

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES ENTITLED "ENVIRONMENT" BY CRRATING SECTION 26-101 PARK RULES TO PROVIDE FOR REGULATIONS CONCERNING ALL CITY PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that permitting animals on playing fields within city parks creates a nuisance and health risk as evidenced by the existence of animal waste and holes which present a hazard to public health, safety and welfare of users of the athletic fields; and

WHEREAS, the City of Key West finds that having bicycles in city parks that are not properly racked at designated bicycle racks creates an appreciable tripping hazard to users of city parks and detract from the visual appeal of city parks; and

WHEREAS, the City Commission for the City of Key West finds that the existence of second hand tobacco smoke and cigarette or cigar butts in city parks adversely affects the health and welfare of other users of city parks as well as the environment; and

WHEREAS, the City Commission for the City of Key West finds that because of the shortage of city park benches and tables, said park benches and tables should be used for their intended

purpose so as to allow its use by others; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST,  
FLORIDA:

Section 1: That Chapter 26 of the Code of Ordinances is hereby amended as follows\*:

Sec. 26-101. Park Rules.

- (a) Visitors to all city parks as defined in Sec. 26-96 shall abide by the Park Rules attached as Exhibit A.
- (b) The City Commission for the City of Key West can amend the Park Rules by Resolution.
- (c) A list of all current rules shall be posted at or near all entrances to all city parks.
- (d) Violations of this section are subject to the penalties contained in Sec. 1-15.

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\*(Coding: Added language is underlined; deleted language is ~~struck through~~.)

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Read and passed on final reading at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Authenticated by the presiding officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Filed with the Clerk \_\_\_\_\_, 2012.

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

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CHERYL SMITH, CITY CLERK