

Prepared by: Dir. Of Public Works; Chief of Police and City Clerk's Office

ORDINANCE NO. 2006-05

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 46, PARKS AND RECREATION; ARTICLE I, IN GENERAL, SECTION 46-1, DESCRIPTION OF CITY PARKS SYSTEM, AUTHORIZED USES; AMENDING ARTICLE III, CONDUCT IN PARKS, SECTION 46-62, GENERAL RULES FOR ALL PARKS; AMENDING SECTION 46-64, VENICE FISHING PIER, ADDING SECTION 46-65, VENETIAN WATERWAY PARK, RENUMBERING AND AMENDING SECTION 46-65, CERTAIN PARKS CLOSED TO VEHICLES DURING NIGHTTIME HOURS; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Chapter 46, Parks and Recreation, Article I, In General, Section 46-1, Description of city parks system; authorized uses, is amended to read as follows:

Sec. 46-1. Description of city parks system; authorized uses.

The following parcels of land, together with the various median strips located in rights-of-way within the city limits, shall constitute the city parks system. Such lands shall be used and developed exclusively for the enjoyment of the general public as public parks, including but not limited to such uses as playgrounds, playfields, quiet landscape areas, cultural activity areas, waterfront activity areas or any appropriate combination thereof.

Blalock Park (designated park). Legal description: Blocks 88-A and 91-A, Venezia Park Section of Venice, as per plat thereof on file and of record in the public records of the county.

Brohard Park (dedicated park). Legal description: That portion of lands comprising the Venice Municipal Airport and lying south of Beach Road, east of the Gulf of Mexico, north of the south boundary of the airport and west of Harbor Drive, all lying and being in the county.

Centennial Park (dedicated park). Legal description: Block 51, Gulf View Section of Venice, as per plat thereof on file and of record in public records of the county.

Chauncy Howard Park (designated park). Legal description: The South 5.0 feet of the North 40.0 feet of Lot, 4 Block 4, Replat of Portion of Gulfview Section of Venice, as per the Plat thereof recorded in Plat Book 4, pages 97 through 100, Public Records of Sarasota County, Florida and the North 120 feet of Lot 4, Block 4, Venice Amended Replat of Portion of Gulfview Section, as per the Plat thereof recorded in Plat Book 9, page 30, of the Public Records of Sarasota County, Florida.

Chuck Reiter Park (designated park). Legal description: Bounded on the south by Field Avenue, on the north by Fort Street, on the west by Cockrill Street, and on the east by Cooper Street.

City Hall Park (designated park). Legal description: Block 36-B, Gulf View Section of Venice, as per plat thereof on file and of record in the public records of the county.

~~*Curry Creek Park*~~ *Patriots Park* (designated park). Legal description: A part of the southwest quarter of Section 6, Township 39 South, Range 19 East, being more particularly described as follows: Commence on the southerly boundary of Section 6, Township 39 South, Range 19 East, at a point 843.56 feet westerly of the southeast corner of the southwest quarter of Section 6, such point being on a curve concave to the west having a radius of 1,909.06 feet; thence from a tangent bearing of north 16°03'31" west run northerly along such curve 542.59 feet through an angle of 16°16'29" to the end of the curve; run thence north 32°20'00" west 929.29 feet; thence north 57°40'00" east 32 feet; thence north 32°20'00" west 307 feet; thence north 68°39'00" east 203.73 feet to the northeasterly right-of-way line of State Road No. 45 (U.S. 41/Tamiami Trail), according to Road Plat Book 1, page 84-C, of the public records of the county; thence along such line south 32°20'00" east 268.24 feet; thence continue along such line south 32°19'00" east, 317.44 feet to the point of beginning; thence north 57°41'00" east, 30.00 feet; thence south 32°19'00" east, 309.18 feet; thence south 85°00'00" east, 143.20 feet; thence north 25°00'00" east, 284.71 feet to the intersection with a curve to the right, whose center bears south 43°04'06" west; thence, along the arc of such curve, having a radius of 324.00 feet, a central angle of 76°36'54", for an arc distance of 433.25 feet to the point of tangency; thence south 29°41'00" west, 95.00 feet to the point of curvature of a curve to the right; thence, along the arc of such curve, having a radius of 165.00 feet, a central angle of 65°57'50", for an arc distance of 189.96 feet to the intersection with a curve to the right, whose center bears north 39°25'19" east and to the northeasterly right-of-way line of State Road No. 45 (U.S. 41/Tamiami Trail) according to Road Plat Book 1, page 90-G, of the public records of the county; thence along such right-of-way line and the arc of such curve, having a radius of 1,809.86 feet, a central angle of 13°40'00", for an arc distance of 431.71 feet to the end of the curve; thence, continue along such right-of-way line, according to Road Plat Book 1, page 84-C, north 76°10'00" east, 132.93 feet; thence continue along such right-of-way line, north 32°19'00" west, 259.07 feet to the point of beginning, and containing 3.5250 acres, more or less.

