



Agenda Item # R - 1

**Village of Royal Palm Beach
Village Council
Agenda Item Summary**

Agenda Item:

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF ORDINANCE NO. 1005, AMENDING CHAPTER 17. OFFENSES AND MISCELLANEOUS PROVISIONS. AT SECTION 17-13. PUBLIC PARKS. IN ORDER TO MODIFY THE HOURS OF OPERATION FOR PUBLIC PARKS WITHIN THE VILLAGE TO BE CONSISTENT WITH EXISTING POLICIES AND PROCEDURES. BY PARKS AND RECREATION DIRECTOR LOU RECCHIO.

Issue:

The Village's public parks and public recreation facilities are held and maintained by the Village for the use, convenience and enjoyment of the residents of the Village. The Village over the years has adjusted its public park hours of operation to best serve the residents.

Public park hours are to be amended in Sec. 17-13 of Village Code as follows:

- (1) *Vivian A. Ferrin Memorial Park* - Monday through Friday, from 5 P.M. to 9 P.M., and Saturday and Sunday, from 8 A.M. to 9 P.M., unless otherwise permitted by the Village. This park's hours differ from the other Village parks because of shared usage with Royal Palm Beach Elementary School.
- (2) *All other public parks*. Seven (7) days a week, from 7 A.M. to 7 P.M. (November 1 through March 31 each year), and 7 A.M. to 9 P.M. (April 1 through October 31 each year), unless otherwise permitted by the Village.

Recommended Action:

Upon Council review, staff recommends a motion to approve Ordinance No. 1005 on second reading.

Initiator:	Village Manager	Agenda Date	Village Council
Parks and Rec Director	Approval	9-17-2020	Action

ORDINANCE NO. 1005

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 17. OFFENSES AND MISCELLANEOUS PROVISIONS. AT ARTICLE I. IN GENERAL. AT SECTION 17-13. PUBLIC PARKS. IN ORDER TO MODIFY THE HOURS OF OPERATION FOR PUBLIC PARKS WITHIN THE VILLAGE TO BE CONSISTENT WITH EXISTING POLICIES AND PROCEDURES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 17. OFFENSES AND MISCELLANEOUS PROVISIONS. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village's public parks and public recreation facilities are held and maintained by the Village for the use, convenience and enjoyment of the residents of the Village; and

WHEREAS, the Village Council desires to update the hours of operation for the Village's public parks in order to be consistent with existing policies and procedures; and

WHEREAS, the Village of Royal Palm Beach has held all required public hearings and has provided public notice in accordance with applicable State statutes and Village ordinances in adopting these new regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 17. OFFENSES AND MISCELLANOUS PROVISIONS. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Article I. In General. at Sec. 17-13. Public Parks. in order to modify the hours of operation for public parks within the Village to be consistent with existing policies and procedures; providing that Sec. 17-13. shall hereafter read as follows:

Sec. 17-13. - Public parks.

(a) *Hours of operation.*

- (1) ~~Non-lighted public parks~~Vivian A. Ferrin Memorial Park. The hours of operation for all non-lighted public parks park shall be open for public use from sunrise to sunset Monday through Friday, from 5 P.M. to 9 P.M., and Saturday and Sunday, from 8 A.M. to 9 P.M., unless a special permit has been procured from the village

council allowing a special event extending the hours otherwise permitted by the village.

- (2) ~~Lighted~~ All other public parks. ~~The hours of operation for a~~ All other public parks equipped with lighting shall be from sunrise to sunset, unless the lights have been activated for a specific authorized event, at which time the park shall remain open so long as the lights are on and shall be deemed officially closed one half (1/2) hour after the lights have been turned off shall be open for public use seven (7) days a week, from 7 A.M. to 7 P.M. (November 1 through March 31 of each calendar year), and 7 A.M. to 9 P.M. (April 1 through October 31 of each calendar year), unless otherwise permitted by the village.
- (3) *Special circumstances.* The hours of operation for public parks may be modified by action of the village manager or designee from time to time as deemed necessary to protect the interest of the public.
- (b) *Time limits on facility usage; and prohibition on private instruction and teaching classes in public parks.* [Shall remain the same as previously adopted.]
- (c) *Penalty for violations.* [Shall remain the same as previously adopted.]

Section 2: Each and every other Section and Sub-section of Chapter 17. OFFENSES AND MISCELLANOUS PROVISIONS. shall remain in full force and effect as previously enacted.

Section 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This Ordinance shall take effect immediately upon passage.

FIRST READING this 20th day of August, 2020.

SECOND AND FINAL READING this 17th day of September, 2020.

VILLAGE OF ROYAL PALM BEACH

MAYOR FRED PINTO

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK