

ORDINANCE NO. 24-19

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 SECTION 12-43 ENTITLED “PARK PROPERTY;” PROHIBITING THE HOLDING OF ANY EVENT WITHIN A PUBLIC PARK WHICH CHARGES ADMISSION OR OTHERWISE PROHIBITS THE PUBLIC FROM PARTICIPATING WITHOUT AN APPROVED SPECIAL EVENT PERMIT OR AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City’s Parks and Recreation Department (the “Department”) offers permits to individuals seeking to utilize recreational facilities within City parks; and

WHEREAS, from time to time, park facilities and grounds may be rented or used for private groups for sporting or other events; and

WHEREAS, some groups have prohibited entry to City park facilities subject to the payment of an entrance fee, tickets, or other type of charge; and

WHEREAS, the City Commission seeks to prohibit the use of City parks for for-profit activities without a special event permit or pursuant to an approved rental or lease agreement with the City; and

WHEREAS, the City Commission has determined that amending the City Code to allow more time to apply for a receive a permit to use passive recreational facilities within City parks is in the best interest of the health, safety, and welfare of its citizens and residents; and

WHEREAS, the City Commission finds that the amending the City code to prevent anyone from holding an event within a public park which charges admission or otherwise prohibits the public from participating without payment, except when approved pursuant to

a special event permit or agreement is in the best interest of the health, safety, and welfare of its citizens and residents.

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

Section 1. RECITALS ADOPTED. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. CHAPTER 12 OF 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 §12-43(a) Entitled, “Park property,” as follows:

Sec. 12-43. - Park property.

(a) *Buildings and other property.* Except as previously authorized by the City, no person shall in any park do or cause to be done any of the following:

- (1) Willfully mark, deface, or injure in any manner, or displace, remove, or tamper with any park building, bridge, table, bench, fireplace, railing, paving or paving materials, water line or other public utility or parts thereof, park sign or marking whether temporary or permanent, monument, stake, post, or other structure or equipment, facility, or park property of any kind;
- (2) Willfully dig, cut, move or remove from any park or park area any sand, wood, turf, grass, gravel, shrub, or other material, or make any excavation by hand, tool, equipment, blasting or other means;
- (3) Construct or erect any building or structure of any kind, whether permanent or temporary, or run or string any public and/or private utility into, upon or across a park.
- (4) Hold any event within a public park which charges admission, registration or any fees, or otherwise prohibits the public from participating without payment, except when approved pursuant to a special event permit or agreement with the City.

Section 3. 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, and 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 4. 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. 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. This Ordinance shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED on First Reading this _____ day of _____, 2024.

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

ATTEST:

GREG ROSS
Mayor

Tedra Allen
City Clerk

Approved As To Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

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



BUSINESS IMPACT ESTIMATE

✓ 8/27/2024 Meeting Date

Ordinance Title: Ordinance 24-19

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If any of the following exceptions to the Business Impact Estimate requirements apply, check the applicable box and leave the remainder of the form blank.

- The ordinance is required for compliance with federal or state law or regulation;
- The ordinance relates to the issuance or refinancing of debt;
- The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the City;
- The ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - b. Sections 190.005 and 190.046, regarding community development districts;
 - c. Section 553.73, relating to the Florida Building Code; or
 - d. Section 633.202, relating to the Florida Fire Prevention Code.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):
2. Estimate the direct economic impact of the proposed ordinance on private, for-profit businesses in the City:
3. Estimate of direct compliance costs:
4. Any new charge or fee imposed by the proposed ordinance:
5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs
6. Estimate of the number of businesses impacted by the proposed ordinance:

7. Additional Information: _____

