

(f) Individual management plans for scenic and historic roadways may set additional restrictions or requirements for these roadways:

- 1. The additional considerations of Resolution No. 89-89 "Jungle Trail Management Plan" shall be applied to all projects, zonings, uses, and other activities in the vicinity of the historic roadway of Jungle Trail.

(Ord. No. 90-16, § 1, 9-11-90)

sites, artifacts, remains or other resources shall be reported to the historic resources advisory committee, which shall have the authority:

- (a) To request that the property owner conduct a scientific excavation and evaluation of the site by [and] under the direction of a bona fide archaeologist;
- (b) To make recommendations to the board of county commissioners as to the nature, importance and possible preservation and/or protection of the known or suspected archaeological remains;
- (c) To review for consistency all proposed mitigation procedures and potential adverse impacts to the subject site;
- (d) To recommended/comment on variance requests for archaeological protection;
- (e) To recommended/comment on potential public acquisitions for archaeological preservation.

**Section 933.09. Archaeological protection.**

(1) *Archaeological survey requirement.* Within Indian River County, any person(s), company, organization or government agency engaged or promoting activities which unearth, uncover, or otherwise reveal any suspected archaeological site, burial, artifact, or other remains, shall be required to immediately notify the Indian River County Environmental Planning section as to the nature, size and exact location of the suspected find. In addition, the county environmental planner shall have authority to request an archaeological survey from a representative of an authorized agency or qualified archaeologist for development in any area known or documented to contain historic resources. If the presence of historic resources is confirmed, all activities, permits and/or exemptions associated with that portion of the subject site shall be temporarily suspended for a period of three (3) working days, or until initial site inspection, subsequent evaluation and site-release to continue work is issued by the environmental planning section, whichever occurs first. However, following the initial site inspection, if human burial remains are found, the environmental planning staff shall have authority to temporarily suspend for up to fifteen (15) days all activities, permits and/or exemptions concerning the subject site until a subsequent inspection and evaluation is conducted by a representative of a qualified agency with experience in archaeological identifications or the medical examiner. Any known or suspected archaeological

(2) *Excavations.* All subsequent excavations, removals, preservations, designations, displays or mitigations concerning a potential, known, or designated archaeological site, must be approved by the board of county commissioners upon recommendation by the historic resources advisory committee and/or the appropriate state or federal authorities. All approved excavations shall be in strict accordance with the recommendations, permits, approvals or authorizations of the board of county commissioners and/or any appropriate state or federal agency with jurisdiction and knowledge of archaeological resources within Indian River County.

(3) *Human burials.* F.S. ch. 872 (1987) (Offenses Concerning Dead Bodies and Graves) effects a third degree felony for persons who willfully and knowingly disturb any human burial remains. Any person who knows or has reasons to know that an unmarked human burial is being unlawfully disturbed, destroyed, defaced, mutilated, removed, excavated or exposed shall immediately notify the local law enforcement agency with jurisdiction in the area where the unmarked human burial is located. Persons with knowledge of the disturbance who fail to notify the local law enforcement agency will be guilty of a misde-