

Requested by: City Manager and Public Works  
Prepared by: City Manager, Public Works and City Clerk's Office

#### **ORDINANCE NO. 2019-39**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, MAKING HUMPHRIS PARK CLOSED TO VEHICLES CONSISTENT WITH OTHER PARKS BY AMENDING THE CODE OF ORDINANCES, CHAPTER 46, PARKS AND RECREATION, ARTICLE III, CONDUCT IN PARKS, SECTION 46-66(b), CERTAIN PARKS CLOSED TO VEHICLES DURING NIGHTTIME HOURS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, within the municipal boundaries of the City of Venice are numerous parks and recreational areas, many of which are located near or within defined residential neighborhoods; and

**WHEREAS**, Humphris Park is located directly adjacent to residential properties and vehicular use can be disruptive during nighttime hours; and

**WHEREAS**, elimination of the fishing exemption for nighttime vehicle operation would facilitate the City's general enforcement of the closing hours of the park to all vehicles thereby eliminating the noise associated with such vehicle presence and operation in the park; and

**WHEREAS**, a gate system has been installed at the entrance to the park to enable City officials to close the park to public access as needed, to protect the quality-of-life for residents, prevent accident or injury to citizens, and to ensure a high level of public safety during times of risk or hazard to the public.

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

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

**SECTION 2.** Chapter 46, Parks and Recreation, Article III, Conduct in Parks; Section 46-66(b), Certain Parks Closed to Vehicles During Nighttime Hours, is amended to read as follows:

#### **ARTICLE III. CONDUCT IN PARKS**

**Sec. 46.66. Certain parks closed to vehicles during nighttime hours.**

(b) *Designated areas; closing time.* The following are closed to vehicles between the hours of 12:00 midnight and 6:00 a.m. daily unless city council orders any of the facilities to be subject to a different closing time:

(1) through (4) – No change.

(5) Humphris Park ~~(except for those utilizing the jetty for fishing).~~

(6) through (9) – No change.

**SECTION 3.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 4.** 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 10<sup>TH</sup> DAY OF DECEMBER, 2019.**

First Reading: November 19, 2019

Final Reading: December 10, 2019

ADOPTION: December 10, 2019

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Ron Feinsod, Mayor

ATTEST:

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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, at a meeting thereof duly convened and held on the 10<sup>th</sup> day of December 2019, a quorum being present.

WITNESS my hand and the official seal of said City this 10<sup>th</sup> day of December 2019.

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Lori Stelzer, MMC, City Clerk

APPROVED AS TO FORM:

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City Attorney