

AN ORDINANCE**No. 2019-12**

AN ORDINANCE TO AMEND SUBSECTIONS (5) AND (12) OF SECTION 1-7-2, ENTITLED "PROHIBITED ACTS," OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE BY ELIMINATING THEM IN THEIR ENTIRETY AND SUBSTITUTING IN THEIR PLACE THE LANGUAGE SET FORTH BELOW; TO AMEND SECTION 1-7-3, ENTITLED "HOURS OF USE OF CITY PARKS," OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE BY ELIMINATING IT IN ITS ENTIRETY AND SUBSTITUTING IN ITS PLACE THE LANGUAGE SET FORTH BELOW; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Subsections (5) and (12) of Section 1-7-2 of the Code of Ordinances of the City of Gainesville, Georgia are hereby amended to read as follows:

Sec. 1-7-2. – Prohibited acts.

It shall be unlawful for any person while in a city park to:

(5) Sell, possess or consume alcoholic beverages on park property that is not otherwise licensed for the sale of alcoholic beverages with the exception of special events that are permitted in accordance with Chapter 6-7 of this Code or for events that are organized by the City.

(12) Swim in lakefront parks unless in designated swim areas or unless done at individuals' own risk.

SECTION II.

Section 1-7-3 of the Code of Ordinances of the City of Gainesville, Georgia is hereby amended to read as follows:

Sec. 1-7-3. – Hours of use of city parks.

- (a) It shall be unlawful for any person, except authorized parks and recreation agency personnel or an authorized agent thereof, to enter, remain within, drive a vehicle in or attempt to park or park a vehicle on any of the streets or parking areas or at any location within the following city neighborhood and community parks from one (1) hour after sunset to 7:00 a.m. daily:

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- (1) Allen Creek Soccer Complex;
- (2) Chicopee Woods Nature Park;
- (3) Lake Lanier Olympic Park a/k/a Clarks Bridge Park;
- (4) City Park;
- (5) Civic Center;
- (6) Desota Park;
- (7) Engine 209 Park;
- (8) Fair Street Neighborhood Center;
- (9) Frances Meadows Aquatic & Community Center;
- (10) Holly Park;
- (11) Ivey Terrace Park;
- (12) Kenwood Park;
- (13) Lanier Point Park;
- (14) Linwood Nature Preserve;
- (15) Longwood Park;
- (16) Midtown Greenway Park;
- (17) Myrtle Street Park;
- (18) Poultry Park;
- (19) Riverside Park;
- (20) Rock Creek Park;
- (21) Roper Park;
- (22) Wessell Park;
- (23) Wilshire Trails Park.

(b) Exceptions.

- (1) All lighted city tennis courts shall close at 11:00 p.m. daily.
- (2) All City of Gainesville operated launching ramp use will be permitted on a 24-hour basis for the express purpose of launching or loading a boat.
- (3) Walkers, runners, and bikers utilizing the Highlands to Islands Trail if and when said Trail is lighted.

(c) Other than the exceptions noted above, no person shall occupy the parks or facilities listed in subsection (a) for recreation or any other purpose from one (1) hour after sunset to 7:00 a.m. daily unless for approved scheduled events or permission has been granted in advance by the parks and recreation agency with prior notification to the police department.

(d) Any person violating this section, other than as provided in subsection 1-7-2(17), shall be punished as described in section 1-1-7.

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SECTION III.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional

SECTION V.

The ordinance is enacted as an amendment to Chapter 1-7 of the Code of Ordinances of the City of Gainesville, Georgia.

SECTION VI.

The effective date of this ordinance shall be upon approval by the governing body of the City of Gainesville.

C. Danny Dunagan, Jr., Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk