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ORDINANCE NO. 2006-1

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AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE COUNTY CODE OF ORDINANCES BY CREATING ARTICLE III, CHAPTER 82 OF SAID CODE ENTITLED "RULES RELATING TO CONSERVATION LANDS" BY CREATING SECTION 82-40 OF SAID CODE, PROVIDING FOR PURPOSE AND INTENT; BY CREATING SECTION 82-41 OF SAID CODE, PROVIDING FOR APPLICABILITY; BY CREATING SECTION 82-42 OF SAID CODE, PROVIDING FOR DEFINITIONS; BY CREATING SECTION 82-43 OF SAID CODE, PROVIDING FOR GENERAL PROVISIONS FOR PUBLIC ACCESS TO CONSERVATION LANDS; BY CREATING SECTION 82-44 OF SAID CODE, PROVIDING FOR CLOSURE OF, AND RESTRICTIONS OF PUBLIC ACCESS, TO CONSERVATION LANDS; BY CREATING SECTION 82-45 OF SAID CODE, PROVIDING FOR CAMPING; BY CREATING SECTION 82-46 OF SAID CODE, PROVIDING FOR HIKING, EQUESTRIAN AND BICYCLING; BY CREATING SECTION 82-47 OF SAID CODE, PROVIDING FOR SWIMMING; BY CREATING SECTION 82-48 OF SAID CODE, PROVIDING FOR HUNTING, TRAPPING AND FISHING; BY CREATING SECTION 82-49 OF SAID CODE, PROVIDING FOR MOTOR VEHICLES; BY CREATING SECTION 82-50 OF SAID CODE, PROVIDING FOR BOATS AND AIRCRAFT; BY CREATING SECTION 82-51 OF SAID CODE, PROVIDING FOR FIREARMS AND SIMILAR EQUIPMENT; BY CREATING SECTION 82-52 OF SAID CODE, PROVIDING FOR FIRE; BY CREATING SECTION 82-53 OF SAID CODE, PROVIDING FOR ANIMALS; BY CREATING SECTION 82-54 OF SAID CODE, PROVIDING FOR ANIMAL OR PLANT REMOVAL, DESTRUCTION OR HARASSMENT; BY CREATING SECTION 82-55 OF SAID CODE, PROVIDING FOR INTRODUCTION OF PLANTS AND ANIMALS; BY CREATING SECTION 82-56 OF SAID CODE, PROVIDING FOR REMOVAL, ALTERATION, OR DESTRUCTION OF ARCHAEOLOGICAL OR HISTORIC SITES; BY CREATING SECTION 82-57 OF SAID CODE, PROVIDING FOR DISPOSAL OR DISCHARGE OF WASTE; BY CREATING SECTION 82-58 OF SAID CODE, PROVIDING FOR POSTING OR DISTRIBUTING BILLS; BY CREATING SECTION 82-59 OF SAID CODE, PROVIDING FOR CONSUMPTION OF ALCOHOL; BY CREATING SECTION 82-60 OF SAID CODE, PROVIDING FOR FACILITIES, STRUCTURES, AND

1 EQUIPMENT; BY CREATING SECTION 82-61 OF SAID
2 CODE, PROVIDING FOR LEASES; BY CREATING SECTION
3 82-62 OF SAID CODE, PROVIDING FOR COMMERCIAL
4 USE(S); BY CREATING SECTION 82-63 OF SAID CODE,
5 PROVIDING FOR NECESSITY FOR A SPECIAL USE
6 AUTHORIZATION; BY CREATING SECTION 82-64 OF SAID
7 CODE, PROVIDING FOR SPECIAL USE AUTHORIZATION
8 PROCEDURES; PROVIDING FOR, EXCEPT AS AMENDED
9 HEREIN, THE PROVISIONS OF THE CODE OF
10 ORDINANCES OF THE COUNTY OF VOLUSIA REMAIN IN
11 FULL FORCE AND EFFECT; PROVIDING FOR AN
12 AUTHORIZATION OF INCLUSION IN CODE; PROVIDING
13 FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE
14 DATE.

15
16 BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS
17 FOLLOWS:

18
19 (All new language)

20
21 **SECTION 1:** Article III, Chapter 82, The Code of Ordinances of the County of
22 Volusia is created to read as follows:

23
24 **ARTICLE III:** Rules Relating to Conservation Lands.

