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ORDINANCE NO. 041020

An ordinance of the City of Gainesville, Florida, amending sections in article II, Chapter 18, City of Gainesville Code of Ordinances, relating to Parks and Recreation; amending section 18-18, City of Gainesville Code of Ordinances; updating list of parks; amending section 18-19, City of Gainesville Code of Ordinances; updating and clarifying hours parks will be closed; amending section 18-20, City of Gainesville Code of Ordinances; updating and clarifying prohibited activities in City parks; creating 18-21, City of Gainesville Code of Ordinances; stating land management provisions applicable to nature parks, centers, and conservation areas; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing to be held in the City Commission Auditorium, City Hall, City of Gainesville; and

WHEREAS, the Public Hearings were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

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

Section 3. Section 18-20, City of Gainesville Code of Ordinances, is hereby amended as follows:

Sec. 18-20. Prohibited activities.

It shall be unlawful for any person to do any of the following in any park listed in section 18-18 of this article or any other areas officially designated by the City Commission as a park and posted as such, unless specifically permitted by the appropriate authorization received from the City Manager or designee and issued pursuant to this article, except for activities of a governmental agency the City of Gainesville which are undertaken within the scope of its governmental authority:

- (1) Construct, erect any hut, shanty or other shelter on park property. Park users may temporarily set up a sun/shade apparatus up to 10 ft x 10 ft in size, may be approved by request for special events conducted in the park areas upon the issuance of a facility use agreement by the City Manager or appropriate designee in charge of that park area). Such apparatus must be made of flexible material, and any support lines which extend beyond the length and width of the covering, must be flagged for visibility and cannot be within 15 feet of any game court, sports field, or children's play equipment. No sun/shade apparatus shall remain in place overnight in any park without a special use permit or facility use agreement being issued by the City Manager or designee. All nature parks, nature centers and conservation areas are exempt from this provision.
- (2) Cook foodstuff on personal grills brought into the park area by citizens. Citizens may utilize grills provided by the city only for cooking in the park area. No fires or food preparation shall be allowed that pose a hazard to public property or to the general public.
- (3) Set or stoke a fire, except in designated city grills, where they are provided, and said fire shall not be allowed if it poses a hazard to public property or to the general public;
- (4) Discharge or deposit human wastes, except in toilet facilities provided by the city;
- (5) Disturb the natural surface of the ground in any manner;
- (6) To allow privately owned animals to discharge or deposit wastes on park property. All owners or others in charge of privately owned animals shall remove their waste from the park grounds, and may deposit animal waste in park trash receptacles;
- (7) Pick flowers, nuts, berries, or fruit and to or damage or remove plants, trees, shrubs, or from any part of the park grounds unless specifically authorized by the City Manager or designee;
- (8) Erect signs or affix signs to any tree, post, pole, fence or park facility or grounds except as provided by city ordinance, or through an approved facility use contract with the City Manager or appropriate designee.
- (9) Drive, putt or otherwise hit a golf ball or shoot an arrow, except in parks specifically designated for these purposes;
- (10) To in any way disturb or remove any wildlife, animal, bird or egg located above, upon or below the surface of the park grounds or to allow any privately owned animal to do so unless specifically authorized by City Manager or designee;
- (11) Write on, draw on, paint on, or otherwise deface, damage, remove or destroy any park facility or any part of the park grounds;
- (12) To carry any firearm, weapons, explosive, or destructive device, as defined in F.S. Ch. 790, Florida Statutes, either opened or concealed, onto any park property, except in parks specifically designated for these uses.
- (13) Operate any motorized vehicle, as defined in ch. 316, Florida Statutes, in violation of city ordinance on park grounds, except in areas designated by the city as parking areas, driveways, and roadways. Motorists shall obey all posted speed limit and other directional signs posted within the park. Authorized City owned vehicles or contract personnel shall be allowed to drive vehicles onto park areas during facility maintenance or renovation projects;
- (14) Purchase, sell, or offer for sale, possess, or consume any alcoholic beverages, illegal drugs or intoxicating substances; alcohol however may be served at Ironwood Golf Course, Thelma A. Boltin Senior Center, Boulware Springs Historic Water Works, Thomas Center Grounds and Gardens, and the Downtown Community Plaza provided the alcoholic beverage is dispensed by a person duly authorized under the ordinance of the city and the laws of the state;
- (15) Use public restrooms to shave and/or shower, unless shower facilities are specifically provided for public use at that park;
- (16) Bathe or otherwise be or remain in a water or drinking fountain and/or its reservoir or to allow any privately owned animal to do so;
- (17) Use roller skates, roller blades or skateboards, except on park facilities specifically designated for this purpose;
- (18) Engage in the sale of any item on park property for any non-city sponsored function(s), except as allowed by a facility use agreement issued by the City Manager or appropriate designee or in these ordinances;
- (19) Use of any park property for non-city sponsored fundraising activities, except as authorized by the City Manager or appropriate designee or in these ordinances;
- (20) Engage in the destruction, removal or alteration of any City owned facility or equipment from any park property except as authorized by the City Manager or designee.
- (21) Engage in the removal, alteration or destruction of archaeological or cultural resources from any park property and water body except as authorized by the City Manager or designee. For purposes of this article "archaeological or cultural resources" means associated physical remnants and features contained in the ground including but not limited to artifacts, fossils, bones, shell mounds, or primitive culture facilities or items.
- (22) Engage in the removal, destruction or harassment of animals and plants from or on parklands, except for authorized research efforts, as authorized by the City Manager or appropriate designee.
- (23) Engage in the introduction of plants or animals onto park lands unless authorized by the City Manager or appropriate designee.

**NOTE: A complete copy of the City of Gainesville Code of Ordinance Chapter 18 can be provided upon request.
This is only one section (18-20).**