

ORDINANCE NO. 04-2026

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, PERTAINING TO USE OF TOWN PARKS AND PUBLIC FACILITIES; PROVIDING FOR THE AMENDMENT OF SECTION 18-62 (l) TO ALLOW DOMESTICATED ANIMALS IN KELSEY PARK AND OTHER TOWN PARKS; PROVIDING FOR THE CREATION OF SECTION 18-62 (m) TO PROHIBIT SMOKING AND VAPING IN TOWN PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Chapter 18 of the Town Code establishes regulations for town parks, and public facilities, including restrictions on animals in certain areas; and

WHEREAS, the Town Commission has directed the Town Manager to amend Chapter 18 to allow domesticated animals in Kelsey Park and other Town parks in the Town; and

WHEREAS, the Town Commission has directed the Town Manager to amend Section 18-62 (m) of the Town Code to prohibit smoking and vaping, except unfiltered cigars, in all Town parks, as authorized by Florida State Statute § 386.209, except for certain special events.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as the legislative findings of the Town Commission.

Section 2. Chapter 18, Article III, Sec. 18-62(l) entitled “Use of Town Parks and Public Facilities” is hereby amended to read as follows:

Section 18-62 – Use of Town Parks and Public Facilities

(l) No person, being the owner of having custody of any domesticated animal, shall permit the same to be in any town park or public facility, excluding Kelsey Park, Blakely Park, Lottie Mae Park, West Ilex Park, and the town marina. Within

the town marina property, all animals shall be physically restrained on a leash at a distance of not greater than six feet in length, and the owner shall exercise control over their animals at all times. No person shall introduce any exotic or nonnative plant or animal into a town park or public facility. No person shall remove plant material, in whole or in part, from a town park or public facility. No person shall harm, molest, or otherwise prevent the natural movements and habits of any wildlife in any town park or public facility. Removing fish from a designated fishing area or the removal of any nuisance plant or animal shall be exempt from the restrictions of this section.

Section 3. Chapter 18, Article III, Sec. 18-62(m) entitled "Use of Town Parks and Public Facilities" is hereby created to read as follows:

(m) No individual shall smoke, or vape, except unfiltered cigars, in a Town park at any time, except during Town-sponsored special events, or pursuant to a special event permit issued by the Town. Any individual who is found in violation of this section may be subject to a fine not to exceed \$500.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Codification.

The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 6. Repeal of Laws in Conflict.

All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon execution.