

## **CHARTER AMENDMENT PETITION FORM**

- All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections.
- Under Florida law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes, to knowingly sign more than one petition for a candidate, a minor political party, or an issue. [Section 104.185, Florida Statutes]

### **ALACHUA COUNTY, FLORIDA, HOME RULE CHARTER**

*I am registered to vote in Alachua County, Florida, and I hereby petition the Alachua County Supervisor of Elections to place the following proposed amendment to the Alachua County Charter on the ballot in the 2020 general election:*

**Ballot Title: THE SANTA FE RIVER BILL OF RIGHTS**

**Ballot Summary:** Shall the Home Rule Charter of Alachua County, Florida, be amended to recognize the rights of the Santa Fe River? (Y/N)

**Full Text of the Amendment:** The Home Rule Charter of Alachua County is amended to add Article 5 as follows:

#### **Article 5**

#### **THE SANTA FE RIVER BILL OF RIGHTS**

##### **5.1. Rights of the Santa Fe River**

The Santa Fe River possesses rights including, but not limited to, the right to naturally exist, flourish, regenerate, and evolve; the right to restoration, recovery, and preservation; the right to abundant, pure, clean, unpolluted water; the right to natural groundwater recharge and surface water recharge; the right to a healthy natural environment and natural biodiversity; the right to natural water flow; the right to carry out its natural ecosystem functions; and the right to be free of activities or practices, as well as obstructions, that interfere with or infringe upon these rights.

##### **5.2. Rights of the People**

The people of Alachua County possess the right to a healthy, flourishing Santa Fe River; the right to pure, clean, unpolluted water, including the right to sustainably access, use, consume, and preserve water drawn from natural water cycles; the right to a healthy natural environment and natural biodiversity; and the right to be free of activities or practices that interfere with or infringe upon these rights.

##### **5.3. Prohibitions**

It shall be unlawful for any business or government entity to violate any of the provisions of this Article.

##### **5.4. Implementation and Enforcement**

**5.4.1 Implementation and Enforcement by Alachua County.** The government of Alachua County shall take all necessary steps to implement, defend, and enforce the provisions of this Article.

**5.4.2 Enforcement by the Santa Fe River.** The Santa Fe River may enforce or defend the provisions of this Article through legal action brought in the name of the river as the real party in interest. The Santa Fe River shall also have the right to intervene in any litigation concerning this Article in order to enforce or defend it.

**5.4.3 Enforcement by Residents of Alachua County.** Any resident of Alachua County may enforce or defend the provisions of this Article through legal action. Any resident shall also have the right to intervene in any litigation concerning this Article in order to enforce or defend it.

**5.4.4 Enforcement Actions and Burden of Proof.** Where probable violations of the rights secured in this Article are shown to exist, lack of full scientific certainty shall not be used as a reason for denying or postponing enforcement or defense of the provisions of this Article. The burden of proving the absence of a violation of rights shall lie with the proponent(s) of the activity in question, and not with the party or parties enforcing or defending the provisions of this Article.

##### **5.4.5 Penalties.**

**5.4.5.1 Civil Penalties.** Any business or government entity that violates any provision of this Article shall be subject to an appropriate civil penalty as provided for by Alachua County codes and ordinances.

**5.4.5.2 Criminal Penalties.** Any business or government entity, or individual acting on behalf or for the benefit of such an entity, that willfully and intentionally violates any provision of this Article shall be subject to any appropriate penalty as provided under the Florida Statutes.

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**5.4.6 Damages.** Any business or government entity that violates any provision of this Article shall be liable for any damages caused to the Santa Fe River as a result of the violation. Damages shall be measured by the cost of fully restoring the Santa Fe River to its state before the violation, and shall be paid to Alachua County to be used exclusively for the restoration of the river.

**5.4.7 Business or Government Entities.** Any business or government entity which violates any provision of this Article shall not be deemed to possess any of the rights, privileges, powers, or protections which would interfere with the enforcement of rights secured within this Article.

**5.4.8** The rights of the Santa Fe River secured within this Article shall not be interpreted to confer liabilities, duties, obligations, or responsibilities on the Santa Fe River.

**5.5. Definitions**

“Santa Fe River,” for the purposes of this Article, shall mean the Santa Fe River within Alachua County, including its constituent tributaries, streams, watersheds, Floridan aquifer, springs, springsheds, ecosystems, natural communities, and the native species directly impacted by, or which directly impact, the Santa Fe River within Alachua County.

**5.6. Severability**

If any part of this Article is found to be unconstitutional or unlawful, only that part shall be stricken from the Article and the rest of the Article shall remain in full effect.

***Information: This petition is only valid if all fields have been correctly entered and match voter registration data.***

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Name of Registered Voter (Please Print)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Residential Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
Signature of Registered Voter

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date Signed

Pd. pol. adv. Paid for and sponsored by SAFE BOR, PO Box 142203 Gainesville FL 32614-2203

**Return To:**

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