

ORDINANCE 1572

AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA, AMENDING CHAPTER 18 OF THE CITY OF TEMPLE TERRACE CODE OF ORDINANCES, PARKS, RECREATION, LEISURE SERVICES AND CULTURAL AFFAIRS, UNDER ARTICLE II, PUBLIC CONDUCT IN PARKS, BY REVISING SECTION 18-26 "BOATING," SECTION 18-28 "GAMES ETC," SECTION 18-33 "TIMES OF CLOSING, EXCEPTIONS, ACTIVITY," SECTION 18-36 "MERCHANDISING, VENDING, PEDDLING, ETC," SECTION 18-39 "ALCOHOLIC BEVERAGES," SECTION 18-41 "CAMPING," CREATING SECTION 18-42 "AIRCRAFT, PARACHUTING AND DRONES," CREATING SECTION 18-43 "GOLFING," AND CREATING SECTION 18-44 "ANIMALS," PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR APPLICABILITY AND SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the City Council recognizes and finds that the parks and recreational services provided to the public by the City of Temple Terrace are essential to the quality of life in the City; and

Whereas, the City Council further finds that in order to provide these essential recreational services to the public, the City must maintain reasonable rules and regulations regarding the operation of City parks and other public recreational areas; and

Whereas, from time to time it is necessary to review and amend City park rules and regulations to reflect current recreation guidelines and criteria for park sites and facilities based on industry standards and comparison with those of neighboring and comparable jurisdictions; and

Whereas, upon recommendation by the City Manager and the Leisure Services Director, the Mayor and City Council have determined that Chapter 18 of the Temple Terrace Code of Ordinances should be updated to provide for current practices regarding the use, protection and preservation of the parks and recreation areas within the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Temple Terrace, Florida that:

Section 1. Chapter 18 of the City of Temple Terrace Temple Terrace Code of Ordinances is hereby amended to revise Article II, which will contain three new code sections 18-42, 18-43 and 18-44, and will read as follows:

Section 2. Article II, Temple Terrace City Code of Ordinances, is hereby revised as follows:

Article II – Public Conduct in Parks

Sec. 18-19. Definitions.

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

Park property means and covers all areas, buildings, locations and facilities defined in this section.

Parks, parkways, recreational areas means parks, wayside parks, parkways, playgrounds, recreation fields, auditoriums, ranges, and buildings, lakes, streams, canals, lagoons, waterways, water areas, and beaches therein, and all public facilities conducted on grounds, buildings and structures in the City which are under the control of or assigned for upkeep, maintenance or operation by the leisure services department.

Sec. 18-20. Penalty.

Except as otherwise provided, violations of the article are punishable as provided in chapter 1, article II of this Code.

Sec. 18-21. Authority of police chief and park officials.

- (a) It shall be the duty and responsibility of the police chief and the leisure services director to enforce all provisions of permits issued.
- (b) Besides the rules and regulations as set out in this article, the leisure services director shall have the authority to establish rules and regulations for regulation of park use pursuant to the preservation of health, safety and/or welfare of the public in furtherance of keeping with the mandates and provisions of this article.
- (c) Any violation of the provisions of this article or any violation of any rules and regulations adopted pursuant hereto shall authorize the park personnel to remove the violator from the park area. Said removal shall be effectuated by park personnel requesting the violator to leave the park area. Failure of any such violator to leave the park area after direction and request has been made by park personnel, shall constitute a trespass.

Sec. 18-22. Traffic ordinances and state vehicle laws.

The traffic laws of this state and applicable state vehicle laws shall apply in and about all park property and in addition thereto the following traffic regulations shall be applicable:

- (1) Speed limit in park areas is ten (10) miles per hour or as posted.
- (2) No person driving, operating, controlling, or propelling any vehicle, motorized, horse-drawn, or self-propelled, shall use any other than the regularly designated paved or improved park roads or driveways except when directed to do so by law enforcement officers or leisure services department employees.
- (3) No driver or operator of any vehicle shall obstruct traffic or park or stop on any road or driveway except at places so designated or in case of an emergency beyond the driver or operator's control. At places so designated a vehicle may be stopped for a

period of no more than fifteen (15) minutes in order for the occupant to view the scenic features.

