

Introduced by: Council Member Chris Hoffman
1st Reading: August 17, 2020
2nd Reading: October 19, 2020

ORDINANCE NO. 2020-8148

AN ORDINANCE TO CREATE CHAPTER 20 “PARKS AND RECREATION” AND ASSOCIATED SECTIONS OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, TO PROVIDE UNIFORM AND PARK SPECIFIC CODIFIED LOCAL LAWS, RULES, AND REGULATIONS AND SPECIFIED AUTHORITY AND ENFORCEMENT ACTIONS CONCERNING THE CITY’S PARKS AND PARK PROPERTIES; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach (“City”) has the authority to adopt this Ordinance pursuant to Art. VIII, § 2 of the Constitution of the State of Florida; and Chapter 166, Florida Statutes; and

WHEREAS, the City Code of Ordinances Chapter 20 “Parks and Recreation” is currently a vacant Chapter with no articles or sections, and serves no meaningful or useful purpose for the City, residents, and the public; and

WHEREAS, a proper Chapter 20 is needed to include codified local laws, rules, regulations, authority, and enforcement actions concerning operations and management of the City’s parks and park properties; and

WHEREAS, such a new Chapter 20 will provide the City Parks and Recreation Department and employees, the Police Department, park users, and the public with explicit codified guidance, regulation, and enforcement provisions to manage and protect City parks; and

WHEREAS, a new Chapter 20 will in substantial part: (a) provide both uniform and park specific local laws, rules, and regulations; (b) codify specified authority and enforcement action to specifically address operations, concerns, and issues that the Parks and Recreation, and Police Departments encounter; (c) establish governing management mechanisms to protect City parks, park properties, and public park users; and (d) create an enforcement provision for violators and trespassers; and

WHEREAS, this Ordinance serves legitimate government purposes, it is a permissible exercise of the City’s powers and authority, benefits the health, safety, and welfare of the City of Jacksonville Beach citizens, and serves to protect and preserve City property for public benefit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. RECITALS AND LEGISLATIVE FINDINGS. The above recitals and legislative findings are ratified, correct and made a part of this Ordinance.

SECTION 2. THAT THE CODE OF ORDINANCES, CITY OF JACKSONVILLE BEACH, FLORIDA IS HEREBY AMENDED BY ADDING TO CHAPTER 20 - PARKS AND RECREATION, ARTICLES TO BE NUMBERED "I THROUGH IV," AND ADDING SECTIONS WITHIN SAID ARTICLES TO BE NUMBERED "20-01 THROUGH 20-18," WHICH SAID ARTICLES AND SECTIONS SHALL READ AS FOLLOWS.

ARTICLE I. – DEFINITIONS

Sec. 20-01. - Definitions.

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

Authorized or authorization means that the City Manager or Director of the City Parks and Recreation Department must officially approve and authorize requests. Authorized and Authorization entails an electronic or written letter, confirmation, or memorandum granting the request.

Beach or public beach means all that part of the Atlantic Ocean beach lying between the bulkhead line on the west and the Atlantic Ocean on the east and extending to the City limits on the north and the south. The area includes the beach walkovers and beach access points.

City means City of Jacksonville Beach, Florida.

Department means the City Parks and Recreation Department.

Director means the Director of the City Parks and Recreation Department.

Golf Course means the City of Jacksonville Beach Golf Course and all its facilities and grounds located at 605 Penman Road South, Jacksonville Beach, Florida.

Organized activity means any planned recreational activity or game having formal organization or structure, or any activity or game affiliated with membership in an organization such as a school, social organization, or sports league. Organized activity shall not mean informal or casual "pick-up" recreational activity or games, occurring without regularity or occurring spontaneously or by chance.

Park means a park, playground, recreational center or any other area in the City, owned or used by the City, and devoted to active or passive recreation.

Park property means all areas, buildings, locations, and facilities described in the definition of parks.

Park roads means all surfaced areas designated for vehicular traffic, and passing through any legally defined park or recreational area or any part thereof.

Parking area means any designated part of any park road, drive or special area contiguous thereto set apart for the temporary parking, standing, or stationing of a vehicle.

Person means any individual regardless of age or gender, corporation, company, association, club, society, league, or group that utilize parks and park property.