Dr. Fred Albee Park (designated park). Legal description: Triangle parcel, Block 52-A, Gulf View Section of Venice, as per plat thereof on file and of record in the public records of the county.

East Gate Park (dedicated park). Legal description: Dedicated park west of Block 12, East Gate Subdivision, as per plat thereof recorded in Plat Book 9, page 43, of the public records of the county.

Fountain Park (designated park). Legal description: A small improved traffic island bordered by Miami Avenue, Nokomis Avenue and Ponce de Leon.

Graser Park (dedicated park). Legal description: Lots 1 and 2, Block 2, GULF VIEW SECTION OF VENICE, as per plat thereof recorded in Plat Book 2, Pages 77 and 77-A, Public Records of Sarasota County, Florida; ALSO Lot 1A, Block 2, Amended Replat of a portion of GULF VIEW SECTION OF VENICE, as per plat thereof recorded in Plat Book 9, Page 30, Public Records of Sarasota County, Florida.

Hecksher Park (designated park). Legal description: Block 35-B, Gulf View Section of Venice, as per plat thereof on file and of record in the public records of the county.

Heritage Park (designated park). Legal description: Median strip within the street/roadway right-of-way of West Venice Avenue, westward from the right-of-way of Avenue Des Parques to Venice Municipal Beach.

Higel Marine Park (dedicated park). Legal description: A parcel of submerged land in Roberts Bay in Section 12, Township 39 South, Range 18 East, in the city, more particularly described as follows: Begin at the intersection of the mean high-water line of Roberts Bay and the south line of the park, as shown on the Plat of Venice, recorded in Plat Book 4, page 99, of the public records of the county; thence east along such south line a distance of 150 feet, more or less, to a point lying 225.00 feet east of the east right-of-way of Inlet Road; thence northeasterly along the arc of a curve having a central angle of 90 degrees, the vertex being north a radial distance of 40.00 feet a distance of 62.83 feet to a point of reverse curve; thence northeasterly along the arc of such curve having a central angle of 90 degrees, the vertex being east a radial distance of 50.00 feet from such point a distance of 78.54 feet; thence east a distance of 117.34 feet; thence north $46^{\circ}21'00''$ east a distance of 44.61 feet; thence east a distance of 72.44 feet to a southeasterly line of such park; thence north $46^{\circ}21'00''$ east along such southeasterly line, a distance of 35.07 feet; thence north a distance of 109.75 feet; thence west along the north line of such park a distance of 115.00 feet to a point of a curve; thence southwesterly along the arc of such curve, having a central angle of $32^{\circ}17'10''$ the vertex being south a radial distance of 440.00 feet a distance of 247.94 feet to a point of reverse curve; thence northwesterly along the arc of such curve having a central angle of $157^{\circ}55'00''$, the vertex being north $32^{\circ}17'10''$ west a radial distance of 47.64 feet a distance of 131.30 feet to the intersection of the extended south line of Lot A of Schutt Subdivision (also being the north line of such park) as recorded in Plat Book 1, page 8, of the public records of the county, such point of intersection lying east a distance of 365.92 feet from the southeast corner of such Lot A, such point also being at the mean high-water mark of Roberts Bay; thence southerly along the mean high-water mark of Roberts Bay a distance of 290 feet, more or less, to the point of beginning, and containing 1.5 acres, more or less.

