

ORDINANCE NO. 23-32

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 12 OF THE CITY'S CODE OF ORDINANCES, ENTITLED, "PARKS AND RECREATION;" BY SPECIFICALLY AMENDING ARTICLE III, SECTION 12-46, ENTITLED "PERMITS;" REQUIRING A PERMIT FOR GATHERINGS AT CITY PARKS OF MORE THAN SEVEN (7) INDIVIDUALS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Resolution No. 12-7-5 (the "Resolution"), adopted on July 30, 2012, the Cooper City Optimist Club (the "Optimist") has been recognized by Cooper City as the organization authorized to organize, supervise and deliver youth sports programs to City residents; and

WHEREAS, the City has recently experienced an influx of unorganized groups and other gatherings utilizing certain fields and athletic facilities within the City; and

WHEREAS, the City Commission seeks to ensure that the City's fields are available to City residents and the Optimists pursuant to the Resolution; and

WHEREAS, in furtherance of this effort, the City Commission seeks to require permits for all gatherings at City parks in excess of seven (7) people, subject to certain exceptions; and

WHEREAS, the City Commission has held a public hearing and considered public input, as required by law; and

WHEREAS, the City Commission has determined that requiring a permit for gatherings at City parks larger than seven (7) people is in the best interest of the health, safety, and welfare of its citizens and residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amended. That Chapter 12, entitled “Parks and Recreation,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Article III, Section 12-44, entitled “Recreational Activities” as follows:

Sec. 12-44 Recreational Activities

...

(d) *Picnic areas and use.*

(1) The Director of Parks and Recreation shall designate those areas of a park where picnicking is permitted. No person shall picnic other than in a designated area.

(2) Individual fireplaces and tables in picnic areas shall be available on a "first come, first served" basis, except that a group of seven (7) or more persons must obtain a permit in advance for the use of picnic facilities.

(3) Picnickers shall not leave a picnic area before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in a disposal receptacle, where provided. If no trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

SECTION 3. City Code Amended. That Chapter 12, entitled “Parks and Recreation,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Article III, Section 12-46, entitled “Permits” as follows:

Sec. 12-46. - Permits.

(a) *Required.* In addition to any other provision of this article that requires the obtaining of a permit prior to engaging in a given activity, no person in a park

shall conduct, operate, present, manage, or take part in any of the following activities unless a permit is obtained prior to the start of the activity:

- (1) Any picnic, outing or gathering sponsored by any organization or person composed of seven (7) or more persons;
- (2) Any contest, exhibit, dramatic performance, play, motion picture, radio or television broadcast, fair, circus, musical event, or any similar event;
- (3) Any public meeting, assembly, or parade, including, but not limited to, drills, maneuvers, ceremonies, addresses, speeches, sports contests, practices, or political meetings;
- (4) Any use of any park facility by a certain person or group of persons to the exclusion of others;
- (5) Use of sports facilities pursuant to the provisions of Res. No. 03-2-9, as same may be amended from time to time.

SECTION 4. Conflict. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

SECTION 5. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

SECTION 6. Codification. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, that the Sections of this ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

SECTION 7. Effective Date. This Ordinance shall become effective upon passage and adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2023.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2024.

MAYOR GREG ROSS

ATTEST:

TEDRA ALLEN, MMC

Approved as to Legal Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Shrouder _____
Commissioner Katzman _____
Commissioner Mallozzi _____