- (4) No truck, commercial vehicle, or bus of any type shall be driven on any park road or property without authorization from the leisure services department, except that those trucks and buses used for transporting persons to a park for recreation purposes will be afforded use of ingress and egress to park roads and parking facilities as provided for conventional passenger vehicles.
- (5) No person shall ride, drive or propel any bicycle, tricycle, motorcycle, scooter, or similar vehicle being motor propelled or self-propelled on any but the regular vehicular park roads and/or designated areas for that class vehicle, except such vehicles with motors off, may be pushed by hand not faster than a walk over grassy areas, wood tracts or specially designated paved areas normally reserved for the use of pedestrians.
- (6) No person shall park a vehicle any place on park property other than in the regular designated facilities provided for that particular type of vehicle, unless directed otherwise by law enforcement officers.
- (7) No person or organization shall accept any fee or gratuity for any service concerning the parking of a vehicle except those employees assigned to areas where a stated fee is charged by the leisure services department.

Sec. 18-23. Preservation of property.

- (a) No person shall damage or remove plants or plant materials, trees or parts thereof or any flowers whatsoever from any leisure services department property, except that park personnel may be empowered to make such removals, and scientists and students of botany may be given special written specimen collecting permits by the leisure services department, in accordance with the rules and regulations of the leisure services department.
- (b) No person or agency shall make any excavation by tool, equipment, blasting, or other means, or shall construct or erect any building or structure whatever kind, whether permanent or temporary, or run or string any public utility into, upon, across or over any park or recreation lands unless authorized by easement or by permit issued by the leisure services department in accordance with the rules and regulations of the leisure services department.
- (c) No fires shall be built by any person against or adjacent to any park building, structure, tree or plant or near the property of others or in any area of any park except in such areas as are specifically designated for fire-building, nor shall any person drop, throw or permit to be scattered by any means lighted matches, burning tobacco products or any other inflammable material within any park area or any highway, road, or street abutting or contiguous thereto.

Sec. 18-24. Protection and preservation of wildlife.

- (a) No person shall molest, harm, frighten, kill, net, trap, snare, hunt, chase, shoot, throw or propel by any means missiles at any wildlife creature (except in self-defense) be it animal, bird, or reptile roaming free about a park or in captivity in a zoo cage, nor shall any person remove or possess the young of any wild animal or the nest or eggs of any reptile or bird or collect, remove possess, give away, sell or offer to sell, buy or offer to buy, or accept as a gift any specimen dead or alive of any of the group, including tree snails.
- (b) No person shall disobey posted notice prohibiting feeding ~~to~~ of animals, birds or reptiles.
- (c) No person shall place, dump, abandon or leave any animal, reptile or bird, either wild or domestic, in an effort to find a home for such creature, on the grounds of any park.

Sec. 18-25. Bathing and swimming.

No person shall swim, wade, or bathe in waters or waterways of any park other than at ~~such~~ places ~~as are~~ provided for such activities and in compliance with the rules of these areas.

Sec. 18-26. Boating.

No person shall bring into or operate any boat, yacht, cruiser, canoe, raft or other watercraft (except toys too small for human occupancy) into any park property watercourses, bays, lagoons, lakes, canals, rivers, ponds, or sloughs other than those so designated for such use or purpose by the leisure services department and then only in strict confirmation with ~~the leisure services department~~ boating regulations.

Sec. 18-27. Picnic area; use.

- (a) No person shall picnic, lunch or cook in any park area not specifically designated for such usage.
- (b) No person shall build, light, or cause to be lighted any fire upon the ground or other object in any park area except in an approved grill, stove, fireplace or other suitable container, nor shall any person starting a fire leave the area without extinguishing the fire.
- (c) No person shall use a grill or other device in such a manner as to burn, char, mar or blemish any bench, table or other object of park property.
- (d) The leisure services department shall regulate activities in picnic areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all.

Sec. 18-28. Games, etc.

- (a) No person shall engage in an activity within any park that is not consistent with the intended use of the facility.
- (b) No person shall engage in any activity within the park areas that is dangerous to the health, safety, and welfare of others, and no person or persons shall engage in any activity within

the park area that interferes with the use and equipment of the park and its facilities by others.

- (c) No person or organization shall conduct raffles, bingo games, card games for money or drawings for prizes or participate in any other forms of gambling in unauthorized areas whether for charity or otherwise.
- (d) ~~No person shall engage in an organized athletic activity in any park or parks and recreation area without first obtaining a permit from the leisure services department in accordance with the rules provided therefor.~~ No person shall play or participate in any organized athletic activity or game, including but not limited to football, baseball, or basketball, on any department-managed land except in areas designated for such use. All organized athletic activities must have an approved facility rental application from the department or a written agreement with the City.

Sec. 18-29. Horseback riding.

No person shall engage in horseback riding in any park or leisure services department area other than those where provisions for such is provided by clearly marked bridle paths, trails, and other necessary features and then only upon thoroughly broken and properly restrained animals that are ridden with care, prevented from grazing, straying unattended, untethered to any rock, tree or shrub and not ridden or led on any parkland other than that so designated.