Humphris Park (designated park). Legal description: A parcel of land lying in a portion of Sections 1 and 2, Township 39 South, Range 18 East, in the county, being more particularly described as follows: Commence at the northwest corner of Jetty Villas, a condominium amended plat, as recorded in Condominium Book 8 at pages 24 through 24G of the public records of the county, thence along the southerly line of the Tarpon Center Road Extension right-of-way, as described in the instrument filed in Official Record Book 965 at page 478 of the public records of the county and along the northerly line of the land described in Official Record Book 1304 at page 823 of the public records of the county, north $81^{\circ}48'06''$ west (on an assumed bearing) 30.00 feet to the northwest corner of the land described in Official Record Book 1304 at page 823 and to the point of beginning; thence, along the westerly line of the land as described in Official Record Book 1304 at page 823, south $13^{\circ}11'54''$ west, 250.00 feet, more or less, to the intersection with the mean high-water line of the Gulf of Mexico, thence, northwesterly and westerly along the mean high-water line of the Gulf of Mexico, 580.00 feet, more or less, thence north $08^{\circ}58'09''$ east, 80.00 feet, more or less, to a point on the bulkhead line on the southerly side of the Venice Inlet (Casey's Pass), as described in the instrument filed in Official Record Book 271 at page 547, thence, along such bulkhead line, south $81^{\circ}48'06''$ east, 708.02 feet, thence south $43^{\circ}26'02''$ west, 12.24 feet to a point on the northerly right-of-way line of the Tarpon Center Road Extension, thence, along the northerly right-of-way line of Tarpon Center Road Extension, such line being 10.00 feet southerly of and parallel with the bulkhead line, north $81^{\circ}48'06''$ west, 337.83 feet, thence, along the westerly line of the Tarpon Center Road Extension, south $31^{\circ}28'00''$ west, 54.43 feet to the point of curvature of a curve to the left,

thence along the arc of such curve and along the southerly line of the Tarpon Center Road Extension, such curve having a central angle of 199°15'16", a radius of 50.00 feet, for an arc distance of 173.88 feet to a point of reverse curvature, thence along the arc of such curve to the right and along the southeasterly line of the Tarpon Center Road Extension right-of-way, such curve having a central angle of 85°59'10", a radius of 25.00 feet, for an arc distance of 37.52 feet to the point of tangency and to a point on the southerly line of the Tarpon Center Road Extension right-of-way, thence along the southerly line of the Tarpon Center Road Extension right-of-way, south 81°48'06" east, 64.26 feet to the point of beginning.

John Nolen Park (dedicated park). Legal description: Blocks 37-B and 40-B, Gulf View Section of Venice, as per plat thereof on file and of record in the public records of the county.

Marina Park and Boat Ramp (designated park). Legal description: A parcel of real property designated as WCIND maintenance spoil area MSA S-32 whose point of beginning is 222.08 feet North and 374.27 feet East of the SW corner of the NE ¼, Section 7, Township 39 South, Range 19 East, together with an easement for ingress and egress, use of which is granted under a License Agreement dated April 1, 1978 between the West Coast Inland Navigation District and the City of Venice, Florida.

Mundy Park (dedicated park). Legal description: Lots 1, 2, 3, 4, 19, 20, 21 and 22, Block 215, Edgewood Section of Venice, as per plat thereof recorded in the office of the clerk of the circuit court of the county.

Ponce de Leon Park (designated park). Legal description: A small improved traffic island bordered by Nassau Street, Pedro Street and Ponce de Leon.

Prentiss French Park (dedicated park). Legal description: Blocks 33-B and 34-B, Gulf View Section of Venice, as per plat thereof on file and of record in the public records of the county.

