Pierce, Florida 34950. The names and addresses of the co-personal representative

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their

claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent are notified that creditors of the decedent who do not file claims with this court will not be permitted to participate in the distribution of the estate of the decedent.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said court, this 14th day of May, 1996.

 Clerk of the Court

ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET

NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is June 25, 2018.

Attorney for co-Personal Representatives:
Anthony W. Palma, Esq.
Florida Bar No. 0351865
Brand and Cassel, LLP
390 North Orange Avenue

Suite 1400
Orlando, Florida 32801
(407) 839-4200
apaima@broadandcassel.
com;
hford@broadandcassel.com

Co-Personal Representatives:

Dr. John M. Ford

CE OF HEARING

at the Board of County
County will conduct a

0, 2018 to consider the
e related to the Martin
es. The hearing will be
County Administrative
ission Room, 2401 S.E.
lorida, at 9:00 am or as
m may be heard.

ordinance is:

**MARTIN COUNTY, FLORIDA
ON 17.12, CONSUMPTION
COHOLIC BEVERAGES
ITY PARKS, OF THE
S. MARTIN COUNTY**

CONFLICTING PROVISIONS AND APPLICABILITY; WITH THE DEPARTMENT OF JUSTICE FOR AN EFFECTIVE DATE.

item will be available
ation Department. Per-
need an accommoda-
in this proceeding are
the provision of certain
not include transporta-
teting. Please contact
Administrator at (772)

401 SE Monterey Road, than three days before ns using a TDD device, elay Services. Written d to Mark Lynch, Depu- y Parks and Recreation onterey Road, Stuart, a information, contact

Director, Martin County
Department, at (772) 221-
mlynch@martin.fl.us).

TCN 2045284

FCR 2040254