25
26 **SECTION 2:** Section 82-40 of The Code of Ordinances of the County of Volusia is
27 created to read as follows:

28
29 **SECTION 82-40. Purpose and Intent.**

30
31 The purpose and intent of this Ordinance is to provide uniform
32 requirements and procedures for public access and recreational
33 use of certain conservation lands.

34
35 **SECTION 3:** Section 82-41 of The Code of Ordinances of the County of Volusia is
36 created to read as follows:

37
38 **SECTION 82-41. Applicability.**

39
40 The provisions of this Ordinance shall not apply to:

41
42 (a) any governmentally initiated or sponsored land management,
43 educational, or public activity, and/or

1 (b) the extent it conflicts with the provisions of any intergovernmental
2 management agreement between the County and another
3 governmental entity (including, but not limited to the St. Johns River
4 Water Management District, the Florida Department of
5 Environmental Protection, the Florida Communities Trust, and the
6 Florida Fish and Wildlife Conservation Commission) for the
7 acquisition or management of Conservation lands.
8

9 **SECTION 4:** Section 82-42 of The Code of Ordinance of the County of Volusia is
10 created to read as follows:

11 **SECTION 82-42. Definitions.**

12 **Archaeological or Historic Site.** That as defined in Section 62-1, “Code
13 of Ordinances, County of Volusia County”.

14 **Camping.** To live briefly outdoors with or without temporary shelters,
15 such as tents.
16

17 **Camping, Individual.** Camping by six or less individuals.
18

19 **Camping, Group.** Camping by more than six individuals.
20

21 **Campfire.** An outdoor fire in a camp used for cooking, warmth or
22 pleasure.
23

24 **Conservation Land.** Land which the Division of Land Acquisition and
25 Management has the sole or primary responsibility for managing.
26

27 **County.** The County of Volusia, Florida.
28

29 **Director.** The Director of Land Acquisition and Management or his/ her
30 designee.
31

32 **Division.** The Division of Land Acquisition and Management of the
33 County’s Department of Growth and Resource Management.
34

35 **Land.** “Land” is intended to refer to water or wetland as well as to the
36 solid surface of the earth.
37

38 **Mobility-impaired Person.** A person described by one or more of the
39 following; paraplegic, hemiplegic, quadriplegic, permanently dependent
40 upon a wheelchair for ambulation, permanently required to use assisting
41 aids to walk, permanently required to use braces or prosthesis on both
42 legs, and/or complete single-leg amputation.
43
44
45

1
2 **Off-Highway Vehicle.** A vehicle as defined by Florida Statute.

3
4 **Resource-based.** A use, recreational or educational, that is dependent
5 upon natural resources for its occurrence.

6
7 **Special Use Authorization.** The granting of a privilege to go on or use
8 conservation land for certain purpose which does not confer any property
9 or possessory interest to the user.

10
11
12 **SECTION 5:** Section 82-43 of The Code of Ordinances of the County of Volusia is
13 created to read as follows:

14
15 **SECTION 82-43. General Provisions for Public Access to**
16 **Conservation lands.**

17
18 Conservation lands shall be open to the public for access on foot, except
19 where otherwise restricted or otherwise provided herein.

20
21 Public access to conservation lands shall be only at entry points
22 designated by signs.

23
24 Public access to conservation lands, or portions thereof, may be
25 restricted. The manner of which may include, but may not be limited to,
26 restricting access to certain hours of the day, days of the week, or months
27 of the year.

28
29 **SECTION 6:** Section 82-44 of The Code of Ordinances of the County of Volusia is
30 created to read as follows:

31
32 **SECTION 82-44. Closure of, and Restrictions of Public Access to,**
33 **Conservation lands.**

34
35 (1) Conservation lands, or portions thereof, shall be closed, at the sole
36 discretion of the Division, to public access and use:

37
38 (a) when such action is necessary to protect the water, natural or
39 cultural resources of such lands.

40 (b) during emergency conditions such as, but not limited to, floods,
41 severe weather, wildfires, or other events or conditions that
42 may present a danger to the public.

43 (c) in areas undergoing construction, prescribed burning,
44 restoration, or other land management activities where

- 1 necessary to protect the site or where these activities may
2 present a danger to the public.
3 (d) during certain hours or for certain periods of time, when such
4 closure is necessary to implement the land management
5 requirements for such lands.
6 (e) when necessary to conduct research, studies or data
7 collection.
8 (f) pursuant to any agreements or permits.

