

Requested by: City Manager  
Prepared by: City Clerk

**ORDINANCE NO. 2015-20**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF VENICE, FLORIDA, CHAPTER 46, PARKS AND RECREATION; ARTICLE III, CONDUCT IN PARKS; AMENDING SECTION 46-62, GENERAL RULES AND REGULATIONS FOR ALL PARKS, BEACHES AND RECREATIONAL AREAS; ADDING SUBSECTION (C) SPECIAL PERMIT, TO ESTABLISH REGULATIONS FOR SPECIAL PERMITTING IN REGARDS TO OVERNIGHT CAMPING; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the city has increasingly received requests for special events at various locations; and

**WHEREAS**, the city receives, reviews, considers and permits each special event to insure that the events occur in a safe and secure manner and does not negatively impact the community or its citizens; and

**WHEREAS**, the city permits special events at a number of locations throughout the city, including city parks where rules and regulations have been established by ordinance; and

**WHEREAS**, the city desires to provide a permitting process to consider special events where overnight camping is proposed; and

**WHEREAS**, the city has determined it is in the public interest to provide for overnight camping by special permit.

**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 for all parks, beaches and recreational areas is amended to read as follows:

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

- (a) thru (b) No change
- (c) Special permit. The city council may, upon review and recommendation by the city manager, grant a special permit to the driving, parking, and overnight camping restrictions set forth in section 46-62 to allow for overnight camping when, in the judgement of the city council, and

after a public hearing, the following conditions are or will be met:

- (1) The special permit is granted in conjunction with a city approved special event.
- (2) The special permit is not harmful or injurious to the city or the general public.
- (3) The sponsors, organizers, promoters of the special event have or will complete all required city applications, prerequisites, meet mandated registration and permitting deadlines, and otherwise agree to and/or satisfy any special conditions or requirements imposed by the city for the specified special event. Special conditions may include, but are not limited to permitting fees, clean-up and property maintenance, noise, litter, dust, excessive light control and related city code standards.
- (4) The proposed holder of the special permit has or will provide evidence of proper insurance, hold harmless and indemnify the city against all claims arising from the granting of the special permit and any related activities.
- (5) The special permit will be for limited times and dates to accomplish its purpose.
- (6) The city manager may cancel or curtail the special permit, if in his judgement, the special permit, or the special event that is in conjunction with the special permit, creates or threatens to create a risk to public safety, or violates the conditions under which the special permit has been granted.

**SECTION 3.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 4.** 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 5.** This Ordinance shall take effect immediately upon approval and adoption as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 10TH DAY OF NOVEMBER 2015.**

First Reading: October 27, 2015

Final Reading: November 10, 2015

Adoption: November 10, 2015

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John W. Holic, Mayor

ATTEST:

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Lori Stelzer, MMC, City Clerk

Approved as to form:

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David Persson, City Attorney