

ORDINANCE NO. 2023-1007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, RE-ENACTING AND AMENDING THE CITY'S CODE OF ORDINANCES AS PROVIDED HEREIN; ADOPTING A NEW CHAPTER 6, ENTITLED "PARKS AND RECREATION"; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in February, 2019, the City issued a Request for Proposals for the rewrite of the City's Code of Ordinances, with the goal of the project to update the City's Code by eliminating obsolete language and provisions, re-organizing the City Code to have similar subject matters within the same chapters or sections, updating language and definitions, and incorporating tables and graphics to aid in the use of the City Code; and,

WHEREAS, in May, 2019, the City entered into an Agreement with Wantman Group, Inc. ("WGI") for the City Code Rewrite Project; and,

WHEREAS, shortly thereafter, the City Administration began working with WGI on the City Code Write Project; and,

WHEREAS, the City Code Rewrite Project has taken significantly longer than anticipated, with delays occasioned by changes in personnel by WGI, the COVID pandemic and City Administration work priority challenges; and,

WHEREAS, the City Code Rewrite Project included input from the various Department Heads relating to recommendations on updated language for the City's Code; and,

WHEREAS, the City Code Rewrite Project has resulted in a two-part City Code, with Part I being the City's administrative, managerial and regulatory provisions; and Part II being the City's Land Development Code; and,

WHEREAS, Part I has been completed and is ready for review and adoption by the City Commission; and,

WHEREAS, while the various proposed Chapters in Part I contain amendments and revisions, the intent of the City Code Rewrite Project was to re-organize and update outdated provisions and language, and not include a significant number of substantial changes to the existing Code; and,

WHEREAS, recognizing the need to effectively coordinate the adoption of the re-enacted and rewritten Code of Ordinances, including the fact that some provisions of the City's current Code are being re-located to and from the Land Development Code, and that the adoption

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of the reenacted Land Development Code. Part II of the City Code Rewrite Project will occur in the future, the City Commission is proceeding to adopt the ordinances adopting Part I of the re-enacted and amended City Code with appropriate direction on codification and effective dates; and,

WHEREAS, the City Commission has reviewed the proposed re-enacted City Code Part I, and is considering the new chapters in Part I of the City Code through separate ordinances, understanding that all of the new Chapters and the ordinances adopting them are collectively a single City Code intended to supersede the current City Code of Ordinances as to all current chapters except those to be adopted as Part II, Land Development Code; provided that there may be some provisions in the current City Code that are relocated and re-enacted to and from the City's Land Development Code; and,

WHEREAS, the City Commission hereby finds it is in the best interest of the residents and citizens of the City to adopt this Ordinance, as well as the Companion Ordinances as defined below, which collectively adopt Part I of the City's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA:

Section 1: The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: Intent. The intent of this ordinance is to adopt the re-enacted and amended City Code of Ordinances to supersede and replace the current Code of Ordinances. The re-enactment and amendment of the City's Code will be accomplished through the adoption of various ordinances, each of which will adopt a new Chapter to the City's Code of Ordinances, and are collectively referred to as the Companion Ordinances. As part of the City Code Rewrite Project, the City's Code has been re-organized such that provisions from more than one current Chapter are relocated and combined with provisions in other current chapters in order for City Code provisions on the same or similar subjects to be located within the same Chapter in the City Code. To that extent, this ordinance and each of the Companion Ordinances, when adopted, will re-enact and amend the City's Code through approval of the amendments attached to that ordinance, which when approved will supersede the same subject matter provisions in the current Code.

Section 3. The Companion Ordinances for Part I, collectively, are as follows:

Ordinance 2023-1002 - Chapter 1 – General Provisions
Ordinance 2023-1003 - Chapter 2 - Administration
Ordinance 2023-1004 - Chapter 3 – Elections
Ordinance 2023-1005 - Chapter 4 – Fire Protection and Prevention
Ordinance 2023-1006 - Chapter 5 – Law Enforcement
Ordinance 2023-1007 - Chapter 6 – Parks and Recreation

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Ordinance 2023-1008 - Chapter 7 – Personnel
Ordinance 2023-1009 - Chapter 8 – Solid Waste
Ordinance 2023-1010 - Chapter 9 – Taxation
Ordinance 2023-1011 - Chapter 10 – Water Resources
Ordinance 2023-1012 - Chapter 11 – Community Standards
Ordinance 2023-1013 - Chapter 12 - Stormwater

Section 4: This Ordinance adopts the new Chapter 2 – Parks and Recreation. The new Chapter 6 – Parks and Recreation reads as set forth in Exhibit “A”. Changes to the current language is reflected in Exhibit “B”. The Table of Amendments describes the changes, attached hereto as Exhibit “C”.

Section 5: It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lighthouse Point, Florida.

Section 6: Except as provided hereinafter, all Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith, be and the same are hereby repealed, to the extent of such conflict.

Section 7: Changes to the City Code adopted during the City Code Rewrite Project, specifically, the changes adopted through Ordinances 2022-0989, are intended to be included in the re-enacted and amended Part I, subject to formatting revisions and codification assignments to Chapters, Articles and Sections when Part I of the City Code is codified.

Section 8: If any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 9: This Ordinance shall become effective upon passage and adoption; provided that the adopted Chapter 6 – Parks and Recreation, shall be effective upon adoption of all Companion Ordinances. Upon the effectiveness of all Companion Ordinances, as well as the effectiveness of the Ordinances adopting Part II, the re-enacted and amended Land Development Code, Chapters 1-90 of the current City Code shall be deemed repealed and replaced in their entireties by the Chapters adopted by the Companion Ordinances and the ordinances adopting the re-enacted and amended Land Development Code.

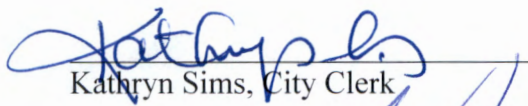
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PASSED AND ADOPTED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, THIS 12 DAY OF September, 2023.

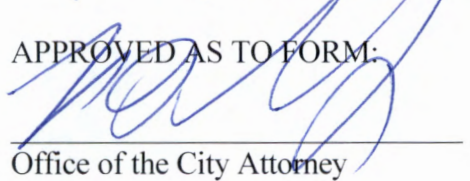
PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA THIS 27 DAY OF September, 2023.


Sandy Johnson, Commission President

ATTEST:


Kathryn Sims, City Clerk

APPROVED AS TO FORM:


Office of the City Attorney

Commission President Sandy Johnson
Commission Vice President Michael S. Long
Commissioner Jason D. Joffe
Commissioner Everett Marshall
Commissioner Patty Petrone

Yes	No	Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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EXHIBIT “A”

FINAL VERSION TO BE CODIFIED

CHAPTER 6 - PARKS AND RECREATION^[1]

Footnotes:

--- (1) ---

State Law reference - Florida Litter Law, F.S. § 403.413; criminal mischief, F.S. § 806.13.

ARTICLE I - IN GENERAL

DIVISION 1 - INTENT

Sec. 6-1 - Functions of Recreation Department

(a) The following functions shall be assigned to the Recreation Director:

- (1) Supervision of City parks and recreation areas; and
- (2) Planning and recommendations to the Mayor regarding recreation matters.

(b) The Director shall execute the commands of the Mayor and may be removed in the same manner as provided for department heads.

(Laws of Fla. ch. 57-1534, art. VI, § 6; Laws of Fla. ch. 65-1852, § 54; Ord. No. 238, § 12, 1-11-1972)

Charter reference - Personnel, art. IV.

DIVISION 2 - DEFINITIONS

Sec. 6-2 - Definitions

The following words, terms and phrases when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City Recreation Facility means structures or grounds owned or operated by the City which offer active and passive recreational activities.

Couple means spouses, domestic partners, or cohabitating couples, who are residing together without children.

