

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

41
42 46-76. – Authority of Chief of Police; Authorized Representative.

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44 At any time when a condition exists that presents a hazard or danger to the park, the park
45 property, and/or the public's health, safety or welfare, the Chief of Police or an authorized
46 representative shall have the authority to:

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48 a) close the park to the public;
49
50 b) close any section or area within the park to the public; and
51
52 c) suspend any and all activities within the park.

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

- 57 a) Regular park hours are from dawn to dusk.
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59 b) Possession and use of alcoholic beverages is prohibited.
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61 c) Fires are prohibited, however prescribed fires for the purpose of resource management
62 for which the appropriate permit(s) has been obtained are allowed.
63
64 d) Unauthorized motorized vehicles are prohibited beyond the parking area, except for those
65 used for accessibility by persons with disabilities.
66
67 e) Overnight use or camping is prohibited.
68
69 f) Pets must be on a leash and controlled at all times, and owner must clean up after.
70
71 g) Removal or cutting of vegetation is prohibited except for maintenance purposes.
72
73 h) Collecting or harassing wildlife in any stage of life or form is prohibited.
74
75 i) Fishing is prohibited.
76
77 j) Possession and/or discharge of an air gun, slingshot, bow and arrow, or spear gun is
78 prohibited.

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- 80 k) Trash must be placed in designated containers.
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- 82 l) Depositing personal trash from off-site is prohibited.
- 83
- 84 m) Damaging or defacing any park facility or sign is prohibited.
- 85
- 86 n) Metal detectors are prohibited.
- 87
- 88 o) Engaging in violent or disruptive behavior or refusal to follow directions of official staff
- 89 is prohibited.
- 90
- 91 p) Use of facilities is on a first come, first served basis.
- 92
- 93 q) In the area where the bike path and the river access ramp converge, pedestrians have the
- 94 right of way.
- 95
- 96 r) Equestrian use is prohibited except for official use.
- 97
- 98 s) Individuals shall comply with the City's noise regulations as codified in Sec. 42-3, in the
- 99 Code of Ordinances of the City of Dunnellon.
- 100
- 101 t) Groups of more than 25 people shall contact the City's Clerk's office at least five days in
- 102 advance in order to make a reservation.
- 103

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

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- 106 a) The river access ramp is for the use of kayakers, paddlers, and tubers entering or exiting
- 107 the river. Swimmers may utilize the ramp, but must yield to kayakers, paddlers, and
- 108 tubers.
- 109
- 110 b) Fishing is not allowed from the river access ramp.
- 111

112 Sec. 46-XX. – Prohibition on Commercial Use.

- 113 a) Commercial use of the park is prohibited except by written agreement approved by the City
- 114 of Dunnellon and Florida Communities Trust.
- 115
- 116 b) For purposes of this section, 'commercial use' shall mean:
- 117

- 118 i. the sale or rental of any item, good, or merchandise within the boundaries of Blue Run
119 Park; and
120
121 ii. the provision of any service performed within the boundaries of Blue Run Park
122 regardless of whether compensation for such service is paid onsite or offsite.
123
124 c) The provision of services by Marion County for water-based recreation and or other passive
125 recreation programs is exempt from this section. Such exemption shall include but is not
126 limited to transportation services performed by Marion County.

127 Sec. 46-XX. – Firearms.

128 The City of Dunnellon recognizes the preemption of firearm regulation by the State legislature.
129 The possession and discharge of firearms in the park is regulated, and shall be enforced, pursuant
130 to State law.

131

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

- 133 (a) Violations of the provisions of this Article, or failure to comply with any of the
134 requirements as stated, shall constitute a civil municipal code violation.
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136 (b) Any person who violates this chapter or fails to comply with any of its provisions shall be
137 issued a civil municipal code violation.
138
139 (c) Contents of civil municipal code violation ticket. The ticket shall specifically describe the
140 following:
141
142 (1) Specify the nature of the violation and cite to the applicable section of this Article;
143
144 (2) Indicate the amount of the fine;
145
146 (3) Give notice to the violator that he or she must pay the fine within 30 days or appeal
147 the ticket; and
148
149 (4) Describe the procedures to be followed in either paying such fine or electing not to
150 pay such fine and requesting a hearing before a county court official concerning the
151 violation, and the penalty for failure to comply with the directions on the ticket. A
152 sequential numbering system shall be used.
153
154 (d) Computation of time. If the last day of any time period described in this section falls on a
155 Saturday, Sunday or legal holiday, the time period shall run until the end of the next day
156 which is neither a Saturday, a Sunday nor a legal holiday.
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158 (e) All civil municipal code fines under this Article, will be \$50.00 per violation.

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

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

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

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

SECTION 5. CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this

198 Ordinance may be renumbered or re-lettered to accomplish such intention and the word
199 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.
200 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

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

203 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first
204 reading on the __th day of _____, 2021.

205
206 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
207 the second and final reading and public hearing on the __th day of _____, 2021.

208
209 Ordinance Posted on the City’s website on _____, 2021. Public hearing advertised on
210 the City’s website on _____, 2021 and advertised in the Riverland News on _____
211 _____, 2021.

212
213 ATTEST: **CITY OF DUNNELLON**

214
215 _____
216 Amanda L. Roberts, CMC
217 City Clerk

215 _____
216 William P. White, Mayor

218
219 Approved as to Form:
220 _____
221
222 _____
223 Andrew J. Hand, City Attorney