Vehicle means any wheeled conveyance, whether motor powered (such as an automobile, truck, motorcycle, scooter, or moped), or self-propelled (such as a bicycle or tricycle). The term shall include any trailer in tow of any size, kind, or description. Exception is made for baby carriages, motorized and non-motorized devices required to allow reasonable access to parks or park facilities for persons with disabilities, and vehicles in the service of the parks.

ARTICLE II. - GENERAL

Sec. 20-02. - Surveys of facilities.

The City Manager or designee is hereby authorized and directed to conduct and maintain current surveys of all parks and recreational facilities of the City. At each location, he/she shall locate and designate all areas which have a specialized function, such as picnic areas, pavilions, athletic courts, beaches, playgrounds, or baseball diamonds.

Sec. 20-03. - Interference with personnel.

No person shall interfere with, hinder, or oppose any officer, agent, or employee of the City in the discharge of such officer's, agent's, or employee's duties or with the regulation and enforcement of the beach and park regulations and rules.

Sec. 20-04. - Violation of closing hours.

No person shall enter or remain on the beach or in parks or on park property without a permit during closing hours. No person shall enter or remain on the beach or in parks or recreational facilities after such person receives notice of the closing hours from a City employee acting within the scope of his/her official duties. No person who has violated a park rule shall remain on the beach or in a park or recreational facility after a police officer, sheriff's deputy, or City employee acting within the scope of his/her official duties, requests such person to leave or vacate a park or park property.

ARTICLE III. - USE REGULATIONS

Sec. 20-05. – Personal responsibility; necessity for rules and regulations.

It is the responsibility of each person to conduct and participate in recreational activities and athletic events at the parks and on park property in such a manner so as to prevent injury or loss of life to any person including himself/herself. Therefore, for the public safety, it is necessary

to prescribe rules and regulations to govern recreational activities and athletic events in parks and on public beaches.

Sec. 20-06. - Authority to regulate beaches and park property.

(1) The City Manager is empowered to exercise discretion to regulate the time, place, and manner in which the public beaches, park property, or any portion thereof, are to be used by the public and to authorize the posting of signs regulating public use. In so doing, the City Manager is to give due regard to the safety and preservation of public property, the number of persons who can be safely protected and safeguarded at the particular location, and the public health, safety and welfare. City Manager directions given pursuant to the authority contained in this section are declared to have the effect of local law and shall be enforced by the City police officers and employees.

(2) Each park shall have at least one prominently posted sign that states the hours of operation for that park.

Sec. 20-07. - Domestic animals.

(1) Other than as specifically provided for below, in those park areas where dogs are allowed, the dogs shall at all times be restrained and on adequate leashes as set forth in Chapter 5 of this Code of Ordinances, and all other pets shall be under constant physical control of a person.

(2) At Paws Dog Park only, there are areas designated for dogs off leash. Dogs in these designated areas must be accompanied by their owner, be under vocal control, and not cause a public nuisance, safety hazard, or harass wildlife.

(3) In the case of dog and other pet defecation on the beaches or park property, the owner or person in charge or in control of the dog or other pet shall immediately remove all feces deposited by such animal and dispose of same in a sanitary manner as set forth in Chapter 5 of this Code of Ordinances.

(4) Notwithstanding the restrictions described in this section, animals engaged in training to provide assistance to an individual with a disability, or animals individually trained to provide assistance to an individual with a disability, shall be permitted in all public areas and public facilities. The accommodation of service animals as provided for herein shall at all times be in accordance with the Americans with Disabilities Act of 1990 (ADA), 42 USCA § 12101 et. seq., and Section 413.08, Florida Statutes.

Sec. 20-08. – Traffic regulations.

Applicable state vehicle traffic laws as contained in Chapter 316, Florida Statutes, shall apply in and about all parks, park property, roads, and areas, and in addition thereto the following rules shall be applicable on roads and driveways within City parks:

(1) No person driving, operating, controlling, or propelling any vehicle shall use any road or driveway other than the regularly designated park roads or driveways, except when directed to do so by a law enforcement officer, directional signs, or a Department employee.

(2) The operator of any vehicle must obey all signs concerning speed limits, danger, director of traffic, and other traffic rules specifically applicable in park areas.

(3) All law enforcement officers and Department employees are hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and recreation areas. All persons shall comply with any lawful order, signal, or direction of law enforcement officers and Department employees.

