

ORDINANCE

WHEREAS, the Board of County Commissioners of Walton County, Florida has been requested by citizens of the Choctaw Beach area to adopt an Ordinance regulating the use of public streets by horses and horseback riders, and

WHEREAS, the Board of County Commissioners has held a public hearing as required by law, and

WHEREAS, as a result of said hearing the Board is of the opinion that a danger does exist to the citizens of the area during certain hours, and

WHEREAS, the Board feels that adoption of an ordinance which would prohibit horseback riding from sundown to sunrise within the Chipawa, Cherokee, Choctaw, and Chickasaw subdivision in Walton County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, Florida, that the following ordinance be adopted:

TITLE

This Ordinance shall be known as the CHOCTAW BEACH HORSEBACK RIDING Ordinance.

SECTION 1. DEFINITIONS

"Owner" - The term "owner" as used in this Ordinance shall mean any person owning, harboring, or keeping any horse as defined herein.

"Horse" - The term "horse" as used in this Ordinance shall also include burros, donkeys, mules, or other equines.

"Equestrian" - The term "Equestrian" as used herein shall mean those persons riding, leading, or controlling horses upon the public right-of-ways within the area defined herein.

"Area" - The term "Area" as used herein shall mean the land within the Choctaw, Chipawa, Cherokee, and Chickasaw subdivisions in Walton County, Florida.

SECTION 2. HORSEBACK RIDING

It shall be unlawful for any owner or Equestrian to ride horses upon the public right-of-ways defined herein during the hours between sunset and sunrise.

SECTION 3. PENALTIES FOR VIOLATION OF ORDINANCE

Any person violating or deemed in violation of any of the provisions of this Ordinance, if not otherwise provided, shall be guilty of a misdemeanor and punished by a fine of not more than \$500 and/or imprisonment in the county jail for not more than sixty (60) days. Each day or fraction thereof the violation continues shall be considered as a separate offense.

Any person violating or deemed to be in violation of any of the provisions of this Ordinance shall also be subject to an injunction enjoining the continued violation of this Ordinance.

SECTION 4. DUTY TO ENFORCE

It is hereby declared to be the duty of the Sheriff's Department of Walton County, Florida, its deputies and agents, to strictly enforce the provisions of this Ordinance.

SECTION 5. CODIFICATION

It is the intention of the Board of County Commissioners and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Walton County, Florida.

SECTION 6. LAWS IN CONFLICT HEREWITH

All Special Laws, Laws of Florida, not in conflict with this Ordinance, applying to and within the County, and general laws applying only to this County, and any general law which the Board of County Commissioners is specifically authorized by Article VIII of the Florida Constitution to supersede, nullify or amend, or any part of such Ordinance, Ordinance, Resolutions or laws, in conflict with any provision of this Ordinance are hereby repealed.

SECTION 7. SEVERABILITY

If any Section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

SECTION 8. EFFECTIVE DATE

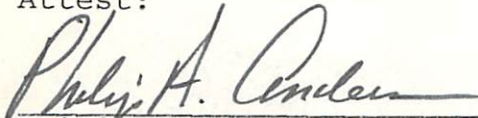
Provisions of this Ordinance shall be effective upon receipt from the Florida Department of State of official acknowledgment that this Ordinance has been filed with the Department of State.

ADOPTED THIS 11<sup>th</sup> day of March, 1975.

BOARD OF COUNTY COMMISSIONERS  
OF WALTON COUNTY, FLORIDA

  
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Hughie Infinger, Chairman

Attest:

  
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Philip A. Anderson, Clerk