

Requested by: City Manager's Office

Prepared by: Public Works Department and City Clerk's Office

ORDINANCE NO. 2022-16

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 46, PARKS AND RECREATION, ARTICLE III, CONDUCT IN PARKS, SECTION 46-62, GENERAL RULES AND REGULATIONS FOR ALL PARKS, BEACHES AND RECREATIONAL AREAS, AND SECTION 46-66, CERTAIN PARKS CLOSED TO VEHICLES DURING NIGHTTIME HOURS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the existing City of Venice Code of Ordinances ("City Code") provides a speed limit of 15 miles per hour in all parks; and

WHEREAS, conditions, including pedestrian traffic within certain City parks warrant a speed limit less than 15 miles per hour; and

WHEREAS, the existing City Code only closes certain parks to vehicles, not people, during specified times; and

WHEREAS, the ability to set, post and enforce park hours for each park is in the best interest of the public; and

WHEREAS, City Council finds these amendments to the City Code will allow for safer operations and enforcement of park facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA as follows:

SECTION 1. The above whereas clauses are ratified and confirmed as true and correct.

SECTION 2. Chapter 46, Parks and Recreation, Article III, Conduct in Parks, Section 46-62, General rules and regulations for all parks, beaches and recreational areas, is hereby amended to read as follows:

Sec. 46-62. General rules and regulations for all parks, beaches and recreational areas.

- (a) The following rules and regulations pertain to all city-owned, leased or operated parks, beaches and recreational areas:
 - (1) No change.
 - (2) No person permitted to operate an automobile, truck, recreational vehicle, camper, trailer, motorcycle, motor scooter, motor bicycle, bicycle, golf cart or other mode of

conveyance shall operate it at a rate of speed in excess of 15 miles per hour, unless otherwise posted.

(3) through (14). No Change.

(b) No change.

SECTION 3. Chapter 46, Parks and Recreation, Article III, Conduct in Parks, Section 46-66, Certain parks closed to vehicles during nighttime hours, is hereby struck in its entirety and replaced with the following:

Sec. 46-66. Hours of use.

Except as otherwise permitted, all city-owned, leased or operated parks, beaches and recreational areas shall be open to the public only during posted hours. Hours of operation shall be set by the City Manager. Any person or vehicle present outside of posted hours must have a written permit issued by the City Manager or designee.

SECTION 4. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5. If any part, section, subsection or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, such part, section, subsection or other portion, or the prescribed application thereof, shall be severable and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The city council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

SECTION 6. This ordinance shall become effective immediately upon its approval and adoption, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 12TH DAY OF JULY 2022.

First Reading: June 28, 2022

Final Reading: July 12, 2022

Adoption: July 12, 2022

Ron Feinsod, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the Venice City Council, at a meeting thereof duly convened and held on the 12th day of July 2022, a quorum being present.

WITNESS my hand and the official seal of said City this 12th day of July, 2022

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney