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10/10/06

Ordinance _____
0-06-122

An ordinance of the City of Gainesville relating to Section 17-32 by adding John Mahon Park to the list of parks within the city limits which prohibit child sexual offenders and predators from living within 2,500 feet of the park; providing directions to the codifier; providing a severability clause; providing a repealing clause and providing an immediate effective date.

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville; and

WHEREAS, a Public Hearing was held pursuant to the published notice described at which hearing the parties in interest and all others had an opportunity to be and were, in fact, heard;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA;

Section 1. Section 17-32 of the Code of Ordinances of the City of Gainesville, is amended to read as follows:

Sec. 17-32. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Day care center means a day care center as defined in section 30-23.

Park shall refer to the following parks:

- (1) Alfred A. Ring Park

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- 1 (2) Anne Park
- 2 (3) Citizen's Park/Martin Luther King, Jr.
- 3 (4) Cofrin Nature Park
- 4 (5) Fred Cone Park/Eastside Center
- 5 (6) Green Acres Park
- 6 (7) Greentree Park
- 7 (8) John Mahon Park
- 8 (~~89~~) Kiwanis Park
- 9 (~~910~~) N.E. 31st Avenue Park
- 10 (~~101~~) N.E. Community Center Recreation Complex
- 11 (~~142~~) Northeast Park
- 12 (~~123~~) Northside Park
- 13 (~~134~~) Oak Hill Park
- 14 (~~145~~) Phoenix Neighborhood Playground
- 15 (~~156~~) Porter's Community Center
- 16 (~~167~~) Possum Creek Park
- 17 (~~178~~) Roper Park
- 18 (~~189~~) Rosa B. Williams/Union Academy Recreation Complex
- 19 (~~1920~~) San Felasco County Park
- 20 (~~201~~) Smokey Bear Park
- 21 (~~242~~) Springhill Park
- 22 (~~223~~) Springtree Park
- 23 (~~234~~) T.B. McPherson Recreation Complex

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- 1 (245) Tumblin Creek Park
- 2 (~~256~~) Tot Lot No. 1
- 3 (267) Tot Lot No. 2
- 4 (278) Tot Lot No. 3
- 5 (289) Tot Lot No. 4
- 6 (2930) Tot Lot No. 5 (Barbara Higgins Park)
- 7 (301) Tot Lot No. 6
- 8 (312) Tot Lot No. 7
- 9 (323) Tot Lot No. 9
- 10 (334) Westside Recreation Complex
- 11 (345) Woodlawn Park

12 *Permanent residence* means a place where the person abides, lodges or resides for a
13 period of 14 or more consecutive days.

14 *Property owner* means the owner of record of the property and, for purposes of this
15 article, shall include any person, business or corporation with authority to let or rent the
16 premises.

17 *School* means a public or private elementary school, middle school, or secondary school.

18 *Temporary residence* means a place where the person abides, lodges or resides for a
19 period of 14 or more days in the aggregate during any calendar year and which is not the person's
20 permanent address, or a place where the person routinely abides, lodges or resides for a period of
21 four or more consecutive or nonconsecutive days in any month and which is not the person's
22 permanent address.

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1 **Section 2.** It is the intention of the City Commission that Section 1 of this ordinance shall
2 become and be made a part of the Gainesville Code of Ordinance, of the City of Gainesville,
3 Florida, and that the Sections and Paragraphs of this ordinance may be renumbered or relettered in
4 order to accomplish such intentions.

5 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid or
6 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the
7 validity of the remaining portions of this ordinance.

8 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
9 such conflict hereby repealed.

10 **Section 5.** This ordinance shall become effective immediately on adoption

11 **PASSED AND ADOPTED** this ____ day of _____, 2006.

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PEGEEN HANRAHAN
MAYOR

17 ATTEST

APPROVED AS TO FORM AND LEGALITY

18

19

20 _____
KURT M. LANNON
21 CLERK OF THE COMMISSION

22

MARION J. RADSON
CITY ATTORNEY

23 This Ordinance passed on first reading this ____ day of _____, 2006.

24 This Ordinance passed on second reading this ____ day of _____, 2006.