

MEETING DATE
4-21-25

CITY OF LAKE CITY

Report to Council

COUNCIL AGENDA	
SECTION	
ITEM NO.	

SUBJECT: Request to amend hours at Campbell Park/Lake Montgomery Park

DEPT / OFFICE: Lake City Police Department

Originator:

Chief Gerald Butler

City Manager

Don Rosenthal

Department Director

Chief Gerald Butler 

Date

3/6/2025

Recommended Action:

Change City Code 86.2(c) to keep Campbell Park/Lake Montgomery Park open from 30 minutes before Sunrise to 30 minutes after Sunset year-round, same as with the other City Parks.

Summary Explanation & Background:

The new fishing pier at Campbell Park/Lake Montgomery Park is an asset for the entire City to enjoy. As the Chief of Police, I am often approached, or while at community functions where parents express concern in the lack of activities for our youth to participate in that does not involve an organized sport. This is especially true in families with limited income or where the parents work night shifts and have trouble with transportation. One of the activities the City provides, at no cost to the public, is the new fishing pier at Campbell Park/Lake Montgomery Park. The current City Code states: "Campbell Park/Lake Montgomery Park shall be open from 7:00 am until 8:00 pm during the months of June, July and August. Campbell Park/Lake Montgomery Park shall be open from 8:00am until 5:00pm at all other times not specified herein." Currently, with the beginning of daylight savings time 2025, in Lake City, sunrise can be as early as 6:30am and sunset as late as 8:27 pm (per U.S. Naval Observatory Website). With the current city code, the park and fishing pier on certain days would open 1 ½ hours after sunrise and close almost 3 ½ hours before sunset. During the months of June, July and August when the park is open from 7am – 8pm, the park/fishing pier would still open after sunrise and close before sunset. With proposed changes to the times, Campbell Park/Lake Montgomery Park will open and close at the same times as the other City parks and will also allow citizens, especially our youth, to enjoy this asset for longer periods of time daily, while still opening and closing the Park at reasonable hours for the citizens who reside near the Park.

Alternatives: Keep Current times in place per City Code

Source of Funds:

N/A

Financial Impact:

None

Exhibits Attached:

City Ordinance 2024-2275

ORDINANCE 2024-2275

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE CITY CODE TO ADD NEW SECTION NUMBER 86-2 TO PART III, CHAPTER 86, ARTICLE I; PROVIDING FOR THE REGULATION OF PUBLIC PARKS, PARK HOURS, AND PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City of Lake City, a political subdivision of the State of Florida (hereinafter the "City"), operates a number of City Parks for the benefit of the public; and

WHEREAS the City desires to adopt rules and regulations that are applicable and enforceable to various City Parks; and

WHEREAS the City Council finds that it is in the best interests of the citizens of the City to amend the City Code to add new Section Number 86-2 to Part III, Chapter 86, Article I.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA AS FOLLOWS:

Section 1. The above recitals are true and accurate and adopted and incorporated herein.

Section 2. The following Section of Chapter 86, Article I, of the City Code of Ordinances titled "Regulation in Parks: Hours; Penalties", which creates regulations of public parks, shall be established as follows (words ~~stricken~~ are deletions; words underlined are additions):

Sec. 86-2. – Regulation in parks: hours; penalties.

- (a) Purpose. It is the purpose of this section to protect the public health, welfare and safety by regulating the hours of use of and activities in city parks. The City Council finds that these regulations are necessary to protect the safety, integrity and lawful use of city parks so that they can be enjoyed by all citizens, and that these regulations are the minimum necessary to carry out this purpose. These regulations shall be interpreted to carry out this intent.
- (b) Use of park prohibited when closed. No person shall use or enter or be present on any portion of any city park during the hours that the park is closed in accordance with this section, unless they are participating in an activity authorized and supervised by the city.

- (c) Park hours. Halpatter Park, Kiwanis Park, Lake Desoto Park, Lake Isabella Park, Olustee Park, Sallie Mae Jerry Memorial Park, the Veteran's Plaza, Wilson Park, and Young's Park shall be open from 30 minutes before sunrise until 30 minutes after sunset. Campbell Park/Lake Montgomery Park shall be open from 7:00 A.M. until 8:00 P.M. during the months of June, July, and August. Campbell Park/Lake Montgomery Park shall be open from 8:00 A.M. until 5:00 P.M. at all other times not specified herein.
- (d) City manager may set more restrictive closing hours. The city manager may establish in writing closing hours for parks more restrictive than the closing hours provided above for a period of not more than 30 days when necessary to protect the public health, welfare and safety, and based upon the following factors to be taken into consideration when the closing hours are set:
- (1) The amount of daylight at the time of year during which the closing hours will be in effect.
 - (2) The availability of artificial lighting.
 - (3) The ability to provide (and the cost of providing) adequate police protection during the hours the park is open.
 - (4) The occurrence of acts of vandalism or other crimes in the park.
 - (5) The prevention of the deterioration of existing buildings, playground apparatus or other structures or facilities.
 - (6) The prevention of the deterioration of shrubbery, trees and grass.
 - (7) The protection of new plantings of grass, trees or shrubbery.
- (e) Filing memorandum of new hours. The city manager shall file a memorandum with the city clerk and chief of police establishing any new closing hours set by the city manager pursuant to subsection (4).
- (f) City Council may set different opening and closing hours. The City Council by resolution may at any time set different opening and closing hours for any public park.
- (g) Posting of hours. A sign shall be posted at each main authorized entrance to each city park identifying the park and stating the current hours during which the park or area is open and closed. The signs shall also indicate that using the park during closed hours is prohibited.
- (h) Allowance of activities. The city manager may authorize a particular activity to be carried on in a city park during the closed hours set for that park or area, so long as the activity to be carried on does not violate the considerations contained in subsection (d) above and the activity is supervised by at least one city employee. A fee shall be charged for the activity to offset additional costs to the city.
- (i) Penalties. Pursuant to Florida Statute § 162.22, any person who violates this section may be sentenced to pay a fine, not to exceed \$500, and may be

sentenced to a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law. The failure of the alleged violator to see or understand, or of the City to erect, any signs or other notices provided for in this section shall not be a defense to or in the prosecution of any violation of this section.

Section 3. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Section 4. Conflicts. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

Section 5. Codification. It is the intention of the City Council of the City of Lake City, Florida, that the provisions of this ordinance shall become and be made a part of the Code of the City of Lake City, Florida, and the sections may be renumbered in order to accomplish such intentions.

[Remainder of this page left blank intentionally.]

Section 6. This ordinance shall take effect immediately upon its adoption.

PASSED upon first reading this 16th day of January 2024.

NOTICE PUBLISHED on the 20th day of January 2024.


PASSED AND ADOPTED on the 5th day of February 2024.

CITY OF LAKE CITY, FLORIDA

By: 
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: 
Audrey E. Sikes, City Clerk

By: 
Thomas J. Kennon, III,
City Attorney


Ordinance Number: 2024-2275
Passed on first reading on January 16, 2024

Record of Vote on First Reading

	For	Against	Absent	Abstain
Stephen Witt, Mayor/Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jake Hill, Jr., Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chevella Young, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ricky Jernigan, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Certification

I, Audrey Sikes, City Clerk for the City of Lake City, Florida, hereby certify that the above record vote is an accurate and correct record of the votes taken on the Ordinance by the City Council of the City of Lake City.


AUDREY E. SIKES, MMC
City Clerk

Ordinance Number: 2024-2275
Passed on second and final reading on February 5, 2024

Record of Vote on Second and Final Reading

	For	Against	Absent	Abstain
Stephen Witt, Mayor/Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jake Hill, Jr., Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chevella Young, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ricky Jernigan, Council Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Certification

I, Audrey Sikes, City Clerk for the City of Lake City, Florida, hereby certify that the above record vote is an accurate and correct record of the votes taken on the Ordinance by the City Council of the City of Lake City.


AUDREY E. SIKES, MMC
City Clerk



DEPARTMENT OF GROWTH MANAGEMENT
205 North Marion Avenue
Lake City, Florida 32055
Telephone: (386) 752-2031
growthmanagement@lcfia.com

BUSINESS IMPACT ESTIMATE

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of proposed ordinance is published.

Proposed ordinance's title/reference: City Council Ordinance No. 2024-2275 - An ordinance of the City of Lake City, Florida, amending the City Code to add new Section Number 86-2 to Part III, Chapter 86, Article I; providing for the regulation of Public Parks, park hours, and penalties for violations; providing for severability; providing for the repeal of conflicts; providing for codification; and providing an effective date.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law* for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.

This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed 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 municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, 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, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, the City hereby publishes the following information:

*See section 166.041(4)(c) Florida Statutes

1. Summary of the proposed ordinance (must include a statement of the public purposes, such as serving the public health, safety, morals and welfare):
Providing for the regulation of Public Parks, park hours, and penalties for violations to serve the public at large for the public's safety and welfare by regulating the trespassing which affects the health of the public at large due to the trespassers urinating and leaving human feces in all public areas of the parks.
2. An Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any: *There will be no impact on any business or for-profit business in the City by this proposed ordinance.*
3. Good faith estimates of the number of businesses likely to be impacted by the proposed ordinance:
No businesses will be impacted by the proposed ordinance.
4. Additional information the governing body deems useful (if any):
The City scheduled the 1st Reading of the ordinance for the January 02, 2024 City Council meeting and advertised this reading of the ordinance on the City web site on December 29, 2023.
The City scheduled the 2nd Reading of this ordinance for the City Council meeting on February 05, 2024 and advertised this reading on the City web site on February 02, 2024 and advertised in the local newspaper on January 20, 2024.