

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; REPEALING ORDINANCE NOS. 78-03 AND 90-07 AND AMENDING CHAPTER 3, ARTICLE II, DIVISION 3 OF THE OKALOOSA COUNTY CODE OF ORDINANCES; AMENDING THE RULES AND REGULATIONS AND MINIMUM STANDARDS FOR THE BOB SIKES AIRPORT AND THE DESTIN EXECUTIVE AIRPORT; AFFIRMING THE AUTHORITY OF THE OKALOOSA COUNTY SHERIFF'S OFFICE TO ENFORCE SUCH RULES AND REGULATIONS AND MINIMUM STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 332.08, Florida Statutes, grants the Board of County Commissioners of Okaloosa County, Florida (the "County" or "Board") the authority to regulate the use of the County's airports; and

WHEREAS, the County owns and operates the Destin Executive Airport ("DTS"), the Bob Sikes Airport ("CEW"), and the Destin-Fort Walton Beach Airport ("VPS"); and

WHEREAS, the County previously promulgated and adopted rules and regulations and minimum standards jointly applicable to DTS and CEW through Ordinance Nos. 78-03 and 90-07; and

WHEREAS, the County's airports system has experienced extraordinary growth since the adoption of said ordinances; and

WHEREAS, the County considers it appropriate to amend the rules and regulations and minimum standards applicable to DTS and CEW to promote the safe, efficient, equitable, and economically beneficial operation of such airports in light of the growth and development of aeronautical operations at each such airport; and

WHEREAS, the County intends to reaffirm the full authority of the Okaloosa County Sheriff's Office (the "Sheriff's Office") to enforce such rules and regulations and minimum standards.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY:

SECTION 1. SHORT TITLE. This Ordinance shall be known as and may be referred to as the "Destin Executive Airport and Bob Sikes Airport Rules and Regulations and Minimum Standards Revision Ordinance."

SECTION 2. REPEAL OF EXISTING RULES AND REGULATIONS AND MINIMUM STANDARDS. Sections 3-81 through 3-93 of the Okaloosa County Code of Ordinances (“County Code”), inclusive, are hereby repealed and replaced by this Ordinance and otherwise reserved.

SECTION 3. ADOPTION OF REVISED RULES AND REGULATIONS. The County hereby adopts the Rules and Regulations for Destin Executive Airport and Bob Sikes Airport (the “Rules and Regulations”) attached hereto as Exhibit A.

SECTION 4. ADOPTION OF REVISED MINIMUM STANDARDS. The County hereby adopts the Minimum Standards for Commercial Aeronautical Activities for Destin Executive Airport and Bob Sikes Airport (the “Minimum Standards”) attached hereto as Exhibit B.

SECTION 5. FURTHER PENALTIES. In addition to being subject to any penalties assessed by the Board pursuant to Section G of the Rules and Regulations, any person violating any of the Rules and Regulations or the Minimum Standards shall, upon conviction thereof, be deemed guilty of committing a misdemeanor and shall be punished by a fine not to exceed \$500.00 or by imprisonment not to exceed 60 days, or by both. Such fine and/or imprisonment shall be at the discretion of the court adjudicating said violation. Nothing in this paragraph shall be interpreted to deprive any person of any of his or her rights to due process, including the right to have any criminal charges adjudicated in a court of law.

SECTION 6. SHERIFF’S AUTHORITY TO ENFORCE. The Sheriff’s Office shall have full authority to enforce the Rules and Regulations and Minimum Standards, and all other applicable laws and regulations, on DTS and CEW, including but not limited to the power to issue citations, conduct arrests, and otherwise remove from any part of DTS or CEW any person.

SECTION 7. CODIFICATION IN THE CODE OF ORDINANCES. It is the intention of the Board and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the County Code and that the sections of this Ordinance may be renumbered to accomplish that intent.

SECTION 8. SEVERABILITY. It is declared to be the intent of the Board that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, then such determination shall not affect the validity of the remaining sections.

SECTION 9. EFFECTIVE DATE. This Ordinance will become effective upon receipt of the notice of its filing with the Office of the Secretary of State.

DULY ADOPTED by the Board of County Commissioners this **18th** day of **June, 2024**.

OKALOOSA COUNTY, FLORIDA

BY: _____

Paul Mixon
Chairman, Board of County Commissioners

Date: _____

ATTEST:

J. D. Peacock, II Clerk of the Court

APPROVED AS TO FORM:

Lynn M. Hoshihara, County Attorney