

## ORDINANCE 2023-07

### **AN ORDINANCE AMENDING CHAPTER 58 ARTICLE I ALLOWING CASTING FROM THE DOCK AT LAKE LILLIAN PARK; PROHIBITING SWIMMING AND DIVING IN THE WATERS OF PONDS LAKES OR STORMWATER RETENTION AREAS ON CITY PROPERTY; PROHIBITING ACTIVITIES ON THE DOCK AT LAKE LILLIAN; PROVIDING FOR HOURS OF OPERATION FOR LAKE LILLIAN PARK AND THE SPLASH PARK; PROVIDING FOR AMENDING HOURS OF OPERATION BY RESOLUTION; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 58 of the City Code, provides certain rules and regulations for city parks and other lands; and

**WHEREAS**, the City Commission finds that persons fishing from the dock at Lake Lillian Park should be allowed to cast, using due care; and

**WHEREAS**, the City Commission finds that it is in the public interest to prohibit jumping or diving from the dock at Lake Lillian Park; and

**WHEREAS**, the City Commission finds that it is in the public interest to prohibit swimming or wading in the waters of Lake Lillian and other ponds or stormwater retention areas located on city property; and

**WHEREAS**, the City Commission finds it in the best interest of the public welfare to amend the hours of operation of Lake Lillian Park and the Splash Park and to provide for amending such hours by Resolution of the City Commission.

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Bellevue, Florida that Chapter 58, Article I., Section 58-6 is amended to permit casting from the dock in Lake Lillian Park and Section 58-7 created to prohibit swimming or wading in the waters of Lake Lillian Park and other ponds or stormwater retention areas in the city; which shall read as follows:

#### **“ARTICLE I. IN GENERAL**

##### **Sec. 58-6. Casting.**

It shall be permissible to cast from the dock in the Lake Lillian Park, using due care to avoid injuring others who on or about the dock.

##### **Sec. 58-7. Swimming and Wading Prohibited.**

(a) It shall be unlawful to swim or wade in the waters of Lake Lillian Park, or ponds or stormwater retention areas on city property.

(b) Any person swimming or wading in such waters of shall be guilty of trespassing, except those persons authorized by the Public Works Department for maintenance.”

**BE IT FURTHER ODAINED** that Chapter 58, Article II is amended to add Sections 58-44, 45, and 46 regarding hours of operation for Lake Lillian Park and the Splash Park, prohibiting jumping and diving from dock, and providing for penalties, which shall read as follows:

## **“ARTICLE II. LAKE LILLIAN PARK AND SPLASH PARK**

### **Sec. 58-44. Parks closed to public during certain hours.**

(a) That portion of the property of the city known as Lake Lillian and the surrounding park area, enclosed by the public streets known as SE Lake Lillian Circle, SE Robinson Road, SE 110<sup>th</sup> Place, and SE Park Road shall be closed to the public at 10:00 p.m. on each day of each calendar year and shall be open again for public use at sunrise on each following day.

(b) That portion of the property of the city known as the Splash Park shall be open to the public at the times set forth hereinafter and shall be closed to the public at all other times, to wit:

8:00AM to 6:00PM during March, April, November and December

8:00AM to 8:00PM during May through October

The Splash Park shall be closed the entire months of January and February.

(c) The hours of operation of the Splash Park may be amended by Resolution of the City Commission.

### **Sec. 58-46. Activities Prohibited on the Dock.**

(a) It shall be unlawful to climb or sit on the railing of the dock, jump or dive off the dock, or use skateboards, bicycles, roller-skates or scooters on the dock in Lake Lillian Park.

(b) Any person committing such offenses shall be guilty of trespassing.

### **Sec. 58-47. Penalty for Violation.**

Any person who enters such premises during the time the same is closed to the public or, having previously entered, remains on such premises during such time, shall be guilty of trespassing.”

**Section 3.** All ordinances or parts of ordinances in conflict with this ordinance are to the extent of such conflict repealed.

**Section 4.** It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Bellevue, Florida; that the

sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

**Section 5.** This Ordinance shall become effective immediately upon adoption.

### **CERTIFICATE OF ADOPTION AND APPROVAL**

The above and foregoing ordinance was duly read and approved upon **First Reading** by a \_\_\_\_ to \_\_\_\_ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on June 6th, 2023. Said ordinance was duly read, passed, and adopted upon **Final Reading** by a \_\_\_\_ to \_\_\_\_ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on June 20th, 2023.

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CHRISTINE DOBKOWSKI  
Mayor

Attest:

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MARIAH MOODY  
City Clerk

Approved as to Form and Legal Sufficiency  
For the use and Benefit of the City of Belleview Only:

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FREDERICK E. LANDT, III  
City Attorney

### **CERTIFICATE OF ADVERTISING**

**I HEREBY CERTIFY** that foregoing Ordinance was advertised for a Public Hearing in the June 8<sup>th</sup>, 2023 of the Voice of South Marion newspaper in accordance with Florida Statutes.

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Mariah Moody  
City Clerk