



Exhibit H

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: May 6, 2026

Originating Department: Community Development Department/Special Events/Public Works
Ordinance 04-2026 - Text Amendment - Allowing Domesticated Animals
in Kelsey Park and Other Town Parks and Prohibiting Smoking/Vaping
in Town Parks – Chapter 18 - Town of Lake Park Land Development
Regulations (LDR's) – First Reading

Agenda Title: _____

Agenda Category (i.e., Consent, New Business, etc.): New Business

Approved by Town Manager: _____ **Date:** _____

Cost of Item: Park Clean-up
Stations /
Signage /
Legal Review **Funding Source:** PW Operating Supplies / Legal

Account Number: #001-597-
408-52000 / **Finance**
#108 **Signature:** Barbara Gould

Advertised: _____

Date: N/A (will be
advertised
prior to 2nd
reading) **Newspaper:** N/A

Attachments: Ordinance; Proposed Costs; Florida State Statute 386.209

Please initial one:

ND/RF/JM Yes I have notified everyone

_____ Not applicable in this case

Summary Explanation/Background:

Pursuant to a request by the Town Commission, the Community Development Department, in conjunction with the Special Events Department, Public Works Department and Town Manager, are requesting that the Town Commission consider Ordinance 04-2026 that would amend Chapter

18 of the Town's General Ordinances to permit domesticated animals in specific Town Parks, as well as to prohibit smoking/vaping in Town Parks, with exception to special events, and in accordance with state law.

Permit Domesticated Animals in Town Parks:

The proposed Ordinance, if approved, would enable domesticated animals in all Town Parks, including: Kelsey Park, Lottie Mae Park, Blakely Park, West Ilex Park and Harbor Marina (previously authorized).

If approved, clean-up stations are recommended by the Public Works Department to be installed within Kelsey Park, at various locations (two stations on the west side of Kelsey Park and two stations on the east side of Kelsey Park), along with updated informational signage (Estimated Year 1 Cost - \$7,500 - \$1,500 for signage and \$1,500 per clean-up station). Funding is available within the Public Works Department's FY 2026 Operating Budget to support these initial, up-front costs.

Note: At this time, other Town Parks (i.e. pocket parks) may not include these clean-up stations, unless a need is determined by staff. It is intended for pet owners to bring their own supplies within the Town's various pocket parks; however, it is expected that signs will be installed requesting patrons to clean up after their pets.

Prohibit Smoking/Vaping in Town Parks:

Florida State Statute 386.209 provides for the following:

"(...)expressly preempts regulation of smoking to the state and supersedes any county or municipal ordinance on the subject; however, counties and municipalities may further restrict smoking within the boundaries of any public beaches and public parks that they own, except that they may not further restrict the smoking of unfiltered cigars. A municipality may further restrict smoking within the boundaries of public beaches and public parks that are within its jurisdiction (...)"

In light of the above and in addition to permitting domesticated animals in Town Parks, the enclosed Ordinance proposes:

(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.

Note: If approved, smoking will be prohibited with all Town Parks unless as outlined within state law and/or as permitted by the Town through the special event permit process (essentially a special use that must receive approval by the Town).

The proposed Ordinance (and text amendments) were prepared by the Community Development Department and reviewed by the Town's Community Development Director, the Public Works Director, Special Events Director, Town Manager and the Town Attorney.

The proposed Ordinance is being presented on first reading and, if approved, will be presented to the Town Commission for 2nd and Final Reading during their May 20, 2026 Regular Meeting.

Note: The proposed Ordinance and amendments to Chapter 18 of the Town's general ordinances have been properly advertised and noticed in accordance with state law (copy of legal ad is enclosed).

Recommended Motion:

I move to approve Ordinance 04-2026 on first reading to amend Chapter 18 of the Town's general ordinances of the Town of Lake Park.