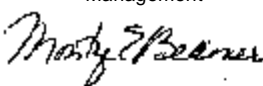
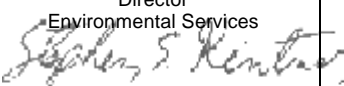
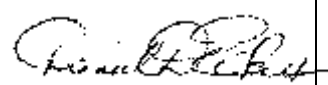
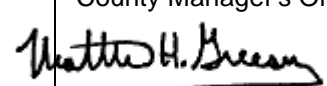


March 18, 2004		AGENDA ITEM		Item 49A
<input type="checkbox"/> Ordinance		<input checked="" type="checkbox"/> Resolution		<input type="checkbox"/> Budget Resolution
<input type="checkbox"/> Other				
Department: Growth and Resource Management		File Number: VC-1079103474765-A		
Division: Environmental Services				
Subject: Resolution supporting beach driving				
Account Number(s): N/A				
Total Item Budget: N/A				
Staff Contact(s): Stephen Kintner Phone: (386)736-5927 ext. 5851				
Summary/Highlights: At the March 11, 2004 joint Volusia County Council and City of New Smyrna Beach City Commission workshop, the City Commission requested that the County Council adopt a resolution supporting beach driving.				
Recommended Motion: Authorize the Chairman of the County Council to sign the resolution of support for beach driving as read.				
Montye Beamer Director Growth and Resource Management  Steve Kintner Director Environmental Services 	OMB Approved as to Budget Requirements	Legal  Approved as to Form and Legality	Matt Greeson County Manager's Office  Approved Agenda Item For: March 18, 2004	
Council Action:		Modification:		
<input type="checkbox"/> Approved as Recommended <input type="checkbox"/> Approved With Modifications <input type="checkbox"/> Disapproved <input type="checkbox"/> Continued Date:				

RESOLUTION NO. 2004-_____

**A RESOLUTION OF THE VOLUSIA COUNTY COUNCIL
SUPPORTING CONTINUED PUBLIC ACCESS TO THE
BEACH THROUGH BEACH DRIVING; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, automobiles have used the beaches of Volusia County since the earliest days of the automobile; and

WHEREAS, the Volusia County beach consists of clean, fine, well-sorted quartz sand that produces a hard-packed, low, flat, wide profile; ideal for beach-related recreational activities and driving vehicles; and

WHEREAS, the public has a right to access the beaches and that right is a public trust which the Council is obligated to define, protect and enforce pursuant to § 205.1 of the Volusia County Charter; and

WHEREAS, the county charter provides that because prohibiting motor vehicle access to the beaches would deny beach use to many, the council shall, pursuant to the charter, authorize vehicular access as permitted by law to any part of the beach not reasonably accessible from public parking facilities; and

WHEREAS, the cities in Volusia County have expressed support for the continuance of beach driving.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING IN THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, IN THE CITY OF DELAND, FLORIDA, THIS 18TH DAY OF MARCH, 2004, AS FOLLOWS:

SECTION I: Support for Public Access to the Beach. That the County of Volusia supports public access to the beach by continuing beach driving on the beach.

SECTION II: Effective Date. This resolution shall take effect immediately upon its adoption.

ATTEST:

**COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA**

Cynthia A. Coto
County Manager

Dwight D. Lewis, Chair
Volusia County Council