

ORDINANCE NO: 2021-16

AN ORDINANCE RELATING TO THE BARTOW MUNICIPAL GOLF COURSE; AMENDING VARIOUS SECTIONS OF CHAPTER 66, ARTICLE V OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS RELATED TO THE COLLECTION OF FEES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bartow has code of ordinance sections related to the overall governance of the Bartow Municipal Golf Course facilities, which are codified in Chapter 66, Article V, of the Code of Ordinances; and

WHEREAS, specifically, Article V of Chapter 66 deals with fees associated with the use of the Bartow Municipal Golf Course; and

WHEREAS, fee collection related to use of the golf course facilities takes place at the time of reservation/purchase and the need for late fees is no longer necessary; and

WHEREAS, in addition, because the City's Volunteer Fire Department was disbanded many years ago, ongoing references to discounts to that group are obsolete;

WHEREAS, the City Commission finds that these updates to Chapter 66, Article V, are necessary and will serve to provide the citizens with necessary updates, revisions, additions and deletions to the Code.

NOW THEREFORE

BE IT ENACTED BY THE PEOPLE OF THE CITY OF BARTOW:

SECTION 1. This ordinance shall be commonly known as the "Bartow Municipal Golf Course Chapter 66 Update Ordinance of 2021" and may be so cited.

SECTION 2. Various Sections of Chapter 66, Article V of the Code of

Ordinances shall be revised, modified, added, or deleted, as set forth in Exhibit 'A' to this ordinance, a copy of which is attached hereto and incorporated herein, such copy consisting of one (1) numbered page. In accordance with §166.041(2), Florida Statutes, added language to existing code provisions shall be underlined and deleted language from existing code provisions shall be ~~stricken through~~.

SECTION 3. All existing ordinances of the City of Bartow in conflict with this ordinance are repealed to the extent necessary to give this ordinance full force and effect.

SECTION 4. If any provision or portion of this ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining portions, provisions, and regulations of this ordinance shall remain in full force and effect.

SECTION 5. Any scrivener's error created as a result of the passage of this ordinance may be corrected by City of Bartow staff, without further legislative action, so long as the intent of this ordinance is preserved, by filing a revised copy thereof with the City Clerk's office with the terms "Staff Revised" and the revision version number in the style of the ordinance.

SECTION 6. It is the intent of the City Commission that the provisions of Exhibit 'A' to this ordinance shall be codified as and become and be made a part of the permanent Code of Ordinances of the City of Bartow. The provisions of Exhibit 'A' to this ordinance may be renumbered or relettered to accomplish such intention and the word "ordinance", or similar words, may be changed to "section," "article", or other appropriate word. Further, it is the intent of the City Commission that the implementing

and instructional sections of this ordinance, Sections 1 through 7, shall not be codified. The Code codifier is granted liberal authority to codify the provisions of Exhibit 'A' to this ordinance, including the authority to modify cross-references as he or she may see fit to capture the intent of this ordinance.

SECTION 7. This ordinance shall take effect upon final passage.

INTRODUCED AND PASSED on first reading at the Regular meeting of the City of Bartow City Commission held this 21st day of September, 2021.

PASSED AND ADOPTED on second reading at the Regular meeting of the City of Bartow City Commission held this 4th day of October, 2021.

CITY OF BARTOW



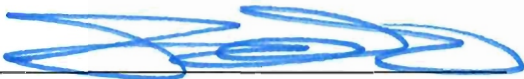
Scott Sjoblom, Mayor

ATTEST:



Jacqueline Poole, City Clerk

APPROVED AS TO FORM:



Sean R. Parker, City Attorney

APPROVED AS TO SUBSTANCE:



George A. Long, City Manager

Exhibit "A"

Section 66-112 – Collection of fees.

The city manager or designee may promulgate rules for collection of the greens fees and cart rental fees ~~which shall include a late charge of 1½ percent per month or \$1.00 per month, whichever is greater,~~ and may from time to time vary such greens fees and cart rental fees for promotions, tournaments or other activities promoting the play of golf when he finds such variance to be in the best interest of the city.

Section 66-113 – ~~Certain fees to be borne by city.~~

~~Subject to rules and regulations promulgated by the city manager, the cost of greens fees incurred by members of the volunteer fire department will be borne by the fire department.~~