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THERE WILL BE A REGULAR MEETING OF THE MARINELAND TOWN COMMISSION ON
**MONDAY, OCTOBER 4, 2021 AT 5:30PM AT THE GTM NERR IN THE MAIN CONFERENCE
ROOM.**

Agenda

1. **Call to order: Pledge of Allegiance**
2. **Additions, Deletions and Modifications to the Agenda**
3. **Announcements by the Mayor**
4. **Public Comment:** This time has been allocated for public comment on any item or topic not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.
5. **General Business**
 - i. Resolution 2021-03 Town of Marineland Millage
 - ii. Resolution 2021-04 Town of Marineland Budget
 - iii. Town of Marineland Balloon Ordinance
6. **Adjournment**

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting should contact the (386) 232 - 8060 at least 48 hours prior to the meeting.



RESOLUTION 2021-03

A RESOLUTION OF THE TOWN OF MARINELAND OF FLAGLER COUNTY AND ST. JOHNS COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR MARINELAND FOR FISCAL YEAR 2021-2022, PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Town of Marineland of Flagler County and St. Johns County, Florida, on October 4, 2021, adopted fiscal year 2021-2022 final millage rates following a public hearing as required by Florida Statute 200.065; and

Whereas, the Town of Marineland of Flagler County and St. Johns County, Florida, held a public hearing as required by Florida Statute 200.065; and

Whereas, the gross taxable value for operating purposes not exempt from taxation within Flagler County has been certified by the County Property Appraiser to the Town of Marineland as \$11,893,325.00.

Now, therefore, be it resolved by the Town of Marineland of Flagler County and St. Johns County, Florida, that:

1. The fiscal year 2021-2022 operating millage rate is 10.0000 mills which is less than the rolled-back rate of 12.7134 mills.
2. This resolution shall take effect immediately upon its adoption.

Duly adopted at a public hearing this 4th day of October, 2021.

Time Adopted: _____ PM

Town of Marineland

Attest:

Craig Lenniger, Mayor

Suzanne Dixon, Town Manager



RESOLUTION 2021-03

A RESOLUTION OF THE TOWN OF MARINELAND OF FLAGLER AND ST. JOHNS COUNTIES, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2021-2022, PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Town of Marineland of Flagler and St. Johns Counties, Florida, on October 4, 2021, held a public hearing as required by Florida Statute 200.065; and

Whereas, the Town of Marineland of Flagler County and St. Johns County, Florida, set forth the appropriations and revenue estimate for the budget for fiscal year 2021-2022 in the amount of \$168,434

Now, therefore, be it resolved by the Town of Marineland of Flagler and St. Johns Counties, Florida, that:

1. The fiscal year 2021-2022 budget be adopted.
2. This resolution shall take effect immediately upon its adoption.

Duly adopted at a public hearing the 4th day of October, 2021.

Time Adopted: _____PM

Town of Marineland

Attest:

Craig Lenniger, Mayor

Suzanne Dixon, Town Manager



ORDINANCE NO. 2021-

AN ORDINANCE OF THE TOWN OF MARINELAND, FLORIDA, PROVIDING FOR DISALLOWANCE OF THE INTENTIONAL RELEASE OF HELIUM FILLED BALLOONS WITHIN THE TOWN LIMITS; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF THE TOWN OF MARINELAND; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the release of helium, foil, mylar or "biodegradable" balloons into the atmosphere has a deleterious effect on the environment when the balloons inevitably deflate; and

WHEREAS, these balloons return to our land and to our waterways as litter, they can travel thousands of miles, and create a blight in pristine, remote areas; and

WHEREAS, these balloons, many of which land in rivers, streams, marshes, and the oceans, represent one of the most common and destructive forms of floating garbage to fish and wildlife; and

WHEREAS, even biodegradable balloons can take up to four years to decompose and therefore cause the same injury to animals as non-biodegradable balloons; and

WHEREAS, latex and mylar balloons released outdoors kill countless fish and wildlife that become entangled in the string or attempt to ingest the balloon; and

WHEREAS, expert biologists rate balloons the single most deadly debris to sea birds and third most deadly to sea turtles and marine mammals; and

WHEREAS, Florida has more miles of coastline than any other state in the lower forty-eight and 90% of all nesting sea turtles in the U.S. nest on Florida's beaches; and

WHEREAS, sea turtles ingest balloons, mistaking them for jellyfish thereby threatening and endangering all sea turtles worldwide; and

WHEREAS, mylar balloons can cause power outages when caught on power lines. In Kissimmee, Florida, a total of 4200 homes and businesses have lost power in three separate



incidents of balloons entangling in power lines according to the Kissimmee Utility Authority. Many outages have also occurred in the Florida Keys due to mylar balloons; and

WHEREAS, the Florida Legislature in Florida Statutes section 379.233 found that the release of balloons poses a danger and nuisance to the environment, particularly to wildlife and marine animals; and

WHEREAS, the balloon industry will not be adversely affected since nearly all balloons are purchased for indoor decoration; and

WHEREAS, the Town Commission of the Town of Marineland believes balloon releases should be prohibited to protect the air, land, and waters of the Town; and

WHEREAS, the Town Commission for the Town of Marineland finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION FOR THE TOWN OF MARINELAND, FLORIDA, AS FOLLOWS:

- a) It shall be unlawful for any person to throw, place, deposit or allow to fall or drain into or on any street, lane or alley, or the sidewalks of any street or lane, or the public places of the Town, the peel, rind or covering of any fruit, vegetable or melon, or any garbage, trash, offal, wastepaper, dodger, printed circular, litter sweepings, crustacea or mollusks, including drainage therefrom, or waste of any kind, or to leave thereon or therein an unreasonable time any sink, barrel, box or receptacle for garbage, slop water or waste of any kind, liquid or solid.
- b) It shall be unlawful for any person, group, or corporation to intentionally release any helium or lighter-than-air gas filled balloons into the air within the Town limits except for:
 1. Balloons released by a person on behalf of an educational institution, governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
- c) Offenses under this section shall be punishable as a civil infraction with a penalty of no more than one hundred dollars (\$100.00) per violation.

Section 2. Inclusion in Code. The Town Commission intends that the provisions of this Ordinance shall become and shall be made part of the Code of the Town of Marineland, that the sections of this Ordinance may be re-numbered or re-lettered and



that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. In the event that any section, subsection, sentence, clause, phrase, word, term or provision of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly invalid, unconstitutional or unenforceable or involved for any reason whatsoever, any such invalidity, unconstitutionality, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, unconstitutional, illegal, or unenforceable section, subsection, sentence, clause, phrase, word, term or provision did not exist.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes.

PASSED by the Town Commission of the Town of Marineland, Florida, this 4th Day of October, 2021.

ATTEST:

Craig Lenniger - Mayor

Brandon Mellin – Town Clerk

Dennis Bayer – Town Attorney