- 9
10 (2) The Division shall provide notice by signs when conservation lands,
11 or portions thereof, are closed for public access and use.
12
13

14 **SECTION 7:** Section 82-45 of The Code of Ordinances of the County of Volusia is
15 created to read as follows:

16 **SECTION 82-45. Camping.**

- 17
18 (1) Individual camping is allowed on conservation lands only at a
19 designated camping site.
20
21 (2) Group camping shall occur only at designated camping sites. All
22 group camping shall require the issuance of a Special Use
23 Authorization.
24
25 (3) Except where a mobility impaired person has been granted a
26 Special Use Authorization, camping using a motor vehicle is
27 prohibited.
28
29 (4) The length of stay for camping authorized by this section shall be
30 no greater than seven continuous days or 30 total days per year
31 per identified Conservation land.
32
33

34 **SECTION 8:** Section 82-46 of The Code of Ordinances of the County of Volusia is
35 created to read as follows:

36 **SECTION 82-46. Hiking, Equestrian, and Bicycling.**

37 Hiking is allowed on conservation lands, except in areas restricted by
38 signs or as otherwise provided herein. For the purposes of this
39 subsection, hiking shall include jogging, bird watching, or any other activity
40 where travel is by foot only and does not involve another activity described
41 in this Ordinance.
42
43
44

1 Horseback riding is allowed on conservation lands only on designated
2 trails or areas, established roads, and fire lines except where restricted by
3 signs or as otherwise provided herein.

4
5 Bicycling is allowed on conservation lands only on designated trails or
6 areas, established roads, and fire lines, except where restricted by signs
7 or as otherwise provided herein.

8
9 **SECTION 9:** Section 82-47 of The Code of Ordinances of the County of Volusia is
10 created to read as follows:

11
12 **SECTION 82-47. Swimming.**

13
14 Swimming is prohibited on all conservation lands, except in areas
15 designated by signs or as otherwise provided herein. Swimming shall be
16 at his/her own risk. No ropes, swings, or similar devices may be
17 constructed or used on conservation lands. Diving from the banks of a
18 waterway or waterbody or from trees is prohibited.

19
20 **SECTION 10:** Section 82-48 of The Code of Ordinances of the County of Volusia is
21 created to read as follows:

22
23 **SECTION 82-48. Hunting, Trapping, and Fishing**

24
25 (1) Hunting is prohibited except for those conservation lands where the
26 use is provided for by the management plan and prior approval has
27 been granted by the Division. The Division will determine the type,
28 duration, and area of hunting that may be allowed on conservation
29 lands. Hunting stands and other items shall not be affixed to trees
30 using nails, screws, or similar fasteners. Portable stands are
31 permitted, but must be removed upon termination of the hunting
32 activity. Hunting shall be conducted pursuant to Florida Law and
33 the rules and regulations of the Florida Fish and Wildlife
34 Conservation Commission.

35
36 (2) Trapping is prohibited on all Conservation lands except where
37 conducted as part of a scientific study or the purposes of removing
38 nuisance species pursuant to the rules and regulations adopted by
39 the Florida Fish and Wildlife Conservation Commission.

40
41 (3) Commercial fishing is prohibited on all Conservation lands.
42 Recreational fishing is allowed on Conservation lands, except
43 where specifically restricted by signs, or as otherwise provided
44 herein. Fishing shall be conducted pursuant to the rules and
45 regulations adopted by the Florida Fish and Wildlife Conservation
46 Commission.

1
2 **SECTION 11:** Section 82-49 of The Code of Ordinances of the County of Volusia is
3 created to read as follows:

4
5 **SECTION 82-49. Motor Vehicles.**

- 6
7 (1) Motor vehicles that are not licensed for highway use, including “Off-
8 Highway Vehicles”, are prohibited except:
9
10 (a) where necessary to provide access for mobility impaired
11 persons to a designated campsite; however, use of an
12 unlicensed motor vehicle is prohibited from one hour after
13 sunset to one hour before sunrise; or
14 (b) an organized activity involving the use of unlicensed motor
15 vehicles through the issuance of a Special Use Authorization.
16
17 (2) Motor vehicles licensed for highway use are allowed on
18 Conservation lands provided that:
19 (a) said vehicles shall be operated by licensed drivers only on
20 roads designated as open for motor vehicles; and
21 (b) said vehicles shall not exceed any posted speed limits. In the
22 absence of any posted speed limits, the speed limit on
23 Conservation lands shall be 10 miles per hour.
24
25 (3) “Swampbuggies” and similar vehicles are prohibited on all
26 Conservation lands.
27
28 (4) Except as may be necessary to accommodate access by mobility
29 impaired persons to a designated campsite or other officially
30 established amenity, motor vehicles shall only be parked in
31 designated areas. No person shall park any vehicle in a manner
32 that obstructs a road, gate, or firelane/fireline.
33