Sec. 18-30. Toy firearms, fireworks and explosives.

- (a) No person may bring into or possess or set off or otherwise cause to explode in any building or in any park area any firecrackers, torpedoes, rockets, toy firearms or cannons or other fireworks or explosives of inflammable material or any substance, compound, mixture, or article that in conjunction with any other substance or compound may explode, discharge or burn, unless the person first obtains a written permit from the fire chief.
- (b) Parents or guardians shall be held responsible and accountable for the actions of minors in regards to the prohibitions in subsection (a) of this section.

Sec. 18-31. Pollution of waters.

Using the fountains, ponds, lakes, streams, bays or any other bodies of water within the parks, or the tributaries, storm sewers or drains flowing into them as dumping places for any substance or matter or thing which will or may result in the pollution of said waters is prohibited.

Sec. 18-32. Refuse and trash.

No person shall deposit or drop or place any refuse including, but not limited to, bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste garbage, tobacco products or containers or foil upon the ground or in or on any park property except in the receptacles provided for trash disposal. Such disposition of refuse in the park receptacles can only be used by those persons using the park area for recreational and park activities.

Sec. 18-33. Times of closing, exceptions, activity.

- (a) No person shall be or remain in any City park between ~~the hours of 10:00 p.m. and 5:00 a.m.~~ sunset and sunrise, except as follows:
- (1) Persons may remain in the areas designated as twenty-four-hour boat-launching areas at any time for the sole purpose of boat launching or recovery;
 - (2) Persons may remain in lighted City parks solely to engage in the activity for which lighting ~~after 10:00 p.m.~~ has been provided between sunset and 10pm;
 - (3) At any time, pedestrians and vehicles may pass through City parks, without stopping, on the most direct walk or driveway leading from their point of entrance to the exit nearest to their point of destination.

The provisions of this subsection shall not apply to law enforcement officers or city employees in the discharge of their duties or to persons having a written permit issued by the City manager or designee allowing them to be or remain in any part of a City park between ~~10:00 p.m. and 5:00 a.m.~~ sunset and sunrise. The City Manager or designee may establish exceptions to the closing hours as set forth above when it is in the interest of public health, safety or welfare; however, any such exceptions shall be conspicuously posted at the park.

- (b) No operator of any vehicle shall park, or permit to remain parked, any vehicle on any driveway, parkway, parking area or other park property between the hours of ~~10:00 p.m. and 5:00 a.m.~~ sunset and sunrise, or as otherwise posted, except for in conjunction with designated twenty-four-hour boat-launching facilities or activities permitted to take place between sunset and 10pm.

Sec. 18-34. Unfinished or withheld parks.

No person, except as authorized by the leisure services department, shall enter upon any part of any park which is in an unfinished condition or under construction or withheld from the general public usage in the interest of public safety, health and/or welfare.

Sec. 18-35. Use of vehicles.

- (a) No operator of a vehicle shall tow another vehicle or wheeled device on park roads except when the towed vehicle is used in transporting authorized recreational vehicles or small boats into a designated area or when necessary to remove a disabled vehicle.
- (b) No vehicles, except those legally authorized to carry passengers for hire or for fare, shall operate in the parks, and such vehicles shall be the only ones which pedestrians may hail for rides.
- (c) No person shall change any parts, repair or lubricate a vehicle on any park roadway, parkway, driveway, parking lot or other park property.

Sec. 18-36. Merchandising, vending, peddling, etc.

No person, persons, organization or firm, except concessionaires who have obtained a permit from the leisure services department in accordance with the rules provided therefor, shall charge admission for any activity nor ~~shall~~ expose or offer for sale, rent or trade, any service, article, or thing or station or place any stand, cart, or vehicle for the transportation, sale or display of any article or merchandise within the limits of any park or recreation area.

Sec. 18-37. Advertising and publicity and signs.

No person shall advertise or obtain publicity through any means whatsoever within or upon any park property, without obtaining a permit in advance, from the leisure services department in accordance with the rules provided therefor. Such approval shall prohibit damage to or marring of park property or vegetation, disturbance of park patrons, or erection, painting or displaying of anything unsightly or in disharmony with park beauty.

Sec. 18-38. Public demonstrations, gathering, performances, speeches, etc.

- (a) No band, procession, military company, or any company or group with flags, banners, or transparencies, shall be allowed upon any park or parkway or within any park without obtaining a permit in advance from the leisure services department in accordance with the rules provided therefor. Said permit shall clearly define the nature of the activity, the limit of its scope and time and setting forth such other restrictions and requirements as provided by the rules.
- (b) No entertainment or exhibition shall be given in any park or recreation area without obtaining a permit in advance from the leisure services department in accordance with the rules provided therefor.
- (c) No public meeting of any kind nor any public speeches by any person, persons, representatives of any political party, social club or society, officer aspirant, religious sect, theatrical or circus group, act, rite or ceremony, or other public exhibition shall be held in any park, parkway, playground or other recreational area without obtaining a permit in advance from the leisure services department in accordance with the rules provided therefor.
- (d) No permit required by this section shall abridge any First Amendment rights.

Sec. 18-39. Alcoholic beverages.

It shall be unlawful for any person to sell, drink, consume or possess any opened or unsealed container containing an alcoholic beverage at any time in any public park without an approved City permit.

Sec. 18-40. Loitering in or around certain facilities prohibited.

No person shall loiter in or around any leisure services department restroom, dressing room, or bathhouse.

Sec. 18-41. Camping.

~~Camping in privately owned trailer units or tents shall be allowed only if a permit has been obtained in advance from the leisure services department in accordance with the rules and regulations provided therefor.~~

No person shall camp or park a vehicle overnight within any department-managed land except in areas designated by the department for such purpose. The department may establish rules and regulations for designated camping areas.

Unless permitted by the department or designee in writing, no house trailer, camp trailer, camp wagon, recreational vehicle, or any other form of movable structure or special vehicle intended for overnight occupancy may be brought onto any department-managed land for the purpose of camping, except within such areas as may have been provided for such use as authorized by City permit.

Section 3. Sections 18-42, 18-43 and 18-44, Temple Terrace City Code of Ordinances, are hereby created as follows:

Sec 18-42. Aircraft, Parachuting, and Drones

No person shall take off, launch, land, ascend, or descend any aircraft, glider, balloon, model airplane, drone, or parachute in or upon any department-managed land without contractual authority or an approved facility rental application from the department.

18-43 . Golfing

It shall be unlawful for any person to play or practice golf, or any part of the game, on any department-managed land, playground, right-of-way, easement, or recreational area without prior written approval from the department.

18-44. Animals

(a) Except in specifically prohibited areas, domesticated pets are permitted within outdoor department-managed lands. All such animals must be restrained by the handler and the handler must be in direct control at all times at a distance not greater than six (6) feet in length from the animal, unless in a designated off-leash area. No such animals, except service animals, shall be allowed on City boardwalks or narrow passageways. All animals shall wear up-to-date tags indicating that the animal's rabies vaccinations are current.

(b) As used herein, the term "direct control" means immediate, continuous physical control of an animal at all times such as by means of a fence, leash, cord or chain, or other means of sufficient strength to restrain the animal.

(c) No person shall bring into any department-managed land any wild or livestock animals including, but not limited to, cattle, mules, swine, sheep, goats, fowl, or reptiles without prior written approval from the department, except when in conjunction with projects sponsored by City departments. Any animal brought into any department-managed land shall have a current health certificate and exhibit no signs of disease.

(d) Dangerous dogs, as defined in F.S. Ch. 767 or any amended or successor statute, are prohibited from all department-managed lands.

(e) In conjunction with projects sponsored by City departments or upon prior written approval from the department, certain animals may be allowed in designated areas of the department managed lands at specified times without restraint.

(f) No person owning or having custody or control of any animal shall fail to immediately remove the animal's excrement from any department managed land. This shall not apply to service animals or to animals used by police officers for law enforcement or tracking purposes.

(g) Service animals shall be permitted to accompany individuals with disabilities within all department managed lands in accordance with Title II of the Americans with Disabilities Act.

Secs. 18-425—18-70. Reserved.

Section 4. The provisions of this ordinance shall become and be made a part of the Temple Terrace Code of Ordinances, and the sections of this ordinance may be renumbered to accomplish this end.

Section 5. If any part of this ordinance is declared invalid by a court of competent jurisdiction, such part or parts shall be severable, and the remaining part or parts hereof shall continue to be in full force and effect.

Section 6. All ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in full force and effect, but all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This ordinance shall take effect immediately upon becoming a law.

Passed and adopted by the City Council of the City of Temple Terrace, Florida, this 17th day of September, 2024.

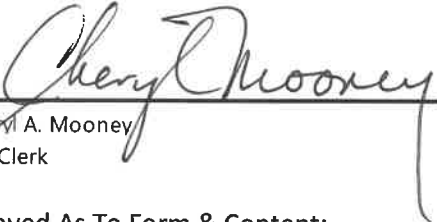
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X 

Andrew Ross, Mayor
Chair of the City Council

Attest:

X 

Cheryl A. Mooney
City Clerk

Approved As To Form & Content:

X 

Pamela Cichon
City Attorney