(4) No person shall drive a vehicle at a speed greater than is reasonable or prudent, having due regard for the surface, width, and condition of paving and the traffic thereon. All motorized vehicles shall give right-of-way to pedestrians or self-propelled vehicles. Maximum speed shall be 15 miles per hour in all parks.

(5) No person shall cause any vehicle to enter any park except through the designated park entrance, except for authorized emergency vehicles when conditions warrant.

(6) No vehicle shall be driven on the beach without permitted approval by the City.

Sec. 20-09. – Parking; servicing, washing of vehicles.

(1) No person shall park a vehicle on park property other than in the designated parking areas or at designated times provided for that particular type of vehicle, unless directed otherwise by law enforcement officers, Department employees, or as authorized by the City.

(2) No person shall double-park any vehicle at any time on any road, parkway, or parking area, unless so directed by a law enforcement officer or Department employee.

(3) No person shall park or station any vehicle in any zone designated and marked “no parking” or otherwise marked for restricted use.

(4) No vehicle shall be left overnight in any park or beach parking lot area unless authorized by the City Manager or designee, Director, or in emergencies.

(5) No person shall change any parts, repair, wash, grease, or perform other maintenance on a vehicle on any park property except in emergencies.

Sec. 20-10. - Organized activities or potentially dangerous games.

(1) No person shall engage in any rough or potentially dangerous activity.

(2) Use of park property is limited to its intended use only, unless permission is granted in writing by the City Manager or designee. Skateboarding shall be governed by this section and in accordance with Section 20-18 of this Code, as amended from time to time.

(3) No person shall trespass on or use athletic fields that are posted for use by permit only without a valid permit.

(4) No person shall play golf or use golf balls and clubs within any park areas or on the public beaches, with the exception of the Golf Course.

Sec. 20-11. – Alcohol and intoxicating substances.

No person shall consume any alcoholic beverage of any form on any park property, except as permitted by an alcoholic beverage special event permit as provided for in Chapter 19.5 of this Code of Ordinances. This prohibition shall not apply to any prohibition within a public building when rented to private parties, or to the Golf Course, when the sale or consumption of alcoholic beverages has been authorized by the terms of any lease or other agreement approved by the City council, or to events held pursuant to an alcoholic beverage special event permit. Furthermore, no person under the influence of alcohol or any chemical substance set forth in Section 877.111, Florida Statutes, or any controlled substance under Chapter 893, Florida Statutes, to the extent that the person’s normal faculties are impaired will be permitted entry to park properties; and any person so doing, if discovered therein, will be subject to immediate expulsion from City property and reported to law enforcement authorities.

Sec. 20-12. – Reserved.

ARTICLE IV – PARK RULES AND REGULATIONS

Sec. 20-13. – General park rules and regulations.

(1) Applicable Parks. The following parks are included in this article:

- 12th Avenue South Park
- Carver Center
- Cradle Creek Preserve
- Gonzales Park
- Huguenot Park
- Oceanfront Park
- Paws Dog Park
- Penman Park
- Rotary Park
- Seawalk Pavilion and Latham Plaza
- South Beach Park and Sunshine Playground
- Tall Pines Park
- Wingate Park

(2) Hours. The hours of operation for each City park, as may be amended from time to time, are from sunrise to sunset, except for Paws Dog Park, which opens at 5:00 A.M. and closes at 10:00 P.M.

(3) Prohibited activities. It shall be unlawful for any person to do any of the following in any park area or any other areas officially designated by the City Council as a park and posted as such unless specifically permitted by the appropriate authorization received from the City Manager and issued pursuant to this article, except for activities of the City which are undertaken within the scope of its governmental authority:

- a. Trespass when the park is closed.
- b. Camp overnight.
- c. Purchase, sell, offer, possess, or consume any alcoholic beverages, except in accordance with a special event and supplemental alcohol permit as provided in Chapter 19.5 of this Code of Ordinances.
- d. Cook foodstuff on grills other than those public grills provided by the City for that purpose. Persons may utilize grills provided by the City only for cooking in the designated park areas. No fires or food preparation is allowed that pose a hazard to public property or the general public.
- e. Set or stoke a fire, except for City-authorized prescribed burns or those fires set or stoked in designated City grills, where they are provided, and said fire shall not be allowed if it poses a hazard to public property or the general public.
- f. Litter, dump, or fail to remove all trash in the nature of boxes, papers, cans, bottles, garbage, and other refuse left or caused in the use of a park. If no trash receptacles are provided, then refuse and trash shall be carried away from the park area by the park user to be properly disposed of elsewhere.
- g. Engage in the defacing, destruction, removal, or alteration of any park facility, structure, grounds, or equipment.
- h. Construct or erect any hut, shanty, or other shelter. Park users may set up a temporary sun/shade apparatus up to 10 feet by 10 feet (10' x 10') in size. 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 (15') of any game court, sports field, or children's play equipment. No sun/shade apparatus shall remain in place overnight in any park.
- i. Disturb the natural surface of the ground in any manner unless authorized in writing by the City Manager and done in accordance with a City-initiated land management activity.
- j. Erect 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 authorized by the City Manager.
- k. To bring or otherwise allow any cat, dog, or other animal into any park area, except in a public parking area or registered dogs in Paws Dog Park, walkways adjacent to a park, or where otherwise clearly marked by signs expressly permitting domestic animals in that area. Service animals that

are specially trained and actively engaged in service to assist the handicapped are exempted from this section.

- l. To allow privately owned animals to discharge or deposit waste. All owners or others in charge of privately owned animals shall remove their animal waste from the park grounds, and may deposit animal waste in park trash receptacles.
- m. To disturb or remove any plant, 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 in writing by the City Manager.
- n. To launch, throw, hurl, or otherwise propel an arrow, spear, BB, pellet, slingshot, javelin, or other dangerous object. This part shall not be used or interpreted to regulate firearms, ammunition, or components thereof as defined in Chapter 790, Florida Statutes.
- o. Use roller skates, roller blades, or skateboards, except on park facilities specifically designated for this purpose.
- p. Use public restrooms to shave, bathe, and/or shower, unless shower facilities are specifically provided for public use.
- q. Sleep on park benches, tables, or under any covered areas or pavilion.
- r. Store personal goods or property on park property.
- s. Loiter.
- t. Bathe or otherwise be, use or remain in a water or drinking fountain and/or its reservoir or to allow any privately owned animal to do so.
- u. Discharge or deposit human waste, except in toilet facilities provided by the City.
- v. Engage in the sale, rental, delivery, demonstration, display, or offering as a business promotion any item or service for any non-City sponsored function(s), except as otherwise permitted for special events as provided by Chapter 19.5 of this Code of Ordinances or administrative rule.
- w. Use any park property for non-City sponsored fundraising activities, except as otherwise permitted for special events as provided in Chapter 19.5 of this Code of Ordinances.
- x. Engage in gambling, conduct raffles, bingo games, or card games for money or donations for prizes or any other forms of gambling, whether the activity is for charity or otherwise.
- y. Play or operate any radio, stereo, public address system, or any other sound emitting device in such a manner that the sound produced is audible at a distance of greater than 100 feet (100'), unless otherwise permitted for special events as provided in Chapter 19.5 of this Code of Ordinances, except that no action shall be taken to enforce this part until a warning to cease such violation has been issued by a person authorized to enforce this chapter and the violator continues such violation.
- z. Refuse to vacate any pavilion, table, building, or other portion of a park area that is permitted for the exclusive use of another party as provided by a special event permit or temporary rental agreement authorized by the City.

- aa. Smoke, vape, or use tobacco products in any park, park property, athletic area, playground area, or indoor facility.
- bb. Drive any vehicle on any all-purpose field, including the Golf Course, with the exception of carts and devices allowed by the Golf Course staff.

Sec. 20-14. - Huguenot Tennis Center (HTC).

(1) Fees. Charges for the use of the tennis courts at HTC shall be by resolution approved by the City Council.

(2) Hours of operation:
Monday - Friday 9:00 A.M. - 12:00 P.M.; and 3:00 P.M. - 9:00 P.M.
Saturday and Sunday 9:00 A.M. - 5:00 P.M.
(The courts may be closed to the public during tournaments or special events).

(3) Fiscal Year Holiday Hours:
Independence Day - 8:00 A.M. - 1:00 P.M.
Labor Day – OPEN
Columbus Day – OPEN
Veteran’s Day – OPEN
Thanksgiving – Closed
Friday after Thanksgiving – Closed
Christmas Eve – Closed
Christmas Day – Closed
New Year’s Eve – 9:00 A.M. - 2:00 P.M.
New Year’s Day – Closed
Martin Luther King Day – OPEN
Easter – Closed
Memorial Day – OPEN

(4) Rules and Regulations:

- a. HTC is a smoke-free facility. The use of cigars, cigarettes, vapor, or e-cigarettes in any form is prohibited at HTC, and within 25 feet (25') of the exterior fencing of the facility.
- b. Proper tennis attire is required (shirts must be worn at all times).
- c. Only flat-soled tennis specific shoes are allowed on the tennis courts. Cross trainers or other running shoes are not permitted for both safety and court maintenance and surface conditioning reasons.
- d. No skateboards, scooters, bicycles, or skates are allowed on the courts or within the perimeter fencing.
- e. No pets allowed on courts.
- f. Guide or assistance dogs for the handicapped are the only animals that will be allowed inside the buildings.
- g. No alcoholic beverages are allowed in any HTC area.
- h. The use, sale, or possession of alcoholic beverages or controlled substances is prohibited. Being under the influence of said substances and refusal to

leave the premises may result in suspension from the facility and/or prosecution.

- i. Children must be supervised by parents at all times. Children under the age of 12 are not permitted to remain courtside or in the lounge or lobby areas unless supervised by a parent or an adult guardian.
- j. No hitting/throwing balls against walls in the facility or climbing on the furniture or fences.
- k. Games and excessive horseplay are not allowed on the premises.
- l. Profanity, loud noises, racquet throwing, abuse of City property, and similar aggressive behavior will not be tolerated. Failure to comply may result in suspension from the facility.
- m. Announcements or flyers for bulletin boards must be submitted to and approved by the HTC facility manager.
- n. City and HTC staff are not responsible for personal items left unattended, lost, or stolen.
- o. No parking in handicapped designated spaces unless the vehicle is properly registered and displays a handicap permit.
- p. Theft or vandalizing of City property or property belonging to a private party may result in criminal charges. Guests caught vandalizing property will forfeit their rights to the facility and will be prosecuted to the fullest extent of the law.
- q. Use of verbal or physical threats toward HTC staff or other patrons or the use of offensive, obscene, or illegal conduct is prohibited. Violators will be asked to leave the facility. Depending on the severity of the behavior, individuals may be suspended from future use of the facility.
- r. Dispose of gum properly by placing it in proper trash receptacles.
- s. Place unwanted, used balls in the recycling containers provided.

(5) Check-in procedures:

- a. All users must sign in at the clubhouse prior to entering a court for play at all times (individual play, private lessons, team practices, etc.).
- b. All applicable fees must be paid prior to play. Only checks or cash are accepted.
- c. Failure to comply with registration procedures and submission of payment may result in interruption of play and forfeiture of court until resolved.
- d. Courts will be assigned by HTC staff.
- e. Court time will be limited to one and a half hours for singles and two hours for doubles. Anyone wishing to play longer may check in at the clubhouse and be added to the waiting list.
- f. A minimum of two courts will be available for walk-up play when all courts are playable. In the event there is a limited number of courts available due to maintenance, resurfacing, inclement weather, etc., at least two courts of the playable courts will be designated for reservation or walk-up play.
- g. Tournament and league matches take precedence over member and/or walk-up play if at any time all courts are needed for these events. HTC's

reservation policy is subject to court availability. Court reservations can be made by calling HTC.

- h. Individuals and instructors may make a reservation for one court up to seven days in advance.
- i. Teams may make a reservation for two courts up to seven days in advance.
- j. Reserved courts that have not been claimed and paid for 10 minutes after the scheduled time will be released to waiting parties.
- k. Prompt notification of reservation cancellation should be made to HTC staff.

(6) Waiting List:

- a. When all walk-up courts have been issued, a waiting list will be started. The list will be in order of arrival.
- b. One person is not allowed to be on the waiting list for two courts. If two courts are needed, two individuals should sign up on the waiting list. There is no guarantee that the courts will be close to each other.

(7) Court Use:

- a. Please be quiet when walking or waiting behind courts.
- b. When claiming a court, wait until the exiting players have finished a point or rally before entering.
- c. As a courtesy to players with a reservation following yours, please be ready to exit a court at the exact end of your reserved time.
- d. Do not enter adjacent courts (when in use) to retrieve stray balls. Wait until your neighboring players have finished a point, and then ask them to return your ball.
- e. After play, the court must be cleared of trash, properly groomed with the brushes provided, the lines swept, and equipment returned to the designated area.

(8) Weather Procedures:

- a. Play will be halted on courts when HTC staff determines the courts are unplayable and HTC staff will determine when courts will be playable again.
- b. If the temperature is 100° or above, or the heat index is 106° or higher, or 32° or below, any player may halt play. If lightning/thunder is detected, it is the players' responsibility to halt play.

(9) USTA League Team Practices. In the event the majority of the courts are unplayable, team practices will be cancelled. If enough courts are playable for each team to receive one court, then team practices will be held with each team receiving one court.

(10) USTA League Matches. All league matches are assigned courts at least one day prior to the match. Matches scheduled on courts that are playable will go on as scheduled. Matches scheduled on courts that are unplayable will be cancelled and will be rescheduled. In the event a match is scheduled on a bank of courts where only a portion of those courts are playable, the

matches should go on as scheduled on the playable courts and the unplayable courts should be rescheduled.

(11) Reservations and Individual Play:

- a. In case of inclement weather, all reservations are subject to court availability.
- b. If courts are limited due to weather, all individual reservations will be cancelled.
- c. Players may contact HTC at 904-247-6221 to find out if courts are available for walk-up play.

(12) Rescheduled Matches:

- a. Captains of cancelled matches should use their assigned practice night and courts to make up the matches. HTC staff will not schedule make up matches on other teams' practice courts.
- b. Rescheduled matches played on team practice courts will not be interrupted, and shall be played until completion.
- c. Rescheduled matches should not be scheduled later than one and a half hours before closing. (e.g., no matches scheduled after 7:30 P.M. when facility closes at 9:00 P.M.)
- d. Subject to court availability, teams utilizing their allotted two courts for make-up matches may also reserve up to two additional courts on the same scheduled team practice night.

(13) Host Policies & Procedures:

- a. A full-time HTC staff person must be on site during the event.
- b. Facility should be adequately staffed based on event size and need.
- c. All HTC staff should be knowledgeable of all policies, procedures, maintenance, and equipment use.

Sec. 20-15. – Paws Dog Park.

(1) Membership. Membership is required to access Paws Dog Park. Membership Fees shall be established by resolution approved by the City council.

(2) Rules and Regulations. Visitors of Paws Dog Park shall follow the rules and regulations set forth below. Violators may be subject to removal from the park and park privileges may be suspended:

- a. The park is open seven days a week from 5:00 A.M. until 10:00 P.M. The park may be closed for maintenance on Thursdays from 9:00 A.M. until 2:00 P.M.
- b. No animals other than dogs are permitted in the park.
- c. No dogs under four months of age are permitted in the park.
- d. No food (people or animal), treats, alcoholic beverages, smoking, glass, strollers, baby carriers, bicycles, or children's toys are permitted in the park.
- e. Children under 12 must have close adult supervision at all times.

- f. No more than three dogs per handler are allowed.
- g. All dogs must have current vaccinations, must wear a collar and ID tags at all times, and must have a current rabies vaccination tag attached to its collar. Required vaccinations include Rabies, Distemper, Parvo, and Bordetella.
- h. Sick dogs are not permitted in the park.
- i. Any Dog declared a “dangerous dog” (per City ordinance) is not permitted in the park.
- j. All dogs must be spayed or neutered in order to enter the park.
- k. All dogs must be leashed before entering the park and prior to leaving the park.
- l. All dogs must be off leash while inside the park. Choke collars or prong collars are not permitted in the park.
- m. Dog owners must be in the park and within view and voice contact of their dog(s) at all times. Dog owners must monitor and be responsible for their dog(s) at all times.
- n. Dogs must be accompanied by owner or handler at all times. Leaving dogs in the park unattended is prohibited. Unattended dogs will be removed by Animal Control.
- o. The weight limit for the small dog area is 30 lbs. Dogs less than 30 lbs. are only permitted in the small dog area.
- p. Large dogs are not permitted in the small dog area. Dogs 30 lbs. and over are only permitted in the large dog area.
- q. Dog waste must be immediately cleaned up and properly disposed of by its owner. The dog owner may be fined for failure to comply with this rule.
- r. Aggressive dogs are not permitted in the park. Any dog showing aggressive behavior must leave the park immediately without debate. The City Animal Control, police, and park staff are authorized to designate dogs as “aggressive” and to direct their removal from the Dog Park.
- s. Animals that exhibit a history of aggressive behavior are not permitted in the park, to be determined at the sole discretion of the City staff and Animal Control Officer(s).
- t. Owners whose dogs are shown to be aggressive may have their membership revoked.
- u. If dogs are playing rough, displaying excessive dominant behavior, (e.g., forcing upon another dog, thrusting, pinning other dogs down, etc.) or intimidating other dogs, owners should relocate their dog(s) to a different area of the park. If dominant behavior persists, owners are required to remove their dog(s) from the park.
- v. Be cautious with dog toys; some dogs do not like to share.
- w. Dog owners are solely liable for injuries or damage caused by their dog(s).
- x. Dog owners must fill any holes dug by their dogs.
- y. Dogs who bark excessively may be removed from the park.

Sec. 20-16. - South Beach Park Skate Park.

(1) Rules and regulations. To ensure the enjoyment, safety, and proper use of South Beach Park Skate Park, all persons using the park, including all persons skating or skateboarding at specifically designated areas of the park, shall comply with each of the following regulations:

- a. No person under the age of eight years old shall be permitted to utilize the skate area unless accompanied by an adult.
- b. No person shall skate or skateboard anywhere in the park except in a posted designated skate area.
- c. No person shall skate or skateboard in the designated area of the park unless all the equipment is in good repair and safe working order during use.
- d. No person shall skate or skateboard in the designated area of the park when the skate surface is wet, when it is raining, lightning, or during maintenance periods.
- e. No person shall ride, operate, or utilize any device other than skateboards or skates in the skate area. Prohibited devices include, but are not limited to, bicycles, scooters, motorized razors, and motorized vehicles.
- f. The park is closed after dark. No person shall enter or be in the park or skate area at any time other than during the posted hours of operation for the park or when City staff or designated representatives have closed the park or skate area.
- g. No person shall place or use any additional piece of equipment, obstacle, apparatus, or other material, including, but not limited to, ramps, jumps, or rails, within the park or skate area.
- h. No person shall use or engage in profanity, aggressive, reckless or boisterous behavior, including, but not limited to, fighting, tandem riding, pushing, horseplay, hazing or bullying, or any other activity which could endanger the safety of persons using the park.
- i. No person shall use, consume, or have within his/her custody or control, food or other beverages, other than water in a plastic container, within the skate area. No person shall use or possess glass products within the park.
- j. No person shall use, consume, or have within his/her custody or control, alcohol or illegal drugs within the park.
- k. No person shall enter or be in the park or skate area under the influence of alcoholic beverages or illegal drugs or with his/her motor skills or judgment impaired as the result of any alcoholic beverage or illegal drugs.
- l. No person shall engage in graffiti, tagging, or other defacing of the park.
- m. All persons using a park area must place trash in receptacles or containers provided.
- n. No person shall disobey the lawful and reasonable order of a police officer or City employee in the discharge of such officer or employee's duties, or disobey or disregard the notices, prohibitions, instructions, or directions on any park sign, including rules and regulations posted on the grounds or buildings in the park.
- o. No person shall interfere with, encumber, obstruct, or render dangerous any part of the park.

- p. No person shall destroy, cut, break, deface, mutilate, injure, disturb, sever from the ground or remove any growing thing, including but not limited to any plant, flower, flower bed, shrub, tree, growth or any branch, stem, fruit or leaf thereof, or bring into or have in such person's possession in the park any tool or instrument intended to be used for cutting thereof or any garden or agricultural implements or tools which could be used for the removal thereof.
- q. No pets are allowed in the skate park.
- r. This is an unsupervised park; skaters, users and observers assume their own risks.
- s. Helmets and personal safety equipment are recommended.

Sec. 20-17. - South Beach Park Tennis Court.