34 **SECTION 12:** Section 82-50 of The Code of Ordinances of the County of Volusia is
35 created to read as follows:

36
37 **SECTION 82-50. Boats and Aircraft.**

- 38
39 (1) Boating may be allowed on conservation lands subject to the
40 following:
41 (a) Boats shall not be operated in a manner that would damage
42 any structure, plants, animals or other resources.
43 (b) Boating use shall be limited to areas indicated in the land
44 management plan.
45 (c) Boating may be limited by engine horsepower, speed, and
46 vessel type as necessary for public safety, resource protection

1 and enjoyment or protection of County structures or
2 equipment.

3 (d) Boats shall be launched and recovered only from authorized
4 areas.

5
6 For the purposes of this section, the term “boating” includes
7 motorboats, personal watercraft, sailboats, canoes and other
8 recreational vessels.

9
10 (2) Taking off or landing of private aircraft, including seaplanes, on
11 conservation lands is prohibited.

12
13 **SECTION 13:** Section 82-51 of The Code of Ordinances of the County of Volusia is
14 created to read as follows:

15
16 **SECTION 82-51. Firearms and Similar Equipment.**

17
18 The possession or use of firearms or similar equipment on conservation
19 lands is prohibited, except for authorized hunting purposes or as may be
20 allowed by granting of a Special Use Authorization. Firearms and similar
21 equipment includes, but may not be limited to, shotguns, rifles, muzzle
22 loading guns, pistols, revolvers, air guns, gas guns, blow guns, bows,
23 crossbows, spear guns, paintball guns, or other devices capable of
24 mechanically propelling an arrow, spear, or other projectile.

25
26 **SECTION 14:** Section 82-52 of The Code of Ordinances of the County of Volusia is
27 created to read as follows:

28
29 **SECTION 82-52. Fire.**

30
31 Igniting or maintaining a fire on conservation land is prohibited, except for
32 prescribed fires undertaken as part of a land management activity and
33 campfires in designated camping sites.

34
35 Campfires are restricted to the provided container(s), if any, or specified
36 locales within a designated camping site. It is the responsibility of the
37 person(s) using the camping site to ensure that any campfire is thoroughly
38 extinguished prior to departing the camping site.

39
40 Depending upon local conditions, the Division, at its sole discretion, may
41 prohibit the igniting or maintaining of a campfire.

1 **SECTION 15:** Section 82-53 of The Code of Ordinances of the County of Volusia is
2 created to read as follows:

3
4 **SECTION 82-53. Animals.**

5
6 Pets are allowed on conservation lands provided that they must be
7 leashed at all times. Dogs are allowed unleashed on Conservation lands
8 if they are specifically authorized as part of an approved hunting program
9 or approved as a Special Use.

10
11 **SECTION 16:** Section 82-54 of The Code of Ordinances of the County of Volusia is
12 created to read as follows:

13
14 **SECTION 82-54. Animal or Plant Removal, Destruction, or**
15 **Harassment.**

16
17 No person may remove, damage, destroy, or harass any animal or plant
18 on conservation lands, except for any governmentally initiated land
19 management activities or taken as part of any hunting, fishing, or research
20 activity herein authorized.

21
22 **SECTION 17:** Section 82-55 of The Code of Ordinances of the County of Volusia is
23 created to read as follows:

24
25 **SECTION 82-55. Introduction of Plants and Animals.**

26
27 No person may introduce any plant or animal to conservation lands,
28 unless done pursuant to a County initiated land management activity.

29
30 **SECTION 18:** Section 82-56 of The Code of Ordinances of the County of Volusia is
31 created to read as follows:

32
33 **SECTION 82-56. Removal, Alteration, or Destruction of**
34 **Archaeological or Historic Sites.**

35
36 (1) All archaeological and historic sites on conservation lands are
37 protected. Removal, alteration or destruction of archaeological or
38 historic sites shall be conducted consistent with the appropriate
39 State and County rules and regulations.

1 (2) Any person discovering an archaeological or historic site on
2 conservation lands shall immediately notify the Division of such
3 discovery.