Sawgrass Park (dedicated park). Legal description: A part of Sections 4 and 9, Township 39 South, Range 19 East, Sarasota County, Florida, described as follows: Tract "F", as per plat of Sawgrass Unit 1, recorded in Plat Book 38, Page 37, Public Records of Sarasota County, Florida; ALSO Tract "DD", as per plat of Sawgrass Unit 4, recorded in Plat Book 42, Page 14, Public Records of Sarasota County, Florida; ALSO Tract "U", as per plat of Sawgrass Unit 5, recorded in Plat Book 41, Page 28, Public Records of Sarasota County, Florida; ALSO Tract "P", as per plat of Sawgrass Unit 5A, recorded in Plat Book 42, Page 44, Public Records of Sarasota County, Florida; AND ALSO that portion of lands described in Quitclaim Deed, recorded in Official Records instrument #2001069453, Public Records of Sarasota County, Florida, lying West of the westerly right-of-way line of Auburn Road (as per Official Records Book 2243, Page 1435), and lying northerly of the easterly extension of the southerly line of Tract "P", Sawgrass Unit 5A, recorded in Plat Book 42, Page 44, Public Records of Sarasota County, Florida. More particularly described as follows: A portion of land in Sections 4 and 9, Township 39 South, Range 19 East, Sarasota County, Florida, being described as follows: Commence at the NE corner of Section 9, Township 39 South, Range 19 East, Sarasota County, Florida; thence S 00° 01' 00" W, along the East line of said Section 9, a distance of 60.00 feet to the POINT OF BEGINNING, same being a point on the Westerly right-of-way line of Auburn Road, as shown in Plat Book 3, Page 2, Public Records of Sarasota County, Florida, and also being a point on the easterly extension of the Northerly line of Tract "L-21", SAWGRASS UNIT 5, as recorded in Plat Book 41, Pages 28, 28A through 28H, Public Records of Sarasota County, Florida; thence N 65° 19' 14" W, along said easterly extension of the Northerly line of

Tract "L-21" a distance of 90.64 feet to the Northeast corner of said Tract "L-21", same being a point on a curve to the left having a radius of 769.57 feet, a central angle of 46° 21' 19", a chord bearing of N 39° 50' 20" W, and a chord length of 605.78 feet; thence along the boundary line of said Plat of SAWGRASS UNIT 5, along the arc of said curve, an arc length of 622.62 feet to the end of said curve; thence continue along said boundary line of SAWGRASS UNIT 5, S 63° 01' 00" E, a distance of 528.00 feet to a point on said Westerly right-of-way line of Auburn Road; thence S 00° 01' 00" W, along said Westerly right-of-way line a distance of 263.43 feet to the POINT OF BEGINNING. Parcel contains 348,486 feet or 8.0001 acres.

Service Club Park (designated park). Legal description: That part of Section 24, Township 39 South, Range 18 East, and Section 19, Township 39 South, Range 19 East, in the county, more particularly described as follows: Commence at the northwest corner of Section 19 for a point of beginning; thence south 89°35'32" east along the north line of Section 19, 160 feet; thence south 13°54'12" east, 320 feet; thence north 89°35'32" west, 1,013 feet to the mean high-water line of the Gulf of Mexico; thence northwesterly along the mean high-water line, 320 feet to the north line of Section 24, Township 39 South, Range 18 East; thence south 89°47'52" east along the north line of Section 24, 891 feet to the point of beginning. Approximately 7+/- acres.

Venice Municipal Beach Park (dedicated park). Legal description: All that land bounded on the north by the south right-of-way line, extended, of Barcelona Avenue, on the east by the west right-of-way line of the Esplanade; on the south by the south right-of-way line, extended, of Granada Avenue, and on the west by the Gulf of Mexico, all lying and being in the county.

Venice Myakka River Park (dedicated park). Legal description: A parcel of land lying and being in Section 25, Township 38 South, Range 19 East, Sarasota County, Florida and being more particularly described as follows: Commence at the SW corner of said Section 25; thence N 87° 22' 47" E, along the Southerly line of said Section 25 a distance of 1985.58 feet to the point of beginning; thence N 02° 37' 13" W, a distance of 385.72 feet; thence N 11° 02' 08" W, a distance of 351.06 feet; thence N 87° 22' 47" E, a distance of 619.22 feet, more or less, to the intersection with the centerline of the Myakka River; thence S 43° 06' 09" E, along the approximate waters edge of the Myakka River for the next 14 calls a distance of 16.60 feet; thence S 25° 30' 40" E, a distance of 27.41 feet; thence S 04° 37' 00" W, a distance of 84.35 feet; thence S 06° 09' 52" W, a distance of 70.03 feet; thence S 01° 18' 32" E, a distance of 83.95 feet; thence S 15° 21' 42" E, a distance of 66.48 feet; thence S 19° 04' 26" E, a distance of 65.78 feet; thence S 15° 37' 02" E, a distance of 41.50 feet; thence S 03° 36' 51" E, a distance of 68.08 feet; thence S 04° 14' 18" W, a distance of 64.30 feet; thence S 19° 45' 13" W, a distance of 68.47 feet; thence S 20° 09' 31" W, a distance of 15.97 feet; thence S 20° 09' 31" W, a distance of 60.18 feet; thence S 28° 59' 01" W, a distance of 28.78 feet to the intersection with the southerly line of said Section 25; thence S 87° 22' 47" W, along the southerly line of said Section 25 a distance of 531.54 feet to the point of beginning and containing 435,945 square feet or 10.01 acres, more or less. Together with an access easement lying and being in Section 25, Township 38 South, Range 19 East, Sarasota County, Florida and being more particularly described as follows: Commence at the SW corner of said Section 25; thence N 87° 22' 47" E, along the southerly line of said Section 25 a distance of 1672.34 feet to the point of beginning; thence N 50° 10' 12" E, a distance of 393.30 feet to the intersection with the westerly line of the public park site; thence S 02° 37' 13" E, along the westerly line of the public park site, a distance of 237.84 feet to the intersection with the southerly line of said Section 25; thence S 87° 22' 47" W, along the southerly line of said Section 25 a distance of 313.24 feet to the point of beginning and containing 37,251 square feet or 0.86 acres, more or less.