Family means spouses, persons related by blood or marriage, domestic partners, cohabitating couples, and persons who are presently residing together with children

Guest means any person not a resident of the City and who is accompanied by a resident.

Individual means any person 18 years of age or above.

Junior means any person under the age of 18 years.

Lighthouse Point Tennis Center means and shall be comprised of nine clay courts, "pro shop," and pavilion, all located at Frank McDonough in the City.

Resident means any person who resides and actually lives within the City whether such person is a tenant or a fee owner.

Wheeled Vehicle means any wheeled conveyance (except a baby carriage, wheelchair) for transportation of persons or materials.

(Code 1979, § 13-11)

ARTICLE II - FACILITY USE RULES

Sec. 6-3 - Applicability

The use of all City recreation facilities, whether municipally owned or municipally leased, shall be subject to the rules and regulations of this Article, as approved by the Mayor.

(Code 1979, § 13-12)

Sec. 6-4 - Facility Use Regulation

Rules and regulations, which include the use of the courts, fields and other recreational facilities of the City may be established by the Recreation Director.

Sec. 6-5 - Hours

- (a) No person shall commence using City recreation facilities prior to 7:30 a.m.
- (b) Except for sponsored events the City recreation facilities which have lights shall close no later than 9:30 p.m. The Recreation Department personnel shall have the right to turn off lights at any time they deem it appropriate, for reasons including but not limited to inclement weather, facility damage, power outage, etc.
- (c) Except for sponsored events, all non-lighted park areas shall be closed to public use at dark.

(Code 1979, § 13-14)

Sec. 6-6 - Priority for Scheduled Activities

City sponsored or approved activities scheduled by the Recreation Director shall have priority over all other play. Groups of five or more using the facility for organized activities must obtain a permit from the Recreation Department.

(Code 1979, § 13-15)

Sec. 6-7 – Smoking Prohibited in Parks

Smoking or holding lighted tobacco products, and use or consumption of tobacco products, including the use of e-cigarettes or vapes, in parks under the control and management of the City, is prohibited and unlawful. It is prohibited and unlawful for any person to smoke or carry a lighted cigar, cigarette, cigarillo or pipe, or use any sparks, flame, match or fire-producing device normally used in tobacco smoking, or, to use or consume tobacco products, including e-cigarettes or vapes, in any City park, under the control and management of the City, except smoking of unfiltered cigars is permitted.

(Ord. 2022-0989, §2, 8-9-22)

Sec. 6-8 - Wheeled Vehicles

Bicycles, skateboards, golf carts and other wheeled vehicles are prohibited in recreation areas of the parks, except for those vehicles that are owned or authorized by the City, or in areas specifically designated for their use.

(Code 1979, § 13-19)

Sec. 6-9 - Loitering

Loitering at any City recreation facilities after the facilities have been closed is prohibited.

(Code 1979, § 13-21)

Sec. 6-10 - Director May Close Park

The Recreation Director may close down any areas of any park whenever he or she may deem it necessary for reasons of safety or to make repairs.

(Code 1979, § 13-23)

Sec. 6-11 - Recreation Fees Generally

All fees charged for the use of any recreation facility shall be established by resolution approved by the City Commission.

(Code 1979, § 13-24)

Sec. 6-12 - Regulations Governing Lighthouse Point Tennis Center

The use of the Lighthouse Point Tennis Center shall be subject to the following rules and regulations:

- (a) All juniors under the age of 12 years must be accompanied by a responsible adult resident when using any tennis center facilities.
- (b) When participating in tennis recreation facilities and other players are waiting, play shall be limited to one-half hour for singles and one hour for doubles. The court must then be relinquished to the next players waiting. Time limit begins when new players arrive at courts.
- (c) Players at the tennis center shall wear proper tennis attire.
- (d) Membership categories shall include family.
- (e) Proper conduct shall be enforced at all times: foul language, racket throwing, bullying, unsportsmanlike or rude behavior will be prohibited. Players will be mindful of other players' concentration by not talking loudly.
- (f) Bags and personal items shall be kept on provided racks and not on tables and chairs.
- (g) Play is allowed by daily fee or annual membership, and registration at the pro shop is required before playing to receive a court assignment.
- (h) The City tennis pro along with the Recreation Director may set aside times and dates when the courts may be reserved for programs and special events.
- (i) Operating hours are as follows:
 - (1) 8 a.m. to 12 p.m.
 - (2) 2 p.m. to 8 p.m. Monday through Thursday.
 - (3) 2 p.m. to 5 p.m. Friday, Saturday, and Sunday.
- (j) The Tennis Director has the authority to close down any court due to weather or needed repairs or for maintenance and watering.

(Code 1979, § 13-22)(Code 1979, § 13-25)

Sec. 6-13 - Outdoor Lighting at Frank McDonough Park

City Administration shall have the authority to establish the permitted hours of operation for all outdoor lighting at Frank McDonough Park, as provided in this Section.

- (a) Outdoor lighting at the athletic fields in Frank McDonough Park, not including the tennis courts, shall be used no later than 9:30 p.m.
- (b) On evenings when the outdoor lighting at the athletic fields is being used, the recreation programs and events at Frank McDonough Park shall conclude on or before 9:30 p.m.
- (c) While the outdoor lighting is being used, the basketball courts shall be closed, and conspicuous notice of such closure shall be posted.
- (d) Use of the outdoor lighting at the athletic fields in Frank McDonough Park shall be limited to City-sponsored events.

(Ord. No. 2001-0804, § 2, 12-18-2001)

Sec. 6-14 - Violations

Any violation of the provisions of this Chapter shall constitute a violation of this Code pursuant to Article VII, Violations and Penalties of Chapter 1 - General Provisions.

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EXHIBIT “B”

CHANGES FROM CURRENT CITY CODE

LIGHTHOUSE POINT MUNICIPAL CODE

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Chapter ~~CHAPTER~~ 586 - PARKS AND RECREATION⁽¹⁾

Footnotes:

— (1) —

~~Cross reference — Environment, ch. 30; § 1. recreation and open space district, § 42-352; vegetation, ch. 86; waterways, ch. 90.~~

State Law reference - Florida Litter Law, F.S. § 403.413; criminal mischief, F.S. § 806.13.

ARTICLE I. - IN GENERAL

DIVISION 1 - INTENT

~~Sec. 58-16-1. - Functions of rRecreation dDepartment; director.~~

(a) The following functions shall be assigned to the Rrecreation ~~dDirector~~eDepartment:

- (1) Supervision of eCity parks and recreation areas; and
- (2) Planning and recommendations to the mMayor regarding recreation matters.

(b) The ~~recreation dDirector~~ shall execute the commands of the mMayor and may be removed in the same manner as provided for department heads.

(Laws of Fla. ch. 57-1534, art. VI, § 6; Laws of Fla. ch. 65-1852, § 54; Ord. No. 238, § 12, 1-11-1972)

Charter reference - Personnel, art. IV.

~~Secs. 58-2 — 58-30. - Reserved.~~

DIVISION 2. - DEFINITIONS

~~Sec. 58-31.6-2 - Definitions.~~

The following words, terms and phrases when used in this ~~article~~ Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City Recreation Facility means structures or grounds owned or operated by the City which offer active and passive recreational activities.

Couple means spouses, domestic partners, or cohabitating couples, who are residing together without children.

Family means spouses, persons related by blood or marriage, domestic partners, cohabitating couples, and persons who are presently residing together with children, ~~a husband and wife and all children under the age of 18 years.~~

Guest means any person not a resident of the eCity and who is accompanied by a resident.

~~Husband and wife~~ means a man and woman who are married to each other.

Individual means any person 18-49 years of age or above.

Junior means any person under the age of 18-49 years.

Lighthouse Point Tennis Center means and shall be comprised of nine clay courts, the two "hard" courts, the six "fast-dry" courts and the "pro shop," and pavilion, all located at Lake Placid Park~~Frank McDonough in the eCity.~~

Resident ~~shall mean~~ any person who resides and actually lives within the eCity whether such person is a tenant or a fee owner.

~~Wheeled v~~Vehicle means any wheeled conveyance (except a baby carriage ~~or invalid's wheelchair~~) for transportation of persons or materials.

(Code 1979, § 13-11)

~~Cross-reference~~ ~~Definitions generally, § 1-2.~~

ARTICLE II. - FACILITY USE RULES

~~Sec. 58-326-3.~~ - Applicability.

The use of all ~~e~~City recreation facilities, whether municipally owned or municipally leased, shall be subject to the rules and regulations of this ~~a~~Article, as approved by the Mayor.

(Code 1979, § 13-12)

~~Sec. 58-33.~~ ~~Use only by residents, guests; number of guests.~~

~~Only city residents and one guest for each resident shall be permitted to use the facilities except in those sponsored events scheduled by the recreation director where the director may permit those nonresidents whom he shall name to use the facilities.~~

~~(Code 1979, § 13-13)~~

Sec. 6-4 - Facility Use Regulation

Rules and regulations, which include the use of the courts, fields and other recreational facilities of the City may be established by the Recreation Director.

~~Sec. 58346-5.~~ - Hours.

(a) ~~No person shall commence using e~~City recreation facilities prior to 7:30 ~~8:00 a.m. on weekdays and Saturdays, nor prior to 9:00 a.m. on Sundays~~

~~(b) On Sundays the tennis facilities at city hall and Dan Witt Park may be used commencing at 8:00 a.m. and basketball courts and baseball fields may be used commencing at 9:00 a.m.~~

~~(e-b)~~ Except for sponsored events the ~~e~~City recreation facilities which have lights shall close no later than 9:30 ~~10:00 p.m. on each evening during the months of June, July and August and no later than 9:30 p.m. each evening of all other months.~~ The ~~r~~Recreation d~~Department~~ personnel shall have the right to turn off lights at any time they deem it appropriate, for reasons including but not limited to inclement weather, facility damage, power outage, etc.

~~(d)~~ Except for sponsored events, all non-lighted park areas shall be closed to public use at dark.

(Code 1979, § 13-14)

~~Sec. 58-356-6.~~ - Priority for S~~s~~cheduled a~~a~~ctivities.

City sponsored or approved aActivities scheduled by the rRecreation dDirector shall have priority over all other play. Groups of five or more using the facility for organized activities must obtain a permit from the Recreation Department.

(Code 1979, § 13-15)

~~Sec. 58-36.~~ ~~Alcohol P~~rohibited.

~~Drinking within or bringing any type of alcoholic beverage into any city or park area is prohibited.~~

~~(Code 1979, § 13-16)~~

~~Cross-reference~~ ~~Alcoholic beverages, ch. 6.~~

~~Sec. 58-37.~~ ~~Smoking by children prohibited.~~

~~Any person under the age of 18 years old shall not be permitted to smoke in any city park or park area.
(Code 1979, § 13-17)~~

Sec. 58-376-7 – Smoking Prohibited in Parks

Smoking or holding lighted tobacco products, and use or consumption of tobacco products, including the use of e-cigarettes or vapes, in parks under the control and management of the eCity, is prohibited and unlawful. It is prohibited and unlawful for any person to smoke or carry a lighted cigar, cigarette, cigarillo or pipe, or use any sparks, flame, match or fire-producing device normally used in tobacco smoking, or, to use or consume tobacco products, including e-cigarettes or vapes, in any eCity park, under the control and management of the eCity, except smoking of unfiltered cigars is permitted.

(Ord. 2022-0989, §2, 8-9-22)

Sec. 58-386-8- - Wheeled ~~v~~ehicles:

Bicycles, skateboards, golf carts and other wheeled vehicles are prohibited in recreation areas of the parks, except for those vehicles that are owned or authorized by the City in areas specifically designated for their use.

(Code 1979, § 13-19)

~~Cross-reference—Traffic and vehicles, ch. 82~~

Sec. 58-39- -Appropriate footwear:

~~When participating in basketball or tennis, shoes must be worn at all times. When participating in tennis activities, tennis shoes must be worn at all times.~~

(Code 1979, § 13-20)

Sec. 58-40-6-9 - Loitering:

Loitering at any eCity recreational facilities after the facilities have been closed is prohibited.

(Code 1979, § 13-21)

Sec. 58-41- -Time limit on tennis court use:

~~When participating in tennis recreation facilities and other players are waiting, play shall be limited to one-half hour for singles and one hour for doubles. The court must then be relinquished to the next players waiting. Time limit begins when new players arrive at courts.~~

(Code 1979, § 13-22)

Sec. 58-426-10- - Director ~~M~~ay ~~C~~lose sections~~Park~~:

The ~~R~~ecreation ~~d~~irector may close down any sections~~areas~~ of any park whenever he or she may deem it necessary for reasons of safety or to make repairs.

(Code 1979, § 13-23)

Sec. 58-436-11- - Recreation ~~f~~ees ~~G~~enerally:

All fees charged for the use of any recreation facility ~~in the city~~ shall be established by resolution approved by the eCity eCommission.

(Code 1979, § 13-24)

Sec. 58-446-12- - Regulations ~~g~~Governing Lighthouse Point Tennis Center:

The use of the Lighthouse Point Tennis Center shall be subject to the following rules and regulations:

(a1) All juniors under the age of ~~nine~~ 12 years must be accompanied by a responsible adult resident when using any tennis center facilities.

~~(2) The tennis center shall be available for use from 9:00 a.m. in the morning until official sundown, as established by the United States Weather Bureau.~~

~~(3) The use of the facilities at the tennis center shall be subject to each user wearing a shirt and shorts or pants, or a tennis dress, if appropriate, and each person must also wear tennis shoes.~~

~~(4) Any cards reflecting a yearly court maintenance fee once issued shall not be transferable and in the event of the termination of residency by any card holder all rights to the use of his card shall cease. No refunds of court maintenance fee previously paid shall be allowable on an identification card.~~

~~(5) The court maintenance fees shall be maintained in a special purposes fund within the general fund of the city and shall be used exclusively for the maintenance and upkeep of the tennis center facility.~~

~~(6) The city tennis pro along with the recreation director may set aside times and dates when the courts may be reserved such as men's day, ladies' day, league matches and work outs and youth clinics, etc.~~

~~(7) The use of the facilities at the tennis center, in addition to the provisions established herein, shall be subject to such rules and regulations as may be established by the recreation department of the city and ratified by a motion vote of the city commission. Any violation of either the provisions of this section or the such rules and regulations established by the recreation department shall constitute a violation of this Code.~~

~~Sec. 58-41 Time limit on tennis court use.~~

(b) When participating in tennis recreation facilities and other players are waiting, play shall be limited to one-half hour for singles and one hour for doubles. The court must then be relinquished to the next players waiting. Time limit begins when new players arrive at courts.

(c3) Players. The use of the facilities at the tennis center shall wear proper tennis attire be subject to each user wearing a shirt and shorts or pants, or a tennis dress, if appropriate, and each person must also wear tennis shoes.

(d) Membership categories shall include family.

(e) Proper conduct shall be enforced at all times: foul language, racket throwing, bullying, unsportsmanlike or rude behavior will be prohibited. Players will be mindful of other players' concentration by not talking loudly.

(f) Bags and personal items shall be kept on provided racks and not on tables and chairs.

(g) Play is allowed by daily fee or annual membership, and registration at the pro shop is required before playing to receive a court assignment.

(h) The city tennis pro along with the Recreation Director may set aside times and dates when the courts may be reserved such as men's day, ladies' day, league matches and work outs and youth clinics, etc. for programs and special events.

(i) Operating hours are as follows:

(1) 8 a.m. to 12 p.m.

(2) 2 p.m. to 8 p.m. Monday through Thursday.

(3) 2 p.m. to 5 p.m. Friday, Saturday, and Sunday.

(j) The Tennis Director has the authority to close down any court due to weather or needed repairs or for maintenance and watering.

~~(Code 1979, § 13-22)(Code 1979, § 13-25)~~

~~Sec. 58-45-6-13 - Outdoor Lighting at Frank McDonough Park.~~

~~The city commission Recreation Department shall retain sole and absolute City Administration shall have the authority to establish the permitted hours of operation for all outdoor lighting at Frank McDonough Park, as provided in this Section.~~

- (a1) Outdoor lighting at the athletic fields in Frank McDonough Park, not including the tennis courts, ~~shall be used only on Monday through Friday evenings from September 1 through May 31, shall be turned off no later than 8:45 p.m., and shall not be used from June 1 through August 30 no later than 9:30 p.m.~~
- (b2) On evenings when the outdoor lighting at the athletic fields is being used, the recreation programs and events at Frank McDonough Park shall conclude on or before ~~9:30~~8:30 p.m., ~~not including the tennis courts~~
- (c3) While the outdoor lighting is being used, the basketball courts shall be closed, and conspicuous notice of such closure shall be posted.
- (d4) Use of the outdoor lighting at the athletic fields in Frank McDonough Park shall be limited to ~~e~~City-sponsored events.

(Ord. No. 2001-0804, § 2, 12-18-2001)

~~Sec. 58-46. Use of Degroff Park.~~

~~The use of DeGroff Park shall be subject to the following:~~

- (1) ~~Vehicles shall be permitted to be parked in the city provided parking spaces at the park no more than two hours total on any given day. Cars shall not be permitted to move from one space to another in order to avoid enforcement of this paragraph. Double parking in the city provided parking spaces shall be prohibited.~~
- (2) ~~Violations of this section shall be subject to fines as follows:~~
~~\$25.00 for the first violation;~~
~~\$50.00 for the second violation;~~
~~\$100.00 for each violation thereafter.~~

~~In addition, for violations of subparagraph (2), in the event that the vehicle remains in violation for a period of not less than one hour after issuance of a parking citation, the vehicle may be towed.~~

~~(Ord. No. 2007-0871, § 2, 5-22-2007)~~

Sec. 6-14 - Violations

Any violation of the provisions of this Chapter shall constitute a violation of this Code pursuant to Article VII, Violations and Penalties of Chapter 1 – General Provisions

ORDINANCE NO. 2023-1007

EXHIBIT “C”

TABLE OF AMENDMENTS

CHAPTER 6- PARKS AND RECREATION

Table of Amendments

Entire Chapter updated for punctuation, capitalization of select terms, and capitalizations of Section titles; added full board name to all Board references; and added his/her to all gender references.

All cross-references to a Chapter, Article, Division and/or Section to the Code has been deleted per City's instructions.

Chapter 6, Parks and Recreation is created by consolidating the following current Sections:

Current Ordinance Chapter 58 – Parks and Recreation	Proposed Ordinance Chapter 6 – Parks and Recreation	Comments
Article I. – IN GENERAL	ARTICLE I – IN GENERAL	
NA	DIVISION 1 - INTENT	
Sec. 58-1. - Functions of recreation department; director.	Sec. 6-1 - Functions of Parks and Recreation Department	Minor change to title.
Secs. 58-2 -58-30. -Reserved.	NA	
NA	DIVISION 2 - DEFINITIONS	
Sec. 58-31. - Definitions.	Sec. 6-2- Definitions	-Added new definitions per State Statutes, and delete obsolete definitions. -Revised definitions of family consistent with how it is written under the Appendix A Fee Schedule -Revised definitions of "Junior" and "Individual", to change age from 19 to 18. -Added "City Recreation Facility". -Revised "Lighthouse Point Tennis Center" definition.
ARTICLE II. - FACILITY USE RULES	ARTICLE II - FACILITY USE RULES	
Sec. 58-32. - Applicability.	Sec. 6-3 - Applicability	Added as approved by Mayor.
Sec. 58-33. - Use only by residents, guests; number of guests.	Sec. 6-4 – Facility Use Regulation	Substantial change. Created new Sec. 6-4 - Facility Use Regulations – allow the Director of Recreation the authority and the flexibility of establishing rules and regulations for each type of parks and recreational facilities. This may include changing hours due to inclement weather; requirement of proper footwear by the users/players; consumption of alcoholic drinks in parks or recreational facilities...etc.

Sec. 58-34. - Hours.	Sec. 6-5 - Hours	Substantial change. Under the new Sec. 6-5.(a), Hours, the revised language reflects current hours, which is 7:30 am daily, per recommendation by the Recreation Director. And under Sec. 6-5 (c), the revised language reflects current hours, and provides some examples of valid reasons for closure.
Sec. 58-35. - Priority for scheduled activities.	Sec. 6-6- Priority for Scheduled Activities	-Substantial change to include max. group number and permit. -On 9/12/23 First Reading, City Commission recommended changes to clarify that priority for City sponsored or approved activities.
Sec. 58-36 – Alcohol Prohibited	NA	Relocated to Sec. 5-24 -Alcohol Prohibited.
Sec. 58-37. - Smoking by children prohibited.	Sec. 6-7- Smoking Prohibited in Parks	Updated per Ordinance 2022-0989
Sec. 58-38. - Wheeled vehicles.	Sec. 6-8 - Wheeled Vehicles	-Substantial change to include golf carts and use of City vehicles. -On 9/12/23 First Reading, City Commission recommended changes to clarify the wheeled vehicles are prohibited in the recreation areas of a City park.
Sec. 58-39. - Appropriate footwear.	NA	Deleted. All rules and regulations will be established by the Recreation Director, and therefore no need to specific individual requirements for each type of sports or recreational activities.
Sec. 58-40. - Loitering.	Sec. 6-9 - Loitering	Capitalized terms.
Sec. 58-41. - Time limit on tennis court use.	NA	Relocated to new Sec 6-12.
Sec. 58-42. - Director may close sections.	Sec. 6-10 - Director May Close Park	Capitalized terms. -Minor edits, replacing "section of a park" to "areas of a park".
Sec. 58-43. - Recreation fees generally.	Sec. 6-11 - Recreation Fees Generally	Capitalized terms.
Sec. 58-44. - Regulations governing Lighthouse Point Tennis Center.	Sec. 6-12 - Regulations Governing Lighthouse Point Tennis Center	-Substantial change. Combined (Old Sec. 58-44) Regulations Governing Lighthouse Point Tennis Center with (Old Sec. 58-41) Time Limit on Tennis Court Use. Deleted subsections (2) (3) and (6) now restated in Sec 6-12; deleted (4) and (5); and (7) replaced with a catch all under Sec 6-14 -Violations]

		<p>-Added a new section for time limits on courts and fields and time limits to be established by Parks & Recreation Director. New language is updated to reflect rules adopted by Tennis Committee in 2017 and displayed at the center.</p> <p>-Changed the minimum age from 9 to 12 years of age.</p>
Sec. 58-45. - Outdoor lighting at Frank McDonough Park.	Sec. 6-13 - Outdoor Lighting at Frank McDonough Park	<p>-Substantial change to revise hours. Instead of listing the months, i.e. September 1 through May 31, and no later than 8:45 p.m. now proposed to just state no later than 9:30 p.m.</p> <p>-On 9/12/23 First Reading, City Commission recommended changes to allow the City Administration the authority to establish the permitted hours of operation for all outdoor lighting.</p>
Sec. 58-46. - Use of Degroff Park.	NA	Old Sec. 58-46 is relocated to Chapter 5, Law Enforcement Division 2 – Administration. Sec.
NA	Sec. 6-14 - Violations	New Sec. 6-14 – Violations were created consolidating languages from Sec. 58-44.(7) – Regulations governing Lighthouse Point Tennis Center.