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Sec. 16-8. Prohibited activities.

To ensure the enjoyment and safety of all users, the following activities are prohibited in city parks:

- (1) Set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person sleep in a city park, nor shall any person leave on premises after closing hours any movable structure or special vehicle to be used or that could be for such purpose, such as house trailer, camp trailer, camp vehicle, or such.
- (2) Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and soccer is prohibited except on the fields and courts or areas provided therefore.
- (3) Conduct any games of chance such as raffles, bingo games, dice, or card games for money; or hold drawings for prizes; or participate in any other forms of gambling, with the exception of those penny-ante games of chance specifically enumerated in F.S. § 849.085 under the conditions specified.
- (4) Conduct any commercial activity without the prior written approval from the city.
- (5) Bring a weapon or firearm into a city park in violation of F.S. § 790.01.
- (6) Engage in any activity that is or may be dangerous to the health, safety or welfare of themselves or others.
- (7) Engage in any activity that interferes with the use and enjoyment by others.
- (8) Use, distribute, or possess with the intent to use or distribute any illegal substance.
- (9) Engage in any violent activity.
- (10) Possess any glass bottles in any city park.
- (11) Possess or operate a motor in any city park without prior written approval from the city.
- (12) Sell any merchandise, food, or drink without a permit authorizing the sale of the items issued by the city or an agreement entered into by the city.
- (13) Sell, consume, or possess alcoholic beverages except as provided in this article or in City Code chapter 5, alcoholic beverages, section 5-8, drinking on public property.
 - a. During a special event where the city has given written permission for the sale, consumption, and/or possession of alcoholic beverages, provided that:

- 71 1. The applicant has received a permit from the city or, if the city is the
72 applicant;
- 73 2. That adequate safeguards will be taken to ensure that no breach of the
74 peace or littering will be permitted to occur as a result of the sale,
75 consumption and possession of alcoholic beverages;
- 76 3. That such use abides by all local and state laws regarding the sale,
77 consumption, and/or possession of alcoholic beverages.
- 78 b. The sale of alcoholic beverages may be permitted to private entrepreneurs
79 who develop and/or operate facilities upon premises leased from the city
80 for food service as the city deems appropriate.
- 81 (14) Bring or have in his/her possession, or set off or otherwise cause to
82 explode or discharge or burn, any fireworks or explosives of inflammable
83 material, or discharge them or throw them into any such area from land or
84 highway adjacent thereto. This prohibition includes any other substance or
85 compound [that] would be dangerous from any of the foregoing
86 standpoints. Special permits may be issued by the city manager for
87 firework displays, subject to approval from the fire rescue department of
88 the city.
- 89 (15) Build or attempt to build a fire except in city provided containers such as
90 barbeque grills and other cooking devices in areas and under such
91 regulations as may be designated by the director. No person shall drop,
92 throw or otherwise scatter lighted matches, burning cigarettes or cigars,
93 tobacco paper or other inflammable materials, within any city park or on
94 any highway, road or street abutting or contiguous thereto.
- 95 (16) Enter an area posted as "closed to the public," nor shall any person use,
96 or abet the use of, any area in violation of posted notices.
- 97 (17) Sleep on the seats or benches or other areas.
- 98 (18) Engage in loud, boisterous, threatening, abusive or insulting language, or
99 engage in any disorderly conduct or behavior.
- 100 (19) Fail to produce and exhibit any permit, upon request of any authorized
101 person who shall desire to inspect the permit for the purpose of enforcing
102 compliance with any ordinance or rule.
- 103 (20) Disturb or interfere unreasonably with any person or party occupying any
104 area, or participating in any activity, under the authority of a permit.
- 105 (21) Paste, glue, tack or otherwise post any sign, placard, advertisement or
106 inscription whatever, nor shall any person erect or cause to be erected
107 any sign whatever, on any city park or highways or roads adjacent to a city
108 park except by written permission of the director.
- 109 (22) Make, continue, or cause to be made or continued any loud, unnecessary
110 or unusual noise or any noise which either annoys, disturbs, injures or

111 endangers the comfort, repose, health, peace or safety of others in
112 compliance with the city noise ordinance [sections 19-18—19-21].

113 (23) Trespass on any city park.

114 (24) Smoke or vape.

115 a. It is unlawful for any person to vape or to smoke any tobacco product,
116 except unfiltered cigars, within any city park and recreational areas
117 or beaches.

118 b. Vaping is defined as the use of vapor-generating electronic devices
119 for breathing in or inhaling tobacco products.

120 **SECTION 2. Providing for Conflict.** All ordinances or parts of ordinances and all
121 resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent
122 of the conflict.

123 **SECTION 3. Providing for Severability.** If this ordinance or any part thereof is
124 declared by a court of competent jurisdiction to be invalid, such decision shall not affect
125 the validity of the remainder of the ordinance other than the part declared to be invalid.

126 **SECTION 4. Providing for an Effective Date.** This ordinance shall take effect
127 immediately upon adoption.

128 PASSED AND ADOPTED on 1st Reading on November 2, 2022.

129 PASSED AND ADOPTED on 2nd Reading on December 14, 2022.

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139 SPONSORED BY: CITY ADMINISTRATION

140 ATTEST:

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144 JENORGEN GUILLEN, CMC

145 CITY CLERK

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JOY F. COOPER
MAYOR

147 APPROVED AS TO LEGAL SUFFICIENCY AND
148 FORM

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JENIFER MERINO
CITY ATTORNEY

FIRST READING VOTE ON ADOPTION

Mayor Cooper	<u>Yes</u>
Vice Mayor Butler	<u>Yes</u>
Commissioner Javellana	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>
Commissioner Lima-Taub	<u>Yes</u>

FINAL VOTE ON ADOPTION

Mayor Cooper	<u>Yes</u>
Vice Mayor Lima-Taub	<u>Yes</u>
Commissioner Adams	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>

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