Venetian Waterway Park (designated park). Legal description: A recreational linear trail along the Intracoastal Waterway including both owned and leased segments. A complete legal description and survey is on file in the office of the city clerk.

Venezia Park (dedicated park). Legal description: Blocks 98-A and 102A, Venezia Park Section of Venice, as per plat thereof on file and of record in the public records of the county.

Wellfield Park (designated park). Legal description: The west half of the southwest quarter of Section 4, and the west half of the northwest quarter of Section 9, Township 39 South, Range 19 East, Sarasota County, Florida.

West Blalock Park (dedicated park). Legal description: Block 92-A, Venezia Park Section of Venice, as per plat thereof on file and of record in the public records of the county.

SECTION 2. Chapter 46, Parks and Recreation, Article III, Conduct in Parks, Section 46-62, General rules for all parks, is 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 will be in effect for all parks within the city. No person entering upon and using the park shall:~~ pertain to all city owned, leased or operated parks, beaches and recreational areas.

- ~~(1) Perform any activity which, at the time, is not compatible with the public's utilization of the park.~~ No automobile, truck, recreational vehicle, camper, trailer, motorcycle, motor scooter, motor bicycle, bicycle, golf cart or other mode of conveyance shall be driven or parked except in those areas specifically designed or otherwise designated by signs to be used for such driving or parking; provided, however that the city manager may issue written permits granting special driving and/or parking privileges, upon application therefore, to persons suffering acute physical disabilities, which permits shall specifically recite on the face thereof the exact extent of the special privileges and the area or areas involved. Vehicles performing services or deliveries and agents or employees of governmental bodies operating vehicles or equipment on official business shall be exempt from this subsection. No person shall park a vehicle in any area in excess of 18 consecutive hours. Any vehicle parked over 18 hours may be removed, unless authorized by the city manager, from the parking area to the nearest garage, to a garage designated or maintained by the city or its police department or to another place of safety, all in accordance with section 70-6 of this code.
- ~~(2) Sell, possess or consume any alcoholic beverages without the authorization of the city manager.~~ 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.
- ~~(3) Build or use open fires except in areas specified by the fire department. Barbecue grills or like devices are exempt from this provision.~~ No overnight camping of any type or sleeping shall be

allowed except in those areas that are specifically designed or otherwise designated by signs for such use.

