

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA**

RESOLUTION NO. 2019-234

RE: THE LEGACY TRAIL OPERATION AND USE POLICY

WHEREAS, on December 12, 2006, the Board of County Commissioners of Sarasota County, Florida (the "Board") adopted the Trails Master Plan and initiated the development of a countywide Trail system, and adopted the updated Trails Master Plan on May 23, 2018, and

WHEREAS, Sarasota County (the "County") is the owner of a former railroad corridor (the "Corridor"), portions of which have been developed into a public recreational trail known as the Legacy Trail (the "Trail"), and

WHEREAS, on March 11, 2008, the Board adopted Resolution No. 2008-045, The Legacy Trail Operation and Use Policy, that defined the rules and regulations for the Trail and Corridor, and

WHEREAS, on March 18, 2009, the Board adopted Resolution No. 2009-034, which amended The Legacy Trail Operation and Use Policy to include a provision allowing license agreements with adjacent property owners who were utilizing unused portions of the Trail, and

WHEREAS, the Board desires to repeal the existing Legacy Trail Operation and Use Policy and replace it in its entirety with this resolution.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, that:

1. The Legacy Trail Operation and Use Policy, adopted pursuant to Resolution No. 2008-045, and amended in Resolution No. 2009-045, is hereby repealed and replaced as set forth below:
 - A. General Rules of the Trail:
 - (1) The Trail is open for use from 6:00 A.M. to sunset.
 - (2) Waste, refuse, trash, cigarette butts, debris, or other material brought onto the Trail must be properly disposed of in trash receptacles or recycling containers.
 - (3) Fireworks are not permitted along the Trail.
 - (4) Rules of the road must be adhered to along the Trail.
 - (5) Public access is allowed by pedestrians, bicycles and electric bicycles ("E- bike") which are generally regulated in the same

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manner as traditional bicycles.

- (6) Cyclists must adhere to the following rules:
 - (a) Wear a helmet if under the age of 16
 - (b) Remain visible at all times
 - (c) Be in control of their bicycle or E-bike at all times
 - (d) Obey all traffic laws
 - (e) Give verbal warning when passing other Trail users
- (7) Public access is not allowed by golf carts or by motorized, gas-powered or electrical vehicles, unless it is an E-bike.
- (8) For mobility-impaired individuals who request to use other power-driven mobility devices, the County's Parks, Recreation, and Natural Resources Department ("Parks") will evaluate the request to provide reasonable accommodation on the Trail.
- (9) The speed limit along the Trail is fifteen (15) miles per hour.
- (10) Smoking is permitted in designated areas only.
- (11) Fishing is permitted in designated areas only.

B. Animal Policies:

- (1) Pets on leash are permitted along the Trail, with the following constraints:
 - (a) Leash must be no more than six feet long.
 - (b) Pets must be under owner's control at all times.
 - (c) Pet owners are required to remove pet excrement from the Trail.
- (2) Horses are permitted by special pre-authorization only from Parks.

C. Event Policies: Club and organizational events utilizing the Trail must be open to the public and approved by Parks.

D. Encroachments and Licensing to Adjacent Property Owners:

- (1) Property Owners North of Culverhouse Nature Park located on 7301 McIntosh Rd. Sarasota, FL 34238:
 - (a) Encroachments onto the Trail and Corridor are prohibited unless a license agreement is entered into with an adjacent real property owner.
 - (b) The County Administrator, or designee, is hereby authorized on behalf of the Board to do one of the following actions:
 - i. Remove or cause to be removed, any encroachment on the Corridor or Trail in a manner in his/her sole discretion; or
 - ii. To execute, in his/her sole discretion, license agreements, not exceeding one year in length that may be renewed annually thereafter with owners of

real property adjacent to the Corridor if the encroachment is a permanent residence, in-ground pool, well, or drainfield that was identified on either survey completed by George F. Young, Inc., dated December 6, 2017 or June 7, 2019.

- (c) Sections A (1), A (5) and A (8) of the Legacy Trail Operation and Use Policy shall not apply to portions of the Corridor or Trail that are licensed to others.

(2) Property Owners South of Culverhouse Nature Park located on 7301 McIntosh Rd. Sarasota, FL 34238:

- (a) Encroachments onto the Trail and Corridor are prohibited unless a license agreement is entered into with an adjacent real property owner.
- (b) The County Administrator, or designee, is hereby authorized on behalf of the Board to do one of the following actions:
 - i. Remove or cause to be removed, any encroachment on the Corridor or Trail in a manner in his/her sole discretion; or
 - ii. To execute in his/her sole discretion, license agreements not exceeding one year in length that may be renewed annually thereafter, with owners of real property adjacent to the Corridor.
- (c) Sections A (1), A (5), and A (8) shall not apply to portions of the Corridor or Trail that are licensed to others.

2. This Resolution shall become effective upon adoption and shall remain in effect until further action of the Board.

PASSED AND DULY ADOPTED THIS 19 DAY OF NOVEMBER, 2019.

THE BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By

Chair

ATTEST:

KAREN E. RUSHING, Clerk of the Circuit Court
and Ex Officio Clerk of The Board of County
Commissioners of Sarasota County, Florida

By:

Brenda White
Deputy Clerk

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