- (1) Rules and Regulations:
 - a. The Department reserves the right to schedule tennis court reservations and maintain a reservation schedule in the Department's administration office.
 - b. Residents may use the tennis court on a first come, first serve basis, or may make a reservation by acquiring a permit at the Parks and Recreation office on weekdays between 8:00 A.M. and 4:00 P.M.
 - c. Permit holders are allowed to reserve the tennis court for a 90-minute block per day for singles play, and for two hours per day for doubles play. A maximum of two reservations may be made at one time.
 - d. An additional reservation on the same day may be made only after completing your first reservation of the day.
 - e. Reservations are not transferable.
 - f. While a permit is not required for walk-up play on the tennis court, permit holders are considered "first priority" on the court. Non-permitted players must relinquish the court to permit holders for the time designated on the permit. We strongly encourage reserving a court for tennis play.
 - g. All walk-up play begins and ends on the hour. If there are no players on the court, and no one is waiting, non-permit holders may begin play immediately, but must relinquish the court at the end of the next full hour if other non-permit holders are waiting to play.
 - h. Non-permitted play is limited to 60 minutes for singles play and 90 minutes for doubles play when others are waiting.
 - i. Tennis instructors must obtain a reservation permit (subject to the same terms as other permit holders) and shall pay a fee of \$25.00 per 60 minutes, or \$40.00 per 90 minutes for use of the court. Tennis instructors must provide proof of \$1,000,000 in Liability Insurance naming the City as an additional insured.
 - j. Tennis instruction or private/group lessons are prohibited without a permit. Violators will be subject to removal by law enforcement officers and may lose their privileges for a period of up to 60 days.
 - k. All persons using the tennis court do so at their own risk; users agree to hold the City harmless from injury and agree to abide by the rules for use of the

tennis court. The City assumes no responsibility for any accident or injury in connection with such use, or for any loss or damage to personal property.

Sec. 20-18. - Enforcement.

(1) Intent. It is the intent of the Department that these laws and regulations be enforced in a fair and equitable manner. All rules and regulations contained in this chapter and permits required by this chapter are enforceable by all park employees and law enforcement officers. Those properly designated park employees may warn participants of violations and report such violations to the proper law enforcement officers for compliance.

(2) Trespass. Any person or group found in violation of any of the laws, rules, and regulations of this chapter shall be ordered to leave all parks, beaches, and recreation facilities for a minimum 48-hour period. Any person who fails to leave all facilities, parks, or beaches at the time requested may be arrested and prosecuted for trespassing or prosecuted under other existing ordinances or laws. Evidence that a violator refuses to leave any park, park property, facilities, or beach after being asked to leave by any City employee or law enforcement officer is sufficient to establish criminal trespass.

(3) Any person determined by the Director or any law enforcement officer to be a violator of this chapter may be ordered by the Director or any law enforcement officer to remain out of any park, park property, park facilities, and beach areas for a period of time not to exceed six months. Upon being ordered to remain out of any park, park property, facility, or beach area, violators shall be entitled to a hearing before the Special Magistrate, in order to appeal the Director or law enforcement officer's decision. The person appealing the Director's decision may present evidence to the Special Magistrate. The request for such hearing must be in writing and simultaneously delivered to the Director and City Attorney. This request must be made in writing within three days of the date of the order or direction that is being appealed. Any authorized Department employee or designee or any law enforcement officer shall have the authority to enforce these laws, rules, and regulations, and to eject any person or group acting in violation of these laws, rules, and regulations from any park, park property, lands, or facilities or otherwise revoke their permission to use such park, park property, lands, or facilities.

SECTION 3. CONFLICTING ORDINANCES AND ACTS. All ordinances and resolutions previously adopted or entered into by the City that are in conflict with this Ordinance are repealed to the extent inconsistent herewith.

SECTION 4. SEVERABILITY. If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. CODIFICATION. The City Council intends that this Ordinance will be made a part of and codified in the City of Jacksonville Beach Code of Ordinances.

SECTION 6. EFFECTIVE DATE. This Ordinance will immediately take effect upon its adoption by the City Council.

AUTHENTICATED THIS 19th DAY OF October, A.D., 2020.

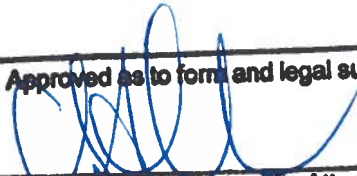


William C. Latham, Mayor



Laurie Scott, City Clerk

Approved as to form and legal sufficiency:



Chris Ambrosio, City Attorney