

LIBERTY COUNTY, FLORIDA
ORDINANCE NO. 4

AN ORDINANCE CREATING THE LAKE MYSTIC RECREATIONAL DISTRICT; CREATING THE LAKE MYSTIC RECREATIONAL BOARD; PROVIDING FOR MEMBERSHIP; PROVIDING THE POWERS AND DUTIES OF THE RECREATIONAL BOARD; AND PROVIDING AN EFFECTIVE DATE:

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR LIBERTY COUNTY.

SECTION ONE:

This Ordinance is adopted pursuant to Chapter 73-539, Laws of Florida 1973. The Board of County Commissioners of Liberty County, Florida has found and determined that it is in the interest of Liberty County that the goals sought to be accomplished by Chapter 73-539 be accomplished by a County ordinance and because of the time limitation, the same shall be accomplished by an emergency ordinance.

SECTION TWO:

The purpose of this Ordinance is to accomplish the coordinated balance and harmonious development of the Lake Mystic Recreational District in accordance with existing and future needs; to promote the health, safety and general welfare of the area and its inhabitants, visitors and property owners, to establish, maintain and preserve aesthetic values and preserve and foster the development and display of attractiveness and prevent the destruction of natural beauty.

SECTION THREE:

There is hereby created the "Lake Mystic Recreational District"; which shall encompass Lake Mystic and an area surrounding Lake Mystic for a distance of six hundred (600) feet from the mean high water line of the same or to State Road 12 A whichever is less, both located in Liberty County, Florida.

SECTION FOUR:

The District shall be governed by a Board to be called the Lake Mystic Recreational Board. The Board shall be composed of five (5) persons elected by a majority of the property owners at a meeting of the property owners duly notified in writing at least fourteen (14) days prior to the meeting. Each property

owner of record of the Lake Mystic Recreational District shall have the right to only one (1) vote regardless of the number of lots owned by such owner.

SECTION FIVE:

The powers and duties of the Lake Mystic Recreational Board shall be limited to water safety, water pollution and construction on the inside "water side" of the mean high water line of Lake Mystic. The Board shall prepare and maintain on a current basis an analysis of the environmental conditions and changes in the Lake Mystic Recreational District, including the effect thereon of such factors as pollution, sanitary and septic tank requirements, dock length requirements and the boat and safety regulations. The Board shall have authority to adopt and enforce rules and regulations pertaining to the specific items mentioned in this paragraph.

SECTION SIX:

- A. No rule, regulation or order, including change, renewal, or extension thereof, shall, in the absence of an emergency, be made by the Board under the provisions of this law, except after a called meeting of the property owners and notice given in such manner and form as may be prescribed by the Board. Such a meeting shall be held at such time, place and in such manner as may be prescribed by the Board, and any person having any interest in the subject matter of the meeting shall be entitled to be heard.
- B. In the event an emergency is found to exist by the Board which in its judgment requires the making, changing, renewal or extension of a rule, regulation or order without first having a meeting, it may do so and such emergency rule, regulation or order shall have the same validity as if a meeting with respect to the same had been held after due notice. The emergency rule, regulation or order permitted by this Section shall remain in force no longer than thirty (30) days from its effective date, and, in any event, it shall expire when the rule, regulation or order made after due notice and meeting with respect to subject matter of such emergency rule, regulation or order becomes effective.

- C. All rules, regulations or orders made by the Board shall be in writing and shall be entered in full in a record to be kept for such purpose by the Board, which record shall be a public record and open to inspection at all reasonable times. A certified copy of such rule, regulation or order shall be received in evidence in all courts of this State with the same effect as the original thereof. A certified copy of such rule, regulation or order shall be placed on file in the office of the Clerk of the Circuit Court of Liberty County, Florida.
- D. The rules, regulations and orders of the Board may be enforced by mandatory injunction, or other appropriate actions in the courts of the State.

SECTION SEVEN:

Any three (3) individual property owners within the District shall have the right to have the Board to call a meeting for the purpose of taking action in respect to any matter within the jurisdiction of the Board by making a request therefor in writing. Upon the receipt of such request, the Board shall promptly call a hearing thereon, and, after such hearing and with all convenient speed and, in any event, within thirty (30) days after the conclusion of such hearing, shall take such action with regard to the subject matter thereof as it may deem appropriate.

SECTION EIGHT:

This ordinance shall take effect as provided by law.

Passed in special session of the Board of County Commissioners of Liberty County, Florida as an emergency ordinance this 20th day of August 1973 by a vote of 4 yeas and 1 nays.

Tony N. Grantham
Chairman, Board of County Commissioners
Liberty County, Florida

ATTEST:

[Signature]
Clerk of Circuit Court
Liberty County, Florida