

RESOLUTION NO. 35-07-08

A RESOLUTION OF THE PALM BEACH COUNTY LEAGUE OF CITIES, INC., EVIDENCING ITS INTENT TO ENCOURAGE AND PROVIDE SUPPORT FOR PROPOSED FLORIDA LEGISLATION ENTITLED THE "NICOLE HORNSTEIN ACT" CONCERNING EQUINE ACTIVITIES AND PROTECTIVE MEASURES FOR MINORS RIDING HORSES ON PUBLIC ROADWAYS OR PUBLIC TRAILS BY REQUIREING THE WEARING OF A HELMET OR SIMLAR HEADGEAR PROTECTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Senate bill 964 sponsored by Senator Dave Aronberg and House Bill 305 sponsored by Representative Shelley Vana were filed in the 2008 Regular Legislative Session of the Florida Legislature; and

WHEREAS, House Bill 305, cited as the "Nicole Hornstein Act", proposed equine activities protective measures to provide life saving and serious injury protection to minors while horseback riding on public roadways or public trails; and

WHEREAS, the proposed Nicole Hornstein Act requires that any equine rider who is under 16 years of age must wear a helmet that meets applicable American Society of Testing and Materials standards for protective headgear used in horseback tiding when such activity occurs in public locations, including, but not limited to roadways or rights-of-way, equestrian and recreational trails, parks or preserves, or public school sites, etc.; and

WHEREAS, the Nicole Hornstein Act is scheduled to be reintroduced in substantially the same form by legislative sponsors in the coming legislative session since, for various reasons, it was not adopted during the 2008 Regular Legislative Session; and

WHEREAS, the family of Nicole Hornstein has requested that the Palm Beach County League of Cities, Inc. and all municipalities of Palm Beach County adopt resolutions formally encouraging and supporting their efforts in the legislature to enact the proposed Nicole Hornstein Act since it is ultimately designed to protect all minor residents from serious or fatal injury when engaging in equine activities throughout Palm Beach County and the State of Florida

NOW THERE FORE, BE IT RESOLVED BY THE PALM BEACH COUNTY LEAGUE OF CITIES, INC., THAT:

Section 1: The Palm Beach County League of Cities, Inc., hereby evidences its support and encouragement for the enactment of the proposed "Nicole Hornstein Act" concerning the adoption of equine activities protective measures in order to provide life saving and serious injury protection measures for minors while horseback riding on

public roadways or public trails by requiring the use of a helmet or similar headgear protection; and also for the specific provisions in the proposed act which require that any helmet used must meet applicable American Society of Testing and Materials standards for protective headgear used in horseback riding when such activity occurs in public locations including but not limited to, roadways or rights-of-way, equestrian and recreational trails, parks or preserves, or public school sites.

Section 2: The Palm Beach County League of Cities, Inc. request that a copy of this Resolution be sent to all municipalities in Palm Beach County, to Senator Jeff Atwater, Senator Dave Aronberg, Representative Shelley Vana, as well as, the Chair and members of the Palm Beach County State Legislative Delegation.


Section 3: This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Vice-Mayor Daly, and upon being put to a roll call vote, the vote was as follows:

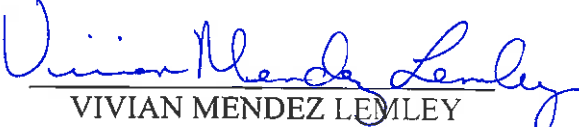
	AYE	NAY
MAYOR DESCA DUBOIS	X	___
VICE-MAYOR ED DALY	X	___
COMMISSIONER CHUCK BALIUS	X	___
COMMISSIONER JEFF CAREY	X	___
COMMISSIONER PATRICIA OSTERMAN	X	___

The Town Commission thereupon declared the foregoing Resolution NO. 35-07-08 duly passed and adopted this 16 day of July, 2008.

TOWN OF LAKE PARK, FLORIDA

BY: 
DESCA DUBOIS
MAYOR


ATTEST:


VIVIAN MENDEZ LEMLEY
TOWN CLERK

TOWN OF LAKE PARK
TOWN SEAL
SEAL

FLORIDA

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY