

**Amended Agenda
City of Dunnellon
Special City Council Workshop
20750 River Drive, Dunnellon, FL 34431
August 4, 2021
3:00 p.m.
Join Zoom**

<https://dunnellon.zoom.us/j/88379659746?pwd=SVBueDhrOGhXRUxBT1JCamNqT0pHQOT09>

Webinar ID: 883 7965 9746

Dunnellon Special City Council Workshop will be held on August 4, 2021, at 3:00 p.m. at Dunnellon City Hall.

Public Comment

Anyone who wishes to provide public comment will be able to do so by participating in the City Council meeting in person, or via the Zoom "**AUDIO ONLY**" platform and/or telephone, by speaking during public comment portions of the meeting when recognized per the instructions below or by submitting written comments, evidence and/or written testimony in advance of the meeting via email to the City Clerk mroberts@dunnellon.org

Members of the public who would like to participate are encouraged to register in advance by Noon on Wednesday, August 4, 2021. Please see instructions below on how to register.

Instructions on How to Listen and/or Participate in the Meeting

Attachment: [Meeting Instructions \(PDF\)](#)

Call to Order

Pledge of Allegiance

Opening Prayer/Moment of Silence (suggested time limit: 1 minute. Mayor to request if any invitee is present to open with prayer; if no invitee is present, Mayor will ask if a Dunnellon citizen will volunteer. If no volunteers, a moment of silence will be offered. If a citizen outside of Dunnellon requests to open with prayer, (s)he may do so if no invitees/citizens volunteer.)

Roll Call

Proof of Publication - The agenda was posted on Wednesday, July 28, 2021 to the City's website and City Hall bulletin board. Agenda amended on July 29, 2021 to correct backup.

- 1. Blue Run Park - Proposed Ordinance #ORD2021-02 Blue Run Park Rules and Regulations (Amended to correct backup)**

Documents:

[Blue Run Park Rules - Template Ordinance 7-12-2021.pdf](#)

- 2. Public Comments**

Any Person Requiring a Special Accommodation at This Hearing Because of a Disability or Physical Impairment Should Contact the City Clerk at (352) 465-8500 at Least 48 Hours Prior to the Proceeding. If a Person Desires to Appeal Any Decision with Respect to Any Matter Considered at the Above Meeting or Hearing, He or She Will Need a Record of the Proceeding, and for Such Purpose, He or She May Need to Ensure That a Verbatim Record of the Proceedings Is Made, Which Includes the Testimony and Evidence Upon Which the Appeal Is to Be Based. The City Is Not Responsible for Any Mechanical Failure of Recording Equipment.

39 nonvehicular traffic to and from Blue Run Park. Such rules and regulations may be presented to
40 and passed by resolution of the City Council.

41 Sec. 46-76. - Reports to council.

42 The City Clerk shall report biannually to the city council to review and revise the matters set forth
43 in this Article and as passed by separate resolutions, if any.

44
45 Sec. 46-77. - Blue Run Park User Rules and Regulations. The following rules and regulations
46 for use of Blue Run Park shall apply.

- 47 a) Park hours are from dawn to dusk.
- 48
- 49 b) Alcoholic beverages are prohibited.
- 50
- 51 c) Fires are prohibited.
- 52
- 53 d) Private motorized vehicles are prohibited beyond the parking area, except for those used
54 for accessibility by persons with disabilities.
- 55
- 56 e) Overnight use or camping is prohibited.
- 57
- 58 f) Pets must be on a leash and controlled at all times, and owner must clean up after.
- 59
- 60 g) Excessive removal or cutting of vegetation is prohibited.
- 61
- 62 h) Collecting or harassing wildlife in any stage of life or form is prohibited, except fishing is
63 allowed.
- 64
- 65 i) Discharging of any firearm in the park is prohibited.
- 66
- 67 j) Discharging of any air gun in the park is prohibited.
- 68
- 69 k) Trash must be placed in designated containers.
- 70
- 71 l) Depositing personal trash from off-site is prohibited.
- 72
- 73 m) Damaging or defacing any park facility or sign is prohibited.
- 74
- 75 n) [Insert language re: major policy decision applicable to shuttling along with new
76 language continuing to band commercial applications within the Park (may be subject to
77 special conditions, FCT approval if undertaken by City)]

Commented [AH1]: Issue re: State preemption – covered under State Law, criminal matter. General firearm discharge deleted from 42-4 of Code in 2012. State Law s.790.33 prevents cities from enacting ordinances re: firearms. Nevertheless – City is covered. Discharge of firearm in park would be 1st Degree Misdemeanor under State Law.

Commented [AH2]: New rule per governing documents. This can be expanded for clarity to cover possession and to include other types of weapons such as slingshots, bows and arrows, etc... Recommend separate section re: weapons.

Commented [AH3]: Placeholder. Per conversation with Staff, current language re: commercial use and “shuttling” needs revision.

- 78 o) Metal detectors are prohibited.
- 79
- 80 p) Engaging in violent or disruptive behavior or refusal to follow directions of official staff
- 81 is prohibited.
- 82
- 83 q) Use of facilities is on a first come, first served basis.
- 84
- 85 r) In the area where the bike path and the river access ramp converge, pedestrians have the
- 86 right of way.
- 87
- 88 s) Equestrian use is prohibited.
- 89
- 90 t) Use of any device or vehicle that disturbs the “Soundscape” of the park is prohibited.
- 91
- 92 u) Groups of more than 25 people require a reservation five days in advance.
- 93

Commented [AH4]: New rule per governing documents

Commented [AH5]: New rule in line with MP – however covered under City sound ordinance. Sound ordinance may require update.

Commented [AH6]: New rule per governing documents.

94 Sec. 46-XX. – River Access Ramp Rules and Regulations.

- 95
- 96 a) The river access ramp is for the use of paddlers and tubers entering or exiting the river.
- 97
- 98 b) Fishing is not allowed from the river access ramp.
- 99
- 100 c) Swimming is not allowed from the river access ramp.
- 101
- 102 d) No alcoholic beverages or disposable food or beverage containers are allowed on the
- 103 Rainbow River. Possession of any of these items on the river is subject to a fine.
- 104

Commented [AH7]: Current River Access Ramp Rules. Recommend section specific to ramp.

Commented [AH8]: Covered by Ordinance 42-4.

105 Sec. 46-XX. - Penalties—Fine schedule for civil municipal code violations.

- 106 (a) Violations of the provisions of this Article, or failure to comply with any of the
- 107 requirements as stated, shall constitute a civil municipal code violation.
- 108
- 109 (b) Any person who violates this chapter or fails to comply with any of its provisions shall be
- 110 issued a civil municipal code violation.
- 111
- 112 (c) Contents of civil municipal code violation ticket. The ticket shall specifically describe the
- 113 following:
- 114
- 115 (1) Specify the nature of the violation;
- 116

- 117 (2) Indicate the amount of the fine;
118
119 (3) Give notice to the violator that he or she must pay the fine within 30 days or appeal
120 the ticket; and
121
122 (4) Describe the procedures to be followed in either paying such fine or electing not to
123 pay such fine and requesting a hearing before a county court official concerning the
124 violation, and the penalty for failure to comply with the directions on the ticket. A
125 sequential numbering system shall be used.
126
127 (d) Computation of time. If the last day of any time period described in this section falls on a
128 Saturday, Sunday or legal holiday, the time period shall run until the end of the next day
129 which is neither a Saturday, a Sunday nor a legal holiday.
130
131 (e) All civil municipal code fines under this Article, will be \$XX.00 per violation.
132

133 **OR SCHEDULE OF FINES SPECIFIC TO OFFENSE**

134 **Sec. 46-XX. - Payment of fine; appeals.**

- 135 (a) Violations of this division shall be referred to the county court for the county of the Fifth
136 Judicial Circuit.
137
138 (b) An individual receiving a ticket pursuant to this section shall have 30 days from the date
139 of issuance to pay the fine per the instructions on the ticket or request an appeal per
140 subsection (c) below.
141
142 (c) Appeal of civil municipal code fine ticket.
143
144 (1) Any individual who receives a civil ticket issued pursuant to the requirements of this
145 chapter may voluntarily elect to appeal the ticket and request a hearing within 30
146 days from issuance of the ticket, by requesting an appeal with the county court for
147 the county of the Fifth Judicial Circuit per the instructions on the ticket.
148
149 (2) Any person who elects to appear before a designated official to present evidence
150 waives his or her right to pay the fine cited on the ticket. The official, after a hearing,
151 shall make a determination as to whether a violation has been committed and may
152 impose a civil penalty or the fine amount designated on the ticket, plus court costs.
153
154 (d) Failure to pay fine. If the fine is not paid within 30 days from issuance, and no appeal is
155 filed, then the appearance before the county court of persons who fail to comply with the
156 provisions of this division will be compelled by the issuance of a summons by the deputy
157 clerk of the court for the county of the Fifth Judicial Circuit. A warrant shall be issued by
158 the court for the arrest of any person who fails to appear in response to such summons.
159

Commented [AH9]: Option: Blanket fine for ANY violation or create schedule.

160 **SECTION 3. CONFLICTS.** In any case where a provision of this Ordinance is found to be in
161 conflict with a provision of any other ordinance of this City, the provision which establishes the
162 higher standards for the promotion and protection of the health and safety of the people shall
163 prevail.

164 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this
165 Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not
166 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
167 word, or portion of this Ordinance not otherwise determined to be invalid, unlawful or
168 unconstitutional.

169 **SECTION 5. CODIFICATION.** The provisions of this Ordinance shall be codified as and
170 become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this
171 Ordinance may be renumbered or re-lettered to accomplish such intention and the word
172 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.
173 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

174 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon
175 adoption at the second reading/public hearing.

176 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first
177 reading on the ___th day of _____, 2021.

178
179 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
180 the second and final reading and public hearing on the ___th day of _____, 2021.

181
182 Ordinance Posted on the City’s website on _____, 2021. Public hearing advertised on
183 the City’s website on _____, 2021 and advertised in the Riverland News on _____
184 _____, 2021.

185
186 ATTEST:

CITY OF DUNNELLON

187
188 _____
189 Amanda L. Roberts, CMC
190 City Clerk

William P. White, Mayor

191
192
193 Approved as to Form:

194
195 _____
196 Andrew J. Hand, City Attorney