

ORDINANCE NO. 06- 2018

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 18, ARTICLE III, OF THE TOWN CODE ENTITLED "PARK REGULATIONS"; PROVIDING FOR THE AMENDMENT OF SECTION 18-63 PERTAINING TO THE HOURS OF OPERATION OF TOWN PARKS; PROVIDING FOR AN EXCEPTION FOR THE HOURS OF OPERATION OF TOWN PARKS WHERE THE TOWN HAS APPROVED A SPECIAL PERMIT OR EXECUTED A FACILITY RENTAL AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has previously adopted as the hours of operation of Town parks, the hours of sunrise to sunset each day, but has directed that these hours of operation be modified; and

WHEREAS, the Town Commission has adopted general provisions which authorizes facility rentals and special events to be permitted in Town parks and which events may be conducted with hours of operation that differ from the Town's Code of Ordinances; and

WHEREAS, Town Manager has recommended to the Town Commission that Section 18-63 of Chapter 18 be amended to change the hours of operation for Town parks; and

WHEREAS, the Town Commission, has determined that the amendment to Chapter 18, Article III of the Code Town would further the public health, safety and general welfare.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE
TOWN OF LAKE PARK, FLORIDA:**

Section 1. The whereas clauses are hereby incorporated as true and correct findings of fact of the Town Commission.

Section 2. **Section 18-63 is hereby amended as follows:**

Sec. 18-63. Hours of operation for town parks.

- (a) *Generally.* All town parks, excluding the marina, shall be open each day from 6:30 am – 10:00 pm sunrise to sunset, every day of the year. ~~Special areas of a park that have been lighted for a specific use, such as tennis courts and ball fields may be used for its specific use until 11:00 p.m., unless another time has been posted by the town.~~ The only exception are areas that have been granted a special event permit or facility rental agreement by the Town.
- (b) ~~*Modification of Closing hours.* Specific opening and closing hours for individual parks may be modified by resolution of the town commission. Any such modification~~ The hours of Town parks shall be clearly posted at the all Town parks.

Section 3. **Severability.** If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 4. **Repeal of Laws in Conflict.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 5. **Codification.** The provision of this Ordinance shall become and be made a part of the Code of Ordinances for the Town of Lake Park. The Sections of the Ordinance may be renumbered or re-lettered to accomplish such.

Section 6. **Effective date.** This Ordinance shall take effect immediately upon execution.

Upon First Reading this 20 day of June, 2018, the foregoing Ordinance was offered by Commissioner Flaherty, who moved its approval. The motion was seconded by Commissioner Michaud, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 8 DAY OF July, 2018

Upon Second Reading this 18 day of July, 2018, the foregoing Ordinance, was offered by Commissioner Michaud who moved its adoption. The motion was seconded by Commissioner Lynch, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	_____
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	_____
COMMISSIONER ERIN FLAHERTY	<u>/</u>	_____
COMMISSIONER ANNE LYNCH	<u>/</u>	_____
COMMISSIONER ROGER MICHAUD	<u>/</u>	_____

The Mayor thereupon declared **Ordinance No.** 06-2018 duly passed and adopted this 18 day of July, 2018.

TOWN OF LAKE PARK, FLORIDA
 BY: [Signature]
 Mayor, Michael O'Rourke

ATTEST:
[Signature]
 Town Clerk, Vivian Mendez
 (Seal Seal)

Approved as to form and legal sufficiency.
[Signature]
 Town Attorney, Thomas J. Baird

FLORIDA