4
5 **SECTION 19:** Section 82-57 of The Code of Ordinances of the County of Volusia is
6 created to read as follows:

7
8 **SECTION 82-57. Disposal or Discharge of Waste.**

9
10 The disposal or discharge of any waste, refuse, or trash outside of
11 designated waste collection facilities is prohibited on all conservation
12 lands. The disposal of oil, gasoline or other hazardous substance is
13 prohibited on all conservation lands.

14
15 **SECTION 20:** Section 82-58 of The Code of Ordinances of the County of Volusia is
16 created to read as follows:

17
18 **SECTION 82-58. Posting or Distributing Bills.**

19
20 Distributing any handbills or circulars, or posting, placing, or erecting any
21 bills, notices, papers, signs or advertising devices or informational matter
22 of any kind, excluding governmental notices, is prohibited on all
23 conservation lands.

24
25 **SECTION 21:** Section 82-59 of The Code of Ordinances of the County of Volusia is
26 created to read as follows:

27
28 **SECTION 82-59. Consumption of Alcohol.**

29
30 The consumption of alcohol, consistent with applicable State law, may be
31 restricted or prohibited on individual conservation lands, or portions
32 thereof, by the posting of signs.

33
34 **SECTION 22:** Section 82-60 of The Code of Ordinances of the County of Volusia is
35 created to read as follows:

36
37 **SECTION 82-60. Facilities, Structures, and Equipment.**

38
39 (1) Constructing or erecting any permanent facility or structure
40 (including fencing) is prohibited on all conservation lands unless
41 authorized by a lease, contract with the County, or Special Use.
42

1 (2) Unauthorized facilities or structures located on conservation lands
2 shall be processed according to the following procedure:

3
4 (a) Upon discovery of an unauthorized facility or structure, the
5 Division shall post a notice on such facility or structure for a
6 period of five (5) days informing the owner that such facility or
7 structure is not authorized and that the owner must remove
8 such facility or structure. The Division shall also mail notice, by
9 certified mail, to the owner, if known, of the unauthorized
10 facility or structure. Said mailing shall occur on the date upon
11 which notice was posted upon the unauthorized facility or
12 structure.

13 (b) The owner of an unauthorized facility or structure shall remove
14 such facility or structure within five (5) days after the posting
15 and mailing, if performed, of the notice.

16 (c) If the owner of the unauthorized facility or structure fails to
17 remove such facility or structure within five (5) days after
18 posting and mailing, if performed, of the notice, the Division
19 shall remove such facility or structure from the Conservation
20 land or claim such facility or structure as County property.

21
22 (3) The unauthorized destruction, removal, or alteration of any County
23 owned structures, facilities, or equipment is prohibited on all
24 Conservation lands.

25
26 **SECTION 23:** Section 82-61 of The Code of Ordinances of the County of Volusia is
27 created to read as follows:

28 **SECTION 82-61. Leases.**

29
30
31 (1) A lease may be granted when the purpose of the lease is
32 consistent with the land management plan for such conservation
33 land or to allow persons to reside on conservation lands for the
34 purposes of providing security, assistance in management of the
35 land, or furthering any special or extenuating circumstances
36 associated with acquisition of the land. The Division shall review
37 proposed leases for consistency with the applicable management
38 plan. A person may apply for a lease by contacting the Division.

39
40 (2) A proposed lease shall be reviewed and processed by the County
41 in accordance with the appropriate established procedures.

42
43 (3) Any lease in existence prior to the effective date of this Ordinance
44 shall remain effective until it expires by its own terms or is revoked
45 or cancelled.

1 **SECTION 24:** Section 82-62 of The Code of Ordinances of the County of Volusia is
2 created to read as follows:

3
4 **SECTION 82-62. Commercial Use(s).**

5
6 No person shall offer for sale any article, material, or service, nor place
7 any stand, cart, or vehicle for the transportation, sale, or display of any
8 article, material, or service for sale on any conservation land.

9
10 **SECTION 25:** Section 82-63 of The Code of Ordinances of the County of Volusia is
11 created to read as follows:

12
13 **SECTION 82-63. Necessity for a Special Use Authorization.**

14
15 Use of conservation lands not specifically authorized by this Ordinance is
16 prohibited unless granted a Special Use Authorization, as appropriate to
17 the requested use unless the Director of the Division of Land Acquisition
18 and Management or his designee has determined that the use is
19 customary with conservation lands and that any potential impact(s)
20 typically associated with said use are negligible.

21
22 A Special Use Authorization is applicable for a proposed use that is of
23 short duration (generally less than 30 days, except for research projects or
24 other long-term projects), limited location, and where the requested use
25 does not involve the permanent alteration of any conservation land or the
26 construction of any structure or facility upon any conservation land.