- (4) Deface, damage, defile or litter the park. No person shall dispose of any paper, waste, garbage, trash, cigarette butts, debris, or other litter of any kind except in proper receptacles. Only such paper, waste, garbage, trash, debris or other litter as may have been created or accumulated in the use of a park, beach or recreational area shall be disposed of in such receptacles.
- (5) Use profane or obscene language or conduct themselves in a disorderly manner. No person shall solicit or canvass for the sale or rental of merchandise, services, goods or property of any kind or character. This prohibition shall not apply to a tenant, concessionaire, permittee or licensee of the city lawfully operating within the terms of any lease, concession agreement, license or permit granted by the city.
- (6) No person shall hold, drink from, or carry into, the park or otherwise possess, or dispose of glass containers of any kind.
- (7) Operate or park any motor vehicle, camper, bus, float or trailer within any public park or parking lot or upon any beach, except in those areas specifically designated by signs to be used for such driving or parking, unless authorized by the police department; provided that any agents or employees of the federal, state, county or municipal governmental bodies operating motor vehicles on official business shall be exempt from the provisions of this subsection. No person shall perform any activity, which, at the time of performance, is not compatible with the public's utilization of the area. No person shall ride, use or operate bicycles, roller skates, roller blades, skate boards and/or similar devices in or on gazebos, fountains, structures, shelters, benches, tables, chairs, paver areas or improved surfaces, monuments, signs, newspaper racks or other amenities.
- (8) Bed down, sleep or camp overnight in a park, including any parking area, nor shall camper trucks, buses, trailers or other vehicles be permitted to remain overnight unless authorized by the police department. Fires are prohibited, except in such grills, fireplaces, barbecue pits or such other receptacles as may be specifically designed for such use. No cooking surface shall be larger than 400 square inches in size. Exemptions may be authorized by the city manager.
- (9) Park a vehicle in any area in excess of 18 consecutive hours. Any vehicle parked over 24 hours may be removed, unless authorized by the police department, from the parking area to the nearest garage, to a garage designated or maintained by the city or its police department or to another place of safety, all in accordance with section 70-6. Dogs, cats, and other animals are not allowed in the following: Brohard Park, Chauncy Howard Park, Chuck Reiter Park, East Gate Park, Hecksher Park, Higel Marine Park, Humphris Park, Marina and Boat Ramp, Mundy Park, Patriots Park, Service Club Park, Venice Municipal Beach Park and Wellfield Park. Any dog, cat or other animal (except for dogs trained to assist or aid disabled or handicapped persons) found in violation of this section may be impounded and held in accordance with the provisions of Sarasota County Ordinance No. 95-42.

- (10) ~~Bring or allow any pet or animal in the parks, except those assisting or aiding impaired or physically disabled persons. This prohibition shall not apply within any designated paw park provided that all rules and regulations applicable to the paw park are complied with. The use of tobacco products is prohibited in all areas, within a defined perimeter, in areas used for organized youth athletic activities. The defined perimeter is the area that encompasses all athletic fields, spectator stands, concession areas, restroom areas, walking or congregating areas, and all intervening spaces. This area is often times, but not exclusively, outlined by perimeter fencing with gates at points of entry. A youth athletic organization or league is defined as an organization which contracts with the Sarasota County Division of Parks and Recreation, to conduct activities related to youth athletic leagues, including athletic practices and games, meetings, clinics, and demonstrations, on a regularly scheduled basis (e.g. baseball, football, soccer, softball).~~
- (11) ~~Possess any firearms, weapons or other explosive devices of any nature. No person shall sell, possess or consume any alcoholic beverages without the written authorization of the city manager.~~
- (12) ~~Solicit or canvas for the sale or rental of merchandise, services, goods or property of any kind or character, in or upon any lands within the city parks system. This prohibition shall not apply to a tenant, concessionaire, permittee or licensee of the city lawfully operating within the terms of any lease, concession agreement, license or permit granted by the city. No person shall destroy, injure, deface, mar, move, dig, harmfully disturb or remove from any area, or the waters thereof, any buildings, structures, facilities, historic resources, equipment, park property, soil, sand, gravel, rocks, stones, fossils, minerals, plants, trees and shrubs (including terrestrial, aquatic, marine, or epiphytic plants) or animals, artifacts, or other materials.~~
- (13) ~~No person shall cut, carve, injure, mutilate, move, displace, or break off any natural water bottom formation or growth.~~
- (14) ~~No person shall introduce any plant or animal species by willful abandonment, negligence, or for any other reason without permission from the city.~~
- (b) Exemptions. The following activities are exempt from the prohibitions contained herein:
- (1) Sculpting of sand (such as sand castles) on public beaches, or the collection of shells, sharks' teeth, and other natural materials that wash up on public beaches except as otherwise prohibited by federal, state, or local laws.
- (2) Collection of natural objects, including plant and animal life and minerals, for scientific and educational purposes so long as such collection is conducted in compliance with terms or written permission granted from the city manager.
- (3) The permitted trapping or removal of animals by a party authorized by the city.
- (4) Maintenance, repair or improvements by a party authorized by the city.
- (5) Fishing.

