

CHAPTER 28

PARKS AND RECREATION*

Art. I. In General. §§ 28-1 – 28.23

Art. II. Jean Klock Park, §§ 28-24 – 28-29

ARTICLE I. IN GENERAL

Sec. 28-1. Rules and regulations.

The city manager is hereby empowered to make such rules and regulations, subject to the approval and adoption by the city commission, pertaining to the conduct and use of city parks as are necessary to administer the same and to protect public property and the safety, health, morals and welfare of the public, and no person shall fail to comply with such rules and regulations.

(Gen. Code 1946, Ch. 5, 701.1; Code 1972, 3.1)

Sec. 28-2. Obstructions, injury to property.

No person shall obstruct any walk or drive in any park or playground, and no person shall commit any trespass in the park nor injure, mar or damage in any manner any monument, ornament, fence, bridge, seat, tree, fountain, shrub, flower, playground equipment, fireplaces or other public property within or pertaining to the parks. (Gen. Code 1946, Ch. 5, 701.4; Code 1972, 3.4)

Sec. 28-3. Tampering with utilities.

No person shall tamper with or interfere with any electric light switch or appliance or with any water hydrant in any city park. (Gen. Code 1946, Ch. 5, 701.5; Code 1972, 3.5)

*Cross references – Litter in parks, 18-56; streets, sidewalks and other public places, Ch. 37; waterways, Ch. 47.

Sec. 28-4. Alcoholic liquor and controlled substances.

No person shall possess, consume or bring into any city park, beach or playground any intoxicating liquors or any controlled substances as defined by state law. (Gen. Code 1946, Ch. 5, 701.6; Code 1972, 3.6; Ord. of 9-25-78)

Cross reference – Alcoholic liquors generally, Ch. 6.

Sec. 28-5. Concessions.

- (a) No person shall sell or rent or attempt to sell or rent any merchandise or other object in any park without first entering into a contract with the city to operate a park concession, except that a group or organization may on special occasions sell to its own members, provided a written permit therefor has first been obtained from the city clerk. The city clerk shall not be required to issue such permit if he deems the issuance contrary to the public interests.

- (b) The city may operate any and all refreshment stands or bathing suit rental places, dressing rooms, etc. or may enter into contracts for the operation of the same by private persons.
- (c) The prices charged for services rendered by any concession shall be fair and reasonable and subject to the approval of the city manager.
- (d) All bathing suits and towels rented to the public shall be thoroughly cleaned, laundered and dried before reissue. (Gen. Code 1946, Ch. 5, 701.8 – 701.11; Code 1972, 3.8)

Sec. 28-6. Undressing.

No person shall undress for the purpose of putting on a bathing suit except for the removal of outer clothing covering a bathing suit, and no person shall remove the bathing suit in any automobile or behind any structure, tree or shrubbery, except children under five (5) years of age. No person shall at any time appear in any public park or on the beach thereof or in the waters adjoining thereto without being properly clothed. (Gen. Code 1946, Ch. 5, 701.13; Code 1972, 3.10)

Sec. 28-7. Obedience to guards, city employees.

Every person in any of the parks in the city shall obey the directions and orders of lifeguards or other authorized employees governing conduct or obedience to this Code or the rules and regulations of the city manager governing parks. Lifeguards shall have authority to prohibit or restrain bathing when in their opinion conditions warrant such restrictions. (Gen. Code 1946, Ch. 5, 701.18; Code 1972, 3.15)

Sec. 28-8. Space allocations.

Recreation directors shall have authority to allocate play spaces, band fields, tennis courts or other athletic activities in accordance with the demand and safety of other persons in the parks and may fix and control scheduled contests. (Gen. Code 1946, Ch. 5, 701.19; Code 1972, 3.16)

Sec. 28-9. Vehicles.

- (a) No automobile shall be driven in or parked in any park except on the roads and spaces laid out for that purpose.
- (b) The city manager shall establish such rules and regulations governing parking of automobiles as are deemed necessary.
- (c) No automobile shall be driven in any park at a speed exceeding ten (10) miles per hour.
- (d) No person shall use any park for the purpose of demonstrating any vehicle or instructing another in learning to drive any vehicle.
- (e) No person shall tow another vehicle within any park except in case of a breakdown

therein.

- (f) Golf carts shall be allowed to travel only Klock Road, Graham Boulevard and Jean Drive. The golf carts or slow speed vehicles can only be operated by someone 16 years or older.
- (g) Golf carts also must have a parking authorization plate affixed to the rear of the vehicle that will be purchased from the city to utilize Jean Klock Park in addition to a season pass.
- (h) Golf carts or slow speed vehicles must use the available cart paths to get to the park.

(Gen. Code 1946, Ch. 5, 701.2, 701.3, 701.20, 701.21, 701.24; Code 1972, 3.17, 3.20)

Sec. 28-10. Bicycles.

It shall be unlawful to ride a bicycle in any park except upon the streets therein. (Gen. Code 1946, Ch. 5, 701.22; Code 1972, 3.18)

Cross reference – Bicycle generally; 41-31 et seq.

Sec. 28-11. Horses.

It shall be unlawful to ride any horse upon the beach of Jean Klock Park. (Gen. Code 1946, ch. 5, 701.22; Code 1972, 3.18)

Cross reference – Animals and fowl generally, Ch. 9.

Sec. 28-12. Signs.

It shall be unlawful to put or erect any signs in any city park except direction or information signs pertaining to the park. (Gen. Code 1946, Ch. 5, 701.23; Code 1972, 3.19)

Cross reference – Signs generally, Ch. 35.

Secs. 28-13 – 28-23. Reserved.

ARTICLE II. JEAN KLOCK PARK

Sec. 28-24. Pavilion reservations.

Reservations for exclusive use of various parts of the pavilion at Jean Klock Park shall be made at the office of the city manager in accordance with a price schedule to be approved by the city commission. (Gen. Code 1946, Ch. 5, 701.12; Code 1972, 3.9)

Sec. 28-25. Dogs and pets prohibited at Jean Klock Park.

Dogs and pets are strictly prohibited at Jean Klock Park, except service dogs must be restrained by a leash. No dog or pets shall be allowed in Jean Klock Park at any time. A violation of this section shall be a civil infraction and subject to a fine up to \$300.00 (three-hundred dollars); first offense having a minimum of one-hundred dollars (\$100.00); Second offense a

minimum of two-hundred dollars (\$200.00); and a third offense having a minimum of three hundred dollars (\$300.00) for the third and additional offenses. (Gen. Code 1946, Ch. 4, 701.12; Code 1972, 3.9)

Cross reference –Dogs generally, 9-24 et seq.

Sec. 28-26. Rough play on beaches.

No baseball, football or softball throwing shall be allowed on the beach at Jean Klock Park nor any violent or rough exercises or play that may annoy or endanger other persons on the beach. (Gen. Code 1946, Ch. 5, 701.15; Code 1972, 3.12)

Sec. 28-27. Open fires.

No fire shall be built on the beach at Jean Klock Park except on fireplaces or spaces designated. (Gen. Code 1946, Ch. 5, 701.16; Code 1972, 3.13)

Cross reference – Fire prevention and control generally, Ch. 17.

Sec. 28-28. Picnic tables.

The tables on the beach at Jean Klock Park are provided by the city for the purpose of furnishing eating facilities to the public, and no person shall retain any table for an unreasonable length of time nor after that person or his party shall have completed their meal. (Gen. Code 1946, Ch. 5, 701.17; Code 1972, 3.14)

Sec. 28-29. Park closing.

Jean Klock Park and beach shall be open daily to the general public from April 1 through October 31 between the hours of 7:00 a.m. and 10:00 p.m., and from November 1 through April 30 between the hours of 7:00 a.m. and 8:00 p.m. All persons and vehicles in this area are to leave at closing time unless they have obtained a special use permit from the city clerk upon approval by the city manager. Otherwise, no person shall be in Jean Klock Park after closing hours. Any vehicle found to be in violation of this section may be towed at the owner's expense and/or ticketed in accordance with the appropriate city ordinances.

Sec. 28-30. Damaging park property by use of vehicles; penalties.

Any unauthorized person who shall engage in any activity personally or utilizing any form of machinery or automotive equipment, such as four-wheel drive vehicles, trucks, all-terrain vehicles or equipment of any type, that damages, destroys, kills vegetation, displaces or otherwise adversely affects any sand dunes within the Jean Klock Park area or any of the public facilities such as rest rooms, streets, etc. , shall be guilty of a misdemeanor and shall be punished by a fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) and incarceration for not less than five (5) days nor more than ninety (90) days. (Ord. No. 587-88, 1-11-88)

405.2; code 1972, 2.116, Ord. No. 565-87, 5-26-87)