27
28 **SECTION 26:** Section 82-64 of The Code of Ordinances of the County of Volusia is
29 created to read as follows:

30
31 **SECTION 82-64. Special Use Authorization Procedures.**

32
33 (1) The County Council delegates to the Director of the Division of
34 Land Acquisition and Management or designee the authority to
35 issue or revoke a Special Use Authorization pursuant to this
36 section.

37
38 (2) Any person may apply for a Special Use Authorization according to
39 the following procedure:

40
41 (a) Submit a completed application, on a form prepared by the
42 Division, to the Division. Said completed application shall be

1 submitted at least seven (7) days prior to the commencement
2 of the requested use.

3 (b) If the requested use will create a substantial risk of liability to
4 the County, the applicant can mitigate the substantial risk of
5 liability by:

6
7 1. Providing proof of liability and property damage insurance
8 naming the County as an insured in an amount deemed
9 sufficient by the Division to cover the cost of the liability
10 which is posed to the County, or;

11 2. Providing waivers or releases, liability and indemnification
12 sufficient to protect the County, as required by the County's
13 Risk Manager.

14 (c) An application shall be evaluated by Division staff using the
15 following criteria, as appropriate:

16 (i) The requested use is resource-based;

17 (ii) The requested use is consistent with the management
18 plan for the conservation lands involved and will not
19 interfere with the management of the property;

20 (iii) The requested use will not harm the environmental
21 resources of the conservation land;

22 (iv) The requested use will not cause unreasonable
23 expense to the County;

24 (v) The requested use will not create a substantial risk of
25 liability to the County;

26 (vi) The requested use will not harm any works, roads, or
27 County owned facilities or equipment;

28 (vii) The requested use will not interfere with leased or
29 other authorized uses of the land;

30 (viii) The requested use will not interfere with any other use
31 allowed by this Ordinance;

32 (ix) The requested use will not interfere with the public's
33 use of the conservation land;

34 (x) The length of time requested for the use is reasonably
35 related to the proposed use;

36 (xi) The requested use is necessary for the purpose of
37 facilitating access for a mobility impaired person, and

38 (xii) The use is consistent with this Ordinance.

39
40 Division staff may, if necessary, consult with other County staff
41 and/or that of other agencies during review of an application.

42
43 (d) Subsequent to the completion of its review, the Division shall
44 issue a recommendation regarding the application to the
45 Director of the Division or his or her designee.
46

1 (e) If the requested use satisfactorily addresses the appropriate
2 criteria set forth in this Section, the Director or his/her designee
3 shall issue the Special Use Authorization. The Director of the
4 Division or his/her designee shall impose upon any Special
5 Use Authorization issued pursuant to this Ordinance such
6 reasonable conditions as are necessary to assure that the use
7 or activity authorized will meet the criteria set forth in this
8 Ordinance.

9
10 (f) If the requested use does not satisfactorily address the
11 appropriate criteria set forth in this Section, the Director of the
12 Division or his/her designee shall deny the Special Use
13 Authorization.

14
15 (3) Any person receiving a Special Use Authorization from the County
16 must have the Special Use Authorization in his possession at all
17 times while on Conservation lands.

18
19 (4) The Director of the Division or his/her designee shall revoke a
20 Special Use Authorization if the use violates the conditions of the
21 authorization or if the user engages in a non-authorized use.

22
23 (5) A person claiming to be aggrieved by a decision of the Director of
24 the Division or his/her designee with respect to a Special Use
25 Authorization may file a written appeal with the Division. Said
26 appeal shall be filed within ten (10) days of rendition of the decision
27 by the Director of the Division or his/her designee and shall state
28 fully the specific grounds for the appeal and all of the facts relied
29 upon by the petitioner.

30
31 The Director of Growth and Resource Management Department
32 has the sole authority to hear and decide appeals from any Special
33 Use Authorization of the Director or his/her designee. A timely filed
34 appeal to the Director of Growth and Resource Management
35 Department shall stay the Special Use Authorization.

36
37 Upon receipt of the notice of appeal, the Division shall transmit to
38 the Director of Growth and Resource Management Department all
39 documents, plans, papers, applications, recommendations, or other
40 materials relating to the appealed decisions within ten (10) days.
41 The Director of Growth and Resource Management Department
42 may, upon appeal, reverse, affirm or modify any Special Use
43 Authorization issued by the Director of the Division of Land
44 Acquisition and Management or designee.

