

DAVIE, FLORIDA

ORDINANCE NO. O 2026-003

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING CHAPTER 29, ARTICLE I, SECTION 1 TITLED "DEFINITIONS," SECTION 2 TITLED "RULES AND REGULATIONS FOR ALL TOWN PARKS AND RECREATIONAL FACILITIES," SECTION 3 TITLED "SUNNY LAKE BIRD SANCTUARY," SECTION 4 TITLED "RULES AND REGULATIONS FOR ALL TOWN EQUESTRIAN TRAILS," SECTION 5 TITLED "RULES AND REGULATIONS FOR ALL TOWN RECREATION TRAILS," SECTION 6 TITLED "SMOKING," SECTION 7 TITLED "PENALTIES AND AUTHORITY," AND SECTION 8 TITLED "EXCEPTIONS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter 166 of the Florida Statutes, the Town of Davie is authorized to protect the public health, safety, and welfare of its residents and has the power and authority to enact regulations for valid governmental purposes that are not inconsistent with general or special law;

WHEREAS, the proposed ordinance creation is within the police power of the Town of Davie;

WHEREAS, the Town Council finds that this ordinance amendment is necessary for the preservation of the public health, safety and welfare of the Town's residents; and

WHEREAS, the Town Council has held two advertised public hearings in accordance with Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA THAT:

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the Town Council of the Town of Davie as its legislative findings relative to the subjects and matters set forth in this Ordinance.

Section 2. Chapter 29, Article I, Section 1 titled "Definitions," Section 2 titled "Rules and regulations for all Town parks and recreational facilities," Section 3 titled "Sunny Lake Bird Sanctuary," Section 4 titled "Rules and regulations for all Town Equestrian Trails," Section 5 titled

"Rules and regulations for all Town recreation trails," Section 6 titled "Smoking," Section 7 titled "Penalties and authority," and Section 8 titled "Exceptions" is hereby created.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Town Council that such 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.

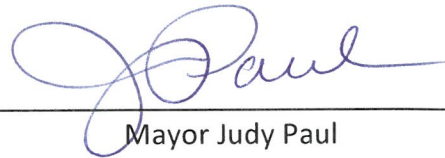
Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately upon passage and adoption.

PASSED FIRST READING THIS 21st DAY OF January, 2026.

PASSED SECOND READING THIS 4th day of February, 2026.





Mayor Judy Paul

Authentication:


Evelyn Roig
Town Clerk

Motion: <i>Councilmember Starkey</i>		
Second: <i>Vice Mayor Whitman</i>		
☒ Approved ☐ Denied ☐ Approved Subject To		
Vote	Yea	Nay
Mayor Paul	<i>✓</i>	
Vice Mayor Whitman	<i>✓</i>	
Councilmember Starkey	<i>✓</i>	
Councilmember Luis	<i>✓</i>	

Approved by the Town Attorney as to
form and legal sufficiency:

Allan T. Weinthal

 Allan T. Weinthal

Chapter 29 – Parks, Recreation, and Cultural Arts

Sec. 29-1. – Definitions

For the purposes of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein, when not inconsistent with the text.

ATV shall mean the same as defined in Florida Statute § 317.0003(1).

Bicycle shall mean the same as defined in Florida Statute § 316.003(4).

Department shall mean the Town of Davie Parks, Recreation, and Cultural Arts Department.

Electric Bicycle shall mean the same as defined in Florida Statute § 316.003(23).

Electric Personal Assistive Mobility Device shall mean the same as defined in Florida Statute § 316.003(24).

FAA shall mean the Federal Aviation Administration.

Golf Cart shall mean the same as defined in Florida Statute § 316.003(29).

Micromobility Device shall mean the same as defined in Florida Statute § 316.003(41). Non motorized skateboards and non motorized rollerblades are not considered *Micromobility Devices* for the purpose of this Chapter.

Moped shall mean the same as defined in Florida Statute § 316.003(44).

Motor Vehicle shall mean the same as defined in Florida Statute § 316.003(46).

Motorcycle shall mean the same as defined in Florida Statute § 316.003(47).

Motorized Scooter shall mean the same as defined in Florida Statute § 316.003(48).

Off Highway Motorcycle shall mean the same as defined in Florida Statute § 317.0003(5).

Off Highway Vehicle shall mean the same as defined in Florida Statute § 317.0003(6).

Organized play shall mean the structured or coordinate practice, game, or training that involves a monetarily sponsored team, league, or group, or a team, league, or group that requires payment to be a member of or involves a monetary transaction between a player or trainee and a trainer, team, or coach, or league.

ROV shall mean the same as defined in Florida Statute § 317.0003(9).

Smoking shall mean the same as defined in Florida Statute § 386.203(11).

Vape or Vaping shall mean the same as defined in Florida Statute § 386.203(13).

Sec. 29-2. – Rules and Regulations for all Town parks and recreational facilities

The Following applies to all Town parks and recreational facilities.

- (a) The possession or consumption of alcoholic beverages is prohibited.
- (b) The use or display of balloons in outdoor areas is prohibited.
- (c) Bounce houses, waterslides, and amusement apparatuses are only permitted during a shelter or facility rental, require written approval prior to use, and vendor rental must be from the Department's approved vendor list. Privately owned bounce houses, waterslides, and amusement apparatus are not permitted.
- (d) Dogs shall be kept on a leash with a maximum of six feet in length. Exception being designated and enclosed dog park areas.
- (e) Pets are not permitted inside playground areas, on sports fields, or on courts.
- (f) Swimming is prohibited in all lakes and canals.
- (g) All organized play is prohibited, without prior written approval by the Department.
- (h) Use of non-charcoal grills is prohibited.
- (i) Failure to properly dispose of charcoal is prohibited.
- (j) All commercial photography or filming is prohibited, without a film permit.
- (k) Soliciting or vending is prohibited, without prior written approval.
- (l) Amplified music is prohibited on sports fields and courts.
- (m) Amplified music is permitted in other areas but must remain at a volume not to exceed 55 dba and cannot contain explicit language.
- (n) Defacing, altering, or damaging any park or facility property, fixtures, trees, plants, or structures is prohibited.
- (o) Removing, destroying, or mutilating landscaping is prohibited.
- (p) Digging holes is prohibited.
- (q) Capturing, harassing, feeding, or disturbing any of the wildlife is prohibited.
- (r) Abandoning any animal or wildlife is prohibited.
- (s) Throwing rocks is prohibited.

- (t) Activities or games that involve the use of arrows, javelins, or similar situated projectiles is prohibited.
- (u) Putting, hitting, or throwing golf balls is prohibited.
- (v) Drones are permitted as long as FAA rules and regulations are followed.
- (w) Use of fireworks or sparklers is prohibited.
- (x) The following items are prohibited on artificial turf surfaces:
 - a. Any beverage other than water
 - b. Food
 - c. Gum
 - d. Metal cleats
 - e. Sharp objects that can penetrate the synthetic surface
 - f. Tents
 - g. Dogs, cats, or other animals
- (y) Use of the following is prohibited on artificial turf surfaces:
 - a. ATV
 - b. Off Highway Motorcycle
 - c. Off Highway Vehicle
 - d. ROV
 - e. Motor Vehicles
 - f. Motorized Scooter
 - g. Micromobility Devices
 - h. Motorcycle
 - i. Bicycles
 - j. Electric Bicycles
 - k. Rollerblades
 - l. Skateboards
 - m. Golf Carts
 - n. Moped
 - o. Electric Personal Assistive Mobility Device

- (a) Use of motorized watercraft is prohibited
- (b) Fishing is only permitted in designated areas

Sec. 29-4. Rules and Regulations for all Town Equestrian Trails

- (a) Use of the following is prohibited on all Town Equestrian Trails:
 - a. Golf Carts
 - b. Bicycles
 - c. Electric Bicycles
 - d. Mopeds
 - e. Rollerblades
 - f. Skateboards
 - g. Micromobility Device
 - h. Motor Vehicles
 - i. Motorcycles
 - j. Motorized Scooter
 - k. ATV
 - l. Off Highway Motorcycle
 - m. Off Highway Vehicle
 - n. ROV
 - o. Electric Personal Assistive Mobility Device
- (b) Dogs on a leash not greater than six feet are permitted.

Sec. 29-5. Rules and Regulations for all Town Recreation Trails

- (a) Use of the following is prohibited on all Town Recreation Trails:
 - a. Golf Carts
 - b. ATV
 - c. Off Highway Motorcycle
 - d. Off Highway Vehicle
 - e. Moped
 - f. Motor Vehicle
 - g. Motorcycle
 - h. Motorized Scooter

- i. ROV
- j. Micromobility Device
- k. Class 2 Electric Bicycle
- l. Class 3 Electric Bicycle

(b) Dogs on a leash not greater than six feet are permitted.

Sec. 29-6. Smoking

- (a) It is prohibited for any person to smoke cigarettes, filtered cigars, pipes, or any other smoking apparatus device in any Town Park or Facility, except in designated smoking areas. Unfiltered cigars are exempt from this Section.
- (b) It is prohibited for any person to vape in any Town Park or Facility, except in designated smoking areas.

Sec. 29-7. Penalties and Authority

- (a) Police Officers, Code Enforcement Officers, and Park Rangers shall have the authority to initiate enforcement against violators of any provision in this Chapter, except the provisions specifically mentioned in Section 29-7(b), by issuing a Notice of Violation to be heard by the Town Code Enforcement Special Magistrate. Any person found to have violated any provision of this Chapter, except the provisions specifically mentioned in Section 29-7(b) shall be issued a fine in the amount of \$250.00 for the first offense and \$500.00 for any subsequent offenses.
- (b) Police Officers shall have the authority to enforce Sections 29-4 and 29-5 of this code. A person convicted or a person who has entered a plea of guilty or a plea of nolo contendere of a violation of Section 29-4 or Section 29-5 shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both.

Sec. 29-8. Exceptions

Nothing herein shall prohibit individuals who require the use of an Electric Personal Assistive Mobility Device from utilizing their Electric Personal Assistive Mobility Device as per the American with Disabilities Act.

Nothing herein shall prohibit individuals who require the assistance of a service animal from utilizing their service animal as per the American with Disabilities Act.

Nothing herein shall prohibit the Town Administrator, or designee, to allow the possession or consumption of alcohol at certain events held at Town parks or recreational facilities.



Town of Davie Business Impact Estimate

Meeting Date 9/3/2025 (First Reading)
 9/17/2025 (Second Reading)
Time 6:30 PM

This Business Impact Estimate¹ is provided in accordance with Section 166.041(4), Florida Statutes. A Business Impact Statement is needed for all ordinances.² However, if one or more boxes are checked below, you do not complete the remainder of the form.

This form should be included in the "set for public hearing" agenda item for ordinances and must be posted on the Town's website by the time notice of the proposed ordinance is published.

Proposed Ordinance Title: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING CHAPTER 29, ARTICLE I, SECTION 1 TITLED "DEFINITIONS," SECTION 2 TITLED "RULES AND REGULATIONS FOR ALL TOWN PARKS AND RECREATIONAL FACILITIES," SECTION 3 TITLED "SUNNY LAKES BIRD SANCTUARY," SECTION 4 TITLED "RULES AND REGULATIONS FOR ALL TOWN EQUESTRIAN TRAILS," SECTION 5 TITLED "RULES AND REGULATIONS FOR ALL TOWN RECREATION TRAILS," SECTION 6 TITLED "SMOKING," SECTION 7 TITLED "PENALTIES AND AUTHORITY," AND SECTION 8 TITLED "EXCEPTIONS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

If any of the following exceptions to the Business Impact Estimate requirement apply, check the applicable box, and leave the remainder of the form blank.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the town;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:

¹ Business impact statement must be posted on the town's website no later than the date the notice of proposed ordinance is published.

² F.S. 125.66(3)(c)(2023)

- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If no boxes are checked, please continue. Otherwise, there is no need to complete the remainder of this form.

