

**GOLDEN BEACH, FLORIDA**

Revised 09/15/95  
Amended 09/19/95

**ORDINANCE NO. 408.95**

**AN ORDINANCE OF THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA; AMENDING CHAPTER 22 OF THE TOWN CODE TITLED PARKS AND RECREATION, CREATING ADDITIONAL RULES AND REGULATIONS OF GOVERNING USE OF PARKS AND RECREATIONAL FACILITIES, ESTABLISHING HOURS OF OPERATION, AND PROVIDING FOR GENERAL USE OF RECREATIONAL FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS, the Town of Golden Beach has an active Recreation Park with tennis, basketball, shuffleboard, volleyball and playground recreation facilities; and**

**WHEREAS, The Golden Beach Town Council wishes to establish additional regulations and fees for the use of these facilities; and**

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. That Chapter 22 of the Town Code is hereby amended to provide as follows:**

**Sec. 22-76. ~~Additional Rules~~**

**"Sec. 22-76. Tennis court facilities and basketball court facilities.**

**Hours of Operation: 7:00 a.m. to 10:00 p.m. Seven days per week.**

**1. All players MUST check in at Town Hall before entering courts, during business hours or at Police Guardhouse when Town Hall is closed.**

**2. Courts may be reserved only one day in advance.**

3. Maximum playing time limited to one hour when other players are waiting.
4. Proper tennis attire, including shirts, is to be worn at all times. Only flat smooth-soled tennis shoes may be worn; no black soles. (Not applicable to basketball court facilities.)
5. Positively no food or beverages of any kind permitted on courts.
6. No smoking on courts.
7. No discarding of ball cans, gum, or other refuse on courts.
8. All players are subject to the rules of the Town of Golden Beach.

Sec. 22-77. General Rules.

1. Hours of Operation: No person shall be or remain in any part of any park which is fenced in or provided with gates between the closing of the gates at night and their re-opening on the following day; nor shall any person remain in any park not fenced in or provided with gates between 8:00 p.m. and 7:00 a.m. the following day except in the area designated for tennis courts. The provisions of this section shall not apply to police officers or employees of the Town while in the discharge of their duties nor to persons having a permit to be or remain in any part of the parks between such hours.
2. No person shall engage in horseback riding in any park within the Town of Golden Beach except at a special event for which the park has

been reserved and authorization has been obtained from the Town Manager.

**3. No person shall erect or cause to be erected any tent, shelter or structure of any kind within the boundaries of the parks, except at a special event for which the park has been reserved and authorization has been obtained from the Town Manager.**

**4. No person shall stand, sit, or climb on or over any fence, rail or any picnic table or any structure not intended for such use in the park.**

**5. No person shall be permitted to drive, operate, control or propel any motorized or self-propelled vehicle within the boundaries of the park except when directed to do so by the Town of Golden Beach Police Department or Police Officer or other Town Employee.**

**6. No person will picnic, lunch, or cook in any area not specifically designated and regulated for such usage. No fires or cooking grills of any kind shall be permitted.**

**7. No person shall change any parts, repair, wash, grease, wax, polish or clean a vehicle on any park roadway, parkway, driveway, parking lot or other park property.**

**8. No person or organization shall conduct raffles, bingo games, card games for money or drawings for prizes or participate in any other forms of gambling within the park limits whether they are for charity or otherwise.**

**9. No person entering, or upon, park and recreation areas shall make excessive unnecessary noise and all provisions of the Metro-Dade County and Town of Golden Beach noise code shall apply to, and be enforced in, all park areas.**

**10. No band, procession, military company or any company or group with flags, banners or transparencies shall be allowed upon or within any park without written permission of the Town Manager, said permit to clearly define the nature of the action, the limit of its scope and time and setting for such other restrictions and requirements as the Town Council or Town Manager may deem necessary.**

**11. No entertainment or exhibition shall be given in any park or recreation area other than that permitted by the Town, except at a special event for which the park has been reserved and authorization has been obtained from the Town Manager.**

**12. No intoxicated persons will be permitted entry to parks or recreation areas and if discovered therein will be ejected forthwith.**

**13. No fighting is permitted in the park.**

**14. No obscene or offensive language is permitted in the park.**

**15. Each and every individual who may cause damage to any item of property or person within the park shall be solely and strictly liable for such damage.**

**16. Parents or guardians will be held strictly responsible and**

accountable for the action of minors in regards to the prohibitions of this chapter.

Sec. 22-78. Authority of Police Officers and Park Officials.

1. The Town Manager has the authority to establish exceptions to the closing hours and rules as set forth above when it is in the interest of the public health, safety or welfare and such exceptions shall be posted.

2. It shall be the duty and responsibility of police officers and park officials to enforce all provisions of this chapter or any permits issued by the Town for park use.

3. It shall be the duty and responsibility of the Police Department and designated Town employees to enforce these rules. It shall be unlawful for any person to do any act forbidden, or fail to perform any act required by these rules, or for any person to fail to comply with any lawful and reasonable order given by police officers or park officials.

4. Any individual found to be in violation of any of these rules and regulations, as provided in this article, shall be subject to ejectment by any police officer until 7:00 a.m. the following morning and any other penalties provided herein.

Sec. 22-79. Additional Rules.

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Section 1. Conflict That all ordinances or parts of ordinances, all Town Code sections or parts of Town Code sections, and all resolutions, including Resolution 629-90, or parts of resolutions in conflict with this Ordinance are

hereby repealed to the extent of such conflict.

**Section 2. Severability** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 3. Inclusion In The Code.** That it is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the Town of Golden Beach; that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or other appropriate word.

**Section 4. Effective Date.** That this Ordinance shall become effective immediately upon its adoption on second reading.

PASSED AND ADOPTED on first reading this 18th day of July,  
1995.


The Motion to adopt the foregoing Ordinance on first reading was offered  
by Councilman Rosenthal, seconded by Vice Mayor Lowrance and on roll call the  
following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Absent
Councilman Fistel	Aye
Councilman Rosenthal	Aye

PASSED AND ADOPTED on second reading this 19th day of September,  
1995.

The Motion to adopt the foregoing Ordinance on first reading was offered  
by Vice Mayor Lowrance, seconded by Councilman Addicott and on roll call the  
following vote ensued:

Mayor Cuenca	Aye
Vice Mayor Lowrance	Aye
Councilman Addicott	Aye
Councilman Fistel	Absent
Councilman Rosenthal	Aye

  
MAYOR JUDY CUENCA

ATTEST:

  
TOWN CLERK/DEPUTY TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
JON M. HENNING  
TOWN ATTORNEY