

ORDINANCE NO. 2012-14 OF THE CITY OF LAKE WORTH, AMENDING CHAPTER 7, ARTICLE III OF THE CODE OF ORDINANCES, "MUNICIPAL PIER AND CONCESSION COMPLEX," TO INCLUDE REGULATION OF THE SNOOK ISLAND PIER AND FACILITY AND THE BRYANT PARK FISHING PIER BY AMENDING SECTIONS 7-32 THROUGH 7-35; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth (the "City") has recently opened its newly constructed Snook Island Facility which includes boat docking, fishing and other recreational amenities; and

WHEREAS, in order to provide oversight for the newly opened Snook Island Facility and to create uniformity in the regulation of the City's three pier facilities, including the Bryant Park Fishing Pier, Chapter 7, Article III of the City's Code must be amended.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WORTH, FLORIDA, that:

Section 1. Chapter 7, Article III of the City of Lake Worth Code of Ordinances is amended as follows:

Chapter 7 – BEACHES, PARKS AND RECREATION

ARTICLE III. - MUNICIPAL PIER AND CONCESSION COMPLEX, SNOOK ISLAND PIER AND FACILITY, AND BRYANT PARK FISHING PEIR

Sec. 7-32. - Use and control by city.

The city does hereby have the right of, use and control of the Lake Worth Municipal Ocean Pier and Concession Complex, the Snook Island Pier and Facility, and the Bryant Park Fishing Pier for any lawful purpose whatsoever.

Sec. 7-33. - Regulations and restrictions.

The following regulations and restrictions shall be in effect at all times at and about the Lake Worth Municipal Ocean Pier, Snook Island Pier and Facility, Bryant Park Fishing Pier and Concession Complex:

- (a) *Alcoholic beverages.* No alcoholic beverages of any nature whatsoever shall be sold, ~~or distributed,~~ open or consumed at or on said facilities pier.
- (b) *Disposition of waste.* All waste or unusable matter shall be placed in receptacles provided therefor, located at or on any of the pier decks and facilities, excepting fish which shall be cut into small pieces and deposited into the ocean and intracoastal waterway from the pier decks. No whole fish shall be placed in the waters under said piers.
- (c) *Lanterns, etc.* There shall be no flame-type lights or lanterns of any nature whatsoever on said piers or facilities.
- (d) *Diving, jumping off pier; running, climbing on pier.* Diving or jumping from the piers into the ocean, the Intercoastal Waterway or onto the beach is prohibited. Running or

climbing on any part of the pier structures is also prohibited.

(e) *Skin diving, spear fishing, swimming, surfing, boating, and rafting.* There shall be no skin diving, spear fishing, swimming, surfing, boating, or rafting in the waters about said piers within a distance in all directions of five hundred (500) feet therefrom, except that where the depth of the ocean water is less than six (6) feet, swimming and surfing shall be permitted within a distance of fifty (50) feet.

(f) *Netting or trapping fish.* There shall be no netting or trapping of fish or other sea life about said piers within a distance of five hundred (500) feet therefrom.

(g) *Cutting bait.* There shall be no cutting of bait on the rail, seats or benches of the piers.

(h) *Disturbances.* No person shall use profane or obscene language or behave in a disorderly manner to the disturbance of others on the piers. It shall be deemed disorderly for any person to intentionally deface or damage the any pier premises in any way whatsoever; to bring onto the pier any vehicle without the authorization of the piermaster or his agent; or to throw any object from the piers or onto the piers. No loitering shall be permitted on or about the piers, and an orderly flow or pedestrian traffic shall be maintained on the piers at all times.

(i) *Animals.* No pets or other animals shall be allowed on the pier Municipal Pier, ~~or the Snook Island Facility boardwalk or boat docks.~~

(j) *Fishing for sharks.* No person shall deliberately fish for shark from the piers. Any shark accidentally hooked shall be landed on the piers only with the consent of the piermaster, and under his direction and supervision.

(k) *Concession stand sales.* There shall be no fish or bait permitted in any building of the pier buildings except that which is to be sold by the concession stand. The sale of bait or fish by any persons excepting authorized personnel is prohibited.

(l) *Minors; right to refuse admittance.* No children under ten (10) years of age, unless accompanied by a responsible person ten (10) years, or older, shall be allowed on the piers. The piermaster shall have the right to refuse the admittance to the pier of anyone who, for that person's safety, should not enter the any pier premises.

(m) *Responsibility.* All persons using the Municipal pier, Snook Island Facility, and Bryant Park Fishing Pier shall do so at their own risk.

(n) *Sitting, standing and running on the railings.* There shall be no sitting, standing, or running, skateboarding or rollerblading on the railings at the Municipal Ocean Pier and Concession Complex, the Snook Island Pier and Facility or the Bryant Park Fishing Pier beach. ~~Also prohibited are skateboarding and rollerblading on the railings.~~

(o) *Closure of all fishing piers and the Snook Island Facility.* The city manager or his or her designee is authorized to close all city the piers and/or the Snook Island Facility whenever the safety of persons on the pier reasonably appears to be in jeopardy due to storm conditions, high seas, or damage to the structural integrity of the any pier or facility, or when necessary to repair or maintain the any pier or facility. No person shall enter upon or use the any pier during any time when the pier is closed by direction of the city manager or his or her designee, except city employees or other persons employed by the city to perform repairs or maintenance work. The piermaster shall have the duty to refuse the admittance to the any pier of any person during such times that the pier is closed, except

city employees or other persons employed by the city to perform repairs or maintenance work.

(p) ~~Boat docking shall be limited to no more than four hours and~~ Overnight boat docking is prohibited. Boaters recognize that they are utilizing the docks at their own risk. The City shall not be held responsible for any damages resulting from the usage of the boat docks. City shall not be responsible for any lost or stolen property as a result of utilizing the boat docks.

(g) The hours of operation for the Snook Island Facility Pier, Boat Docks, and Kayak Launch shall be as follows: Monday- Sunday, 6am-12am, year round. The Snook Island Facility Boardwalk shall be open sunrise-sunset. The Municipal Pier shall be open from 6am-10pm during turtle season (March 1st-October 31st) and 6am-12am (November 1st-April 30th). The fishing pier at Bryant Park will follow Bryant Park opening and closing hours of sunrise to sunset.

(r) No parking of vehicles will be permitted inside the gated area of the Snook Island Facility. Facility parking will be limited to parking spaces located on Golf View Road and Bryant Park.

(s) At the Snook Islands Facility, walking is prohibited on the Snook Islands themselves.

(t) All forms of fishing from the Nature Boardwalk are strictly prohibited.

Sec. 7-34. - Violations.

Any violation of the provisions of this ~~a~~Article shall be punishable as provided in section 1-6 of this Code. Any person who violates any provision hereof shall leave said pier when ordered by the piermaster, or his agent. Anyone required to leave the pier premises for a second violation may be indefinitely barred from the pier by the piermaster.

Sec. 7-35. - Posting of regulations.

A sign shall be posted at the entrance of the ~~the pier premises~~ each facility, visible to all those entering the ~~the pier~~ facility, which shall advise of the regulations and restrictions contained in section 7-33 herein, and shall read as follows:

PIER FACILITY REGULATIONS AND RESTRICTIONS

No person shall:

- (1) Sell or distribute alcoholic beverages on the Municipal pier, Bryant Park Fishing Pier or Snook Island Facility;
- (2) Litter the pier or surrounding area or throw any object upon or from the pier, boardwalk or boat docks;
- (3) Place fish in trash containers (fish should be cut up and deposited in the ocean);
- (4) Bring any open-flame lantern onto the pier, boardwalk or boat docks;
- (5) Run or climb on the pier or boardwalk, or dive or jump from the pier, boat docks, or boardwalk;

- (6) Use pier or boardwalk railing, seats, or benches for the cutting of bait;
- (7) Behave in a disorderly manner (such person may be indefinitely barred from pier and Snook Island Facility);
- (8) Intentionally deface or, damage the pier, boardwalk or boat dock premises in any manner whatsoever;
- (9) Sit or stand on pier or boardwalk railings;
- (10) Bring pets or other animals onto the pier, ~~boardwalk or boat docks~~ Municipal Pier;
- (11) Fish for shark from the pier or net or trap fish from pier;
- (12) Bed down or sleep on or under the pier or loiter on or about the pier.

Any violation of the above ~~is~~ may be punishable by a fine up to five hundred dollar (\$500.00) ~~fine~~ or up to sixty (60) days in jail or both. Parents shall be held liable for the conduct of their minor children. Children shall be accompanied by a responsible person ten (10) years or older. All persons using these facilities shall do so at their own risk.

Section 2. If any provision of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Section 1 of this Ordinance shall be codified.

Section 5. This Ordinance shall become effective ten (10) days after passage.

The passage of this Ordinance on first reading was moved by Commissioner Amoroso, seconded by Commissioner Mulvehill, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Ordinance duly passed on first reading on the 20th day of March, 2012.

The passage of this Ordinance on second reading was moved by Commissioner Amoroso, seconded by Commissioner Mulvehill, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Ordinance duly passed and enacted on the 3rd day of April, 2012.

LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez, City Clerk