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ORDINANCE NO. 2019-003

**AN ORDINANCE OF THE CITY OF PARKLAND, FLORIDA,
AMENDING SECTION 11-72 (L) OF THE CITY CODE
RELATING TO PROHIBITION OF DRONES IN CITY PARKS;
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, By virtue of the enactment of Section 330.41 , Florida Statutes, the Florida Legislature has preempted municipal regulation of drones; and

WHEREAS, The City Commission wishes to amend the City Code to be consistent with this preemption;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF PARKLAND, FLORIDA AS FOLLOWS:**

Section 1. Section 11-72 (l) of the City Code is hereby amended to read as follows:

Sec. 11-72. - Recreational activities and facilities.

The restrictions and regulations contained herein shall apply to all city parks as follows:

- (a) *Tents.* No person shall erect, maintain, use or occupy in any area any tent, canopy, shelter or structure of any kind within a city park, with the exception of a temporary sun-shade canopy.
- (1) Temporary sun-shade canopies shall be defined as not exceeding ten (10) feet by ten (10) feet in size, open sided, containing no hanging items and must be securely fashioned to the ground through the use of tent stakes in each leg.
- (2) No person shall erect a temporary sun-shade canopy earlier than thirty (30) minutes prior to scheduled activity start times and must be removed within thirty (30) minutes following the activity.
- (3) Placement of temporary sun-shade canopies is limited to the sidelines of athletic fields during officially scheduled city-recognized events.
- (4) Placement of temporary sun-shade canopies may not impede the visibility of other spectators as determined by the leisure services director or his/her designee.
- (5) Temporary sun-shade canopies shall not be attached to another temporary sun-shade canopy and shall not placed next to permanent or temporary structures.
- (b) *Fires.*
- (1) No person shall start or maintain any outdoor fire except in designated areas. Fires shall be limited to cooking on picnic grills. No ground fires [shall be] permitted.
- (2) Cooking fires shall be started and maintained only in a stove, fireplace or barbecue pit maintained by the parks department. Fuels used in cooking fires shall not produce any noxious fumes or smoke.
- (3) No person starting or maintaining any fire in a park shall leave the area without first extinguishing the fire.
- (4) Special events cooking permits may be obtained from the city.
- (c) *Camping.* No person shall set up tents, shacks or any other temporary shelter or bring in any recreational vehicle for the purpose of camping. Camping shall be prohibited in city parks.
- (d) *Horseback riding.* Horses are not permitted on any ballfield or play area of a park. Horses shall not go unattended.
- (e) *Photography.* No person shall take still or motion pictures for commercial purposes, involving the use of special settings or structures or the performance of a cast or persons,

54 either amateur or professional, without first obtaining written permission from the city
55 commission or its designee. Otherwise, there shall be no restriction on photographic
56 activities.

- 57 (f) *Permits*. The city commission or its designee may, upon written application, grant specific
58 use permits for special uses when, in the opinion of the city commission, special
59 consideration is warranted.
- 60 (g) *Fees and charges*. The city commission may determine and fix by resolution such fees and
61 charges for services and activities made available in city parks.
- 62 (h) *Swimming*. No person in a park shall swim or bathe in any waterway that is in or adjacent to
63 any park.
- 64 (i) *Fishing*. No person shall engage in fishing at any location where such activity is prohibited
65 unless such activity has been approved via a special events permit.
- 66 (j) *Launching of boats, jet skis, radio-controlled or other water vehicles from any city property*.
67 It shall be illegal and a violation of this section for any person to launch or propel from any
68 city property, or the shoreline adjacent to any city property, a boat, a jet ski or any other
69 similar type water vehicle into the waters adjacent.
- 70 (k) *Playground rules*. Individuals shall adhere to all posted playground rules.
- 71 (l) *Remote controlled vehicles ~~or drones~~*. Remote controlled ground vehicles ~~or drones~~ are not
72 permitted within any city park.
- 73 (m) *Golf*. No person shall strike a golf ball within any city park unless such activity is part of a
74 city-authorized program.

75
76 **Section 2.** It is the intention of the City Commission and it is hereby ordained that the
77 provisions of this ordinance shall become and be made a part of the Code of the City of
78 Parkland, and that the sections of this ordinance may be renumbered to accomplish such intent.

79
80 **Section 3.** Should any section or provision of this ordinance or any portion thereof,
81 any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid,
82 such decision shall not affect the validity of the remainder hereof as a whole or part thereof other
83 than the part declared to be invalid.

84 **Section 4.** This ordinance shall be in full force and effect immediately upon its passage
85 and adoption.

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87 **PASSED 1ST READING THIS 15th DAY OF May, 2019.**

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89 **ADOPTED ON 2ND READING THIS 5th DAY OF June 2019**

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91 **CITY OF PARKLAND, FLORIDA**

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CHRISTINE HUNSCHOFSKY
MAYOR

ATTEST:


JENNIFER JOHNSON, CITY CLERK



RECORD OF COMMISSION VOTE

Commissioner Kagan	<u>Yes</u>
Commissioner Mayersohn	<u>Yes</u>
Mayor Hunschofsky	<u>Yes</u>
Commissioner Walker	<u>Yes</u>
Vice Mayor Cutler	<u>Yes</u>

106 Approved as to form and legality

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108

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ANDREW MAURODIS, CITY ATTORNEY