

ORDINANCE NO. 76 -48

AN ORDINANCE REGULATING THE USE OF COUNTY PARKS, PROHIBITING CERTAIN ACTS THEREIN, PRESCRIBING HOURS OF OPENING AND CLOSING, AND PROVIDING FOR PENALTIES, SEVERABILITY AND AN EFFECTIVE DATE.



BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA:

SECTION ONE: Intent and Purpose.

It is the intent and purpose of this Ordinance to regulate the use of county parks so as to protect the health, welfare and safety of persons using the parks, and the general welfare of residents of surrounding areas and of the County. It is to be liberally construed to effect that result.

SECTION TWO:

Requirements Concerning Use of Grounds and Facilities.

Each person, firm or corporation using the County public parks and grounds shall clean up all debris, extinguish all fires when such fires are permitted, and leave the premises in good order, and the facilities in a neat and sanitary condition. No person shall dump, deposit or leave any bottles, broken glass, ashes, paper or other trash anywhere on the grounds of the parks, other than in proper receptacles provided therefor and no such refuse or trash shall be placed in any waters in or contiguous to the park. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

SECTION THREE:

Prohibited Acts.

No person shall within County park boundaries:

A. Disobey the lawful and reasonable order of a police officer or county park employee in the discharge of his duties or disobey or disregard the notices, prohibitions, instructions or directions on any park sign, including rules and regulations posted on the ground or buildings in said parks.

B. Willfully mark, deface, disfigure, injure,

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GRUCE A. SMATHERS
SECRETARY OF STATE

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tamper with, or displace or remove any building bridge, table, bench, fireplace, railing, paving or paving material, waterline or other public utility or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

C. Interfere with, encumber, obstruct or render dangerous any part of the park.

D. Climb or lie upon any wall, fence, shelter, seat, statue, monument or any other structure.

E. Cut, break, 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, item, fruit or leaf thereof; or bring into or have in his possession in any county park any tool or instrument intended to be used for the cutting thereof, or any garden or agricultural implements or tools which could be used for the removal thereof; or pile or maintain any material or debris of any kind against or upon the same or attach any rope, cable or other contrivance thereto; or set fire to any trees, shrubs, plants, flowers, grass, plant growth or living timber, or suffer any fire upon land to extend into park lands; or go upon any prohibited lawn, grass plot or planted area, except at such times and in such manner as the Director of the Parks and Recreation Department may designate.

F. Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to any county park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

- G. Disturb the peace, use any profane, obscene or blasphemous language or do any indecent act.
- H. Endanger the safety of any person by any conduct or act.
- I. Commit any assault, battery or engage in fighting.
- J. Carry, possess, or drink any alcoholic liquor in any park.
- K. Enter or leave any park facility except at established entrance ways or exits, or at established times.
- L. Attach any posters or directional signs to trees.
- M. Cause or permit a dog or other domestic animal to enter.
- N. Build fires except in specified areas in county parks on cooking grills provided therein.
- O. Drive any unauthorized vehicle on any area within the park except the paved park roads or parking areas; park an authorized vehicle in other than an established or designated parking area; park any unauthorized vehicle in the county park area overnight.
- P. Ride a bicycle on other than a paved vehicular road or path designated for that purpose; leave a bicycle in a place other than a bicycle rack when such is provided, or leave a bicycle lying on the ground or paving or any place or position so as to present any obstruction to pedestrian or vehicular traffic.
- Q. Prevent any person from using any park, or any of its facilities, or interfere with such use in compliance with this Ordinance and the rules applicable to such use.
- R. Violate any rule for the use of the park which has been posted in a particular park pursuant to approval by the Board of County Commissioners.

SECTION FOUR:

Hours.

Except for unusual and unforeseen emergencies, county parks shall be open to the public every day of the year during

hours designated by the Director of the Parks and Recreation Department. The pending and closing hours for each individual park shall be posted therein for public information.

SECTION FIVE:

Penalties.

Any person violating any provisions of this Ordinance shall, upon conviction, be liable to a fine not exceeding three hundred dollars (\$300.00) or imprisonment not to exceed ninety (90) days, or both such fine and imprisonment.

SECTION SIX:

Severability.

It's the intention of the Board of County Commissioners that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Board of County Commissioners that if any provisions of this Ordinance shall be declared to be invalid, all other provisions thereof shall remain valid and enforceable.

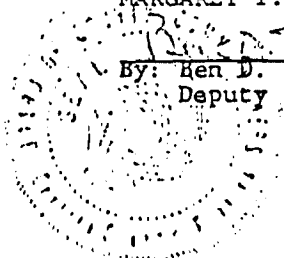
SECTION SEVEN:

Effective Date.

This Ordinance shall take effect upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 26th day of October, 1976.

ATTEST:
MARGARET T. SCOTT, Clerk


By: Ben D. Driver
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: David C. Brown
Chairman

Approved as to form and legal sufficiency:

Donald A. Pickworth
Collier County Attorney

This ordinance filed with the Secretary of State's office the 29th day of October, 1976 and acknowledgment of that filing received this 1st day of November, 1976.

By: Lucinda Magin
Deputy Clerk