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

This proposed Ordinance is intended to create CHAPTER 29, ARTICLE I, SECTION 1 TITLED "DEFINITIONS," SECTION 2 TITLED "RULES AND REGULATIONS FOR ALL TOWN PARKS AND RECREATIONAL FACILITIES," SECTION 3 TITLED "SUNNY LAKES BIRD SANCTUARY," SECTION 4 TITLED "RULES AND REGULATIONS FOR ALL TOWN EQUESTRIAN TRAILS," SECTION 5 TITLED "RULES AND REGULATIONS FOR ALL TOWN RECREATION TRAILS," SECTION 6 TITLED "SMOKING," SECTION 7 TITLED "PENALTIES AND AUTHORITY," AND SECTION 8 TITLED "EXCEPTIONS." The creation of this Chapter is necessary to better protect the health and safety of the residents and establish a clear policy framework for how the Town's public spaces are enjoyed.

2. Estimate of Direct Economic Impact on Private For-Profit Businesses:

\$0

3. An estimate of direct compliance costs that businesses may reasonably incur:

\$0

4. Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

N/A
5. Estimate of the town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: N/A
6. Estimate of the number of businesses likely to be impacted by the proposed ordinance: 0
7. Additional / Other Information

Allan Weinthal

Department Director/Designee Name

Signature

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

Item Number: 19.

To: Mayor and Councilmembers

From: Allan Weinthal, Town Attorney

Prepared By: Amanda Cadigan, Paralegal - Town Attorney

Subject: Ordinance

Affected District: Town Wide

Item Request: Staff Requesting a Tabling

Title of Agenda Item: CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING CHAPTER 29, ARTICLE I, SECTION 1 TITLED "DEFINITIONS," SECTION 2 TITLED "RULES AND REGULATIONS FOR ALL TOWN PARKS AND RECREATIONAL FACILITIES," SECTION 3 TITLED "SUNNY LAKE BIRD SANCTUARY," SECTION 4 TITLED "RULES AND REGULATIONS FOR ALL TOWN EQUESTRIAN TRAILS," SECTION 5 TITLED "RULES AND REGULATIONS FOR ALL TOWN RECREATION TRAILS," SECTION 6 TITLED "SMOKING," SECTION 7 TITLED "PENALTIES AND AUTHORITY," AND SECTION 8 TITLED "EXCEPTIONS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. **(Approved on first reading January 21, 2026. Councilmember Starkey moved to approve the item. Councilmember Luis seconded the motion. In a roll call vote: Councilmember Luis - yes; Councilmember Starkey - yes; Mayor Paul - absent; Councilmember Hattan - absent; and Vice Mayor Whitman - yes;. Motion carried by a majority vote 3/0.)**

Executive Summary: This proposed Ordinance is intended to create Chapter 29, Article I, Section 1 titled "Definitions," Section 2 titled "Rules and regulations for all Town parks and recreational facilities," Section 3 titled "Sunny Lake Bird Sanctuary," Section 4 titled "Rules and regulations for all Town Equestrian Trails," Section 5 titled "Rules and regulations for all Town recreation trails," Section 6 titled "Smoking," Section 7 titled "Penalties and authority," and Section 8 titled "Exceptions." The creation of this Chapter is necessary to better protect the health and safety of the residents and establish a clear policy framework for how the Town's public spaces are enjoyed.

Key Points:

- This proposed Ordinance is intended to create Chapter 29, Article I, Section 1 titled "Definitions," Section 2 titled "Rules and regulations for all Town parks and recreational facilities," Section 3 titled "Sunny Lake Bird Sanctuary," Section 4 titled "Rules and regulations for all Town Equestrian Trails," Section 5 titled "Rules and regulations for all Town recreation trails," Section 6 titled "Smoking," Section 7 titled "Penalties and authority," and Section 8 titled "Exceptions."
- The creation of this Chapter is necessary to better protect the health and safety of the residents and establish a clear policy framework for how the Town's public spaces are enjoyed.

Previous Actions:

Concurrences:

Fiscal Impact:

Has request been budgeted? N/A

If yes expected cost:

Account name and number:

If no, amount needed:

Account name funds will be appropriated from

Additional Comments

Recommendation: Motion to approve

Strategic Goals This Item Supports:

Nurturing the health, safety, and welfare of the community

ATTACHMENTS:

File Name	Description
☐ Ordinance_-_Creating_Chapter_29.docx	Ordinance
☐ Chapter_29_-_Parks_Recreation_and_Cultural_Arts.docx	Ordinance Chapter 29
☐ Business_Impact_Estimate.pdf	Business Impact Statement