SECTION 3. Chapter 46, Parks and Recreation, Article III, Conduct in Parks, Section 46-64, Venice Fishing Pier, is amended to add the following:

Sec. 46-64. Venice Fishing Pier.

In addition to the rules and regulations set forth in section 46-62, the following rules and regulations shall be in effect for use at the Venice Fishing Pier.

- (1) No person entering upon and using the Venice Fishing Pier shall:
 - a. Use more than two fishing lines at one time.
 - b. Operate bicycles, roller skates, roller blades, skateboards and/or similar devices on the pier or around the concession area.
- (2) No person shall operate or navigate any boat or other watercraft within 300 feet of the Venice Fishing Pier.
- (3) No person shall dive or jump from the fishing pier or swim or surf within 150 feet of the centerline of the pier structure.

SECTION 4. Chapter 46, Parks and Recreation, Article III, Conduct in Parks, Section 46-65, Certain parks closed to vehicles during nighttime hours is amended and Section 46-66 is added:

Sec. 46-65. Venetian Waterway Park.

The Venetian Waterway Park is a public park designed to be a multi-use facility. In addition to the rules and regulations set forth in section 46-62, the following rules and regulations shall be in effect at Venetian Waterway Park.

- (a) Use of the park between dusk to dawn is prohibited.
- (b) Exemptions:
 - (1) Animals on leashes are permitted.
 - (2) Bicycles, roller blades, roller skates, skateboards, and segways are permitted.

Sec. 46-65 ~~66~~ Certain parks closed to vehicles during nighttime hours.

(a) *“Vehicles” defined.* As used in this section, the term “vehicles” means any motorized device in, upon or by which any person or property may be transported or drawn, including automobiles, trucks, motorcycles, tractors, buses, motor homes or campers.

(b) *Designated areas; closing time.* ~~All city-owned, city-operated or city-leased parks, recreational areas or beaches or beach accesses listed in this subsection~~ The following are closed to vehicles between

the hours of 12:00 midnight and 6:00 a.m. daily unless the city council, ~~for good and sufficient reason,~~ orders any of the facilities to be subject to a different closing time:

- (1) Brohard Park (except for those utilizing the fishing pier).
 - (2) Chuck Reiter Park.
 - (3) ~~Curry Creek Park~~ Graser Park.
 - (4) Hecksher Park.
 - (5) Humphris Park (except for those utilizing the jetty for fishing.)
 - ~~(5)~~ (6) Municipal Beach.
 - (7) Patriots Park.
 - ~~(6)~~ (8) Service Club Park.
 - ~~(7)~~ (9) Venice Wellfield.
- (c) Special driving and parking privileges. These may be authorized by the city manager.

~~(e)~~(d) *Exceptions.* This section shall not apply to persons having on their person or vehicles a written permit issued by the city manager or to official governmental vehicles.

~~(e)~~(e) *Penalty.* Any person, except persons falling within the exception set out in subsection ~~(e)~~(d) of this section, operating a vehicle, whether the owner thereof or not, who enters any city-owned, city-operated or city-leased park, recreational area, beach or beach access named in this section with such vehicle in violation of this section shall, upon conviction, be punished as prescribed in section 1-14 of this code.

SECTION 5. Severability. If for any reason a provision of this Ordinance or the application thereof to any person, group of persons, or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon its adoption, as required by law.

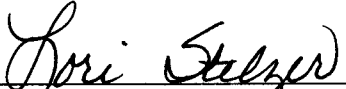
PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS 11TH DAY OF APRIL 2006.

First Reading: March 28, 2006
Final Reading: April 11, 2006

Adoption: April 11, 2006


Dean Calamaras, Mayor

Attest:

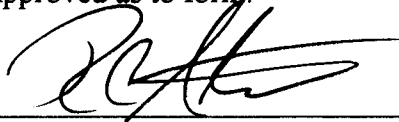

Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, 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, a meeting thereof duly convened and held on the 11th day of April 2006, a quorum being present.

WITNESS my hand and the official seal of said City this 12th day of April 2006.


Lori Stelzer, MMC, City Clerk

Approved as to form:


City Attorney