

CITY OF LAKE CITY, FLORIDA

ORDINANCE NUMBER 2025-2305

1 AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING
2 CHAPTER 86, ARTICLE I, SECTION 86-2 OF THE CITY OF LAKE CITY
3 CODE OF ORDINANCES CONCERNING PARK HOURS; PROVIDING
4 DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE
5 REPEAL OF CONFLICTS; PROVIDING FOR CODIFICATION; AND
6 PROVIDING AN EFFECTIVE DATE.

7 **WHEREAS**, the City of Lake City, (the "City"), operates city parks for the benefit of the public; and

8 **WHEREAS**, the City Council of the City adopted Ordinance 2024-2275 in 2024, which, among
9 other things, created Section 86-2 entitled *Regulation in Parks; hours; penalties* of the City Code
10 of Ordinances; and

11 **WHEREAS**, said Section 86-2, as enacted established that certain parks have established hours
12 that vary depending on the time of year, which hours are not uniform with other city parks; and

13 **WHEREAS**, the City Council desires uniform hours for all city parks; and

14 **WHEREAS**, the City Council, being fully advised of the facts and circumstances, hereby finds it
15 necessary and in the interest of prudent management of public assets to change the hours of
16 certain city parks such that the hours for all parks are uniform, and accordingly to amend the
17 Code of Ordinances to accomplish same; now therefore

18 **BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA:**

19 **SECTION 1. AMENDMENT OF SECTION 86-6 OF THE CODE OF ORDINANCES TO PROVIDE**
20 **DEFINITIONS AND ESTABLISH DIFFERENTIAL HOURS FOR CERTAIN PARKS DEPENDING ON TIME**
21 **OF YEAR**

22 Chapter 86, Article I, Section 86-2 of the City Code of Ordinances is amended as follows
23 (words ~~stricken~~ are deletions; words underlined are additions):

24 **Sec. 86-2. – Regulation in parks: hours; penalties.**

- 25 (a) **Purpose.** It is the purpose of this section to protect the public health, welfare and
26 safety by regulating the hours of use of and activities in city parks. The City Council
27 finds that these regulations are necessary to protect the safety, integrity and
28 lawful use of city parks so that they can be enjoyed by all citizens, and that these

regulations are the minimum necessary to carry out this purpose. These regulations shall be interpreted to carry out this intent.

- (b) *Use of park prohibited when closed.* No person shall use or enter or be present on any portion of any city park during the hours that the park is closed in accordance with this section, unless they are participating in an activity authorized and supervised by the city.

(c) *Definitions.*

(1) *Sunrise* means the time on a given day when the sun's upper rim appears on the horizon in the morning, marking the end of dawn and the start of daylight as determined by the *Solar Calculator* of the *National Oceanic and Atmospheric Administration's Global Monitoring Laboratory* or its successor entity.

(2) *Sunset* means the time on a given day when the last part of the sun's upper rim disappears from the horizon in the evening, marking the end of daylight and the start of dusk as determined by the *Solar Calculator* of the *National Oceanic and Atmospheric Administration's Global Monitoring Laboratory* or its successor entity.

- ~~(d)(e)~~ *Park hours.* Halpatter Park, Kiwanis Park, Lake Desoto Park, Lake Isabella Park, Olustee Park, Sallie Mae Jerry Memorial Park, the Veteran's Plaza, Wilson Park, Campbell Park/Lake Montgomery Park and Young's Park shall be open from 30 minutes before sunrise until 30 minutes after sunset. ~~Campbell Park/Lake Montgomery Park shall be open from 8:00 A.M. until 5:00 P.M. at all other times not specified herein.~~

- ~~(e)(d)~~ *City manager may set more restrictive closing hours.* The city manager may establish in writing closing hours for parks more restrictive than the closing hours provided above for a period of not more than 30 days when necessary to protect the public health, welfare and safety, and based upon the following factors to be taken into consideration when the closing hours are set:

- (1) The amount of daylight at the time of year during which the closing hours will be in effect.
- (2) The availability of artificial lighting.
- (3) The ability to provide (and the cost of providing) adequate police protection during the hours the park is open.
- (4) The occurrence of acts of vandalism or other crimes in the park.

(5) The prevention of the deterioration of existing buildings, playground apparatus or other structures or facilities.

(6) The prevention of the deterioration of shrubbery, trees and grass.

(7) The protection of new plantings of grass, trees or shrubbery.

~~(f)(e)~~ *Filing memorandum of new hours.* The city manager shall file a memorandum with the city clerk and chief of police establishing any new closing hours set by the city manager pursuant to subsection (4).

~~(g)(f)~~ *City Council may set different opening and closing hours.* The City Council by resolution may at any time set different opening and closing hours for any public park.

~~(h)(g)~~ *Posting of hours.* A sign shall be posted at each main authorized entrance to each city park identifying the park and stating the current hours during which the park or area is open and closed. The signs shall also indicate that using the park during closed hours is prohibited.

~~(i)(h)~~ *Allowance of activities.* The city manager may authorize a particular activity to be carried on in a city park during the closed hours set for that park or area, so long as the activity to be carried on does not violate the considerations contained in subsection (d) above and the activity is supervised by at least one city employee. A fee shall be charged for the activity to offset additional costs to the city.

~~(j)(i)~~ *Penalties.* Pursuant to Florida Statute §162.22, any person who violates this section may be sentenced to pay a fine, not to exceed \$500, and may be sentenced to a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law. The failure of the alleged violator to see or understand, or of the City to erect, any signs or other notices provided for in this section shall not be a defense to or in the prosecution of any violation of this section.

SECTION 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 3. Conflicts. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

96 **SECTION 4.** Codification. It is the intention of the City Council of the City of Lake City, Florida,
97 that the provisions of this ordinance shall become and be made a part of the Code of the City of
98 Lake City, Florida, and the sections may be renumbered in order to accomplish such intentions.

99 **SECTION 5.** This ordinance shall take effect immediately upon its adoption.

APPROVED, UPON FIRST READING, by the City Council of the City of Lake City at a regular meeting, on the ____ day of April, 2025.

PUBLICLY NOTICED, in a newspaper of general circulation in the City of Lake City, Florida, by the City Clerk of the City of Lake City, Florida on the ____ day of April, 2025.

APPROVED AND ADOPTED UPON SECOND READING, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, at a regular meeting this ____ day of May, 2025.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Noah E. Walker, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF
THE CITY OF LAKE CITY, FLORIDA:

Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Audrey E. Sikes, City Clerk