

**ORDINANCE NO. 254**

**AN ORDINANCE AMENDING SECTION 1-2 OF THE CODE OF ORDINANCES, CITY OF PORT ST. JOE, FLORIDA, WHICH DEALS WITH DEFINITIONS AND RULES OF CONSTRUCTION, PERTAINING TO DEFINITION OF "PUBLIC PLACE", REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

Section 1-2 of the Code of Ordinances which provides for definitions and rules of construction currently provides for "public place" as follows:

*"Public place.* The term "public place" shall mean any park, cemetery, school yard or open space adjacent thereto and any body of water or stream."

and is hereby amended to provide as follows:

*"Public place.* Public place shall mean any city park, cemetery, school yard, or open space adjacent thereto, streets, rights of way, public playgrounds, public recreational areas or public parks. Notwithstanding any other ordinance, city owned property leased or managed as a commercial enterprise or business shall not be considered a public place, public playground, public recreational area or city or public park.

*Repeal.* All ordinances or parts of ordinances in conflict herewith are hereby repealed.

*Effective date.* This ordinance shall become effective as provided by law.

*Severability.* If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

**THIS ORDINANCE ADOPTED this 19<sup>th</sup> day of January, 1999.**

**CITY OF COMMISSION OF THE CITY  
OF PORT ST. JOE, FLORIDA**

BY:   
Mayor-Commissioner

Attest:   
Auditor/Clerk

The following commissioner voted yea: Mayor Linton, Tharpe, McNair, Barnes & Horton  
The following commissioner voted nay: None