

ARTICLE II. PARK REGULATIONS

Sec. 18-16. Definition of "parks."

"Parks" are those areas listed in this article and any other areas officially designated by the city commission as a park and posted as such.

(Code 1960, § 18-32.1(a))

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 18-17. Authority of city manager to promulgate rules and regulations.

The city manager is authorized to promulgate rules and regulations for the purpose of regulating the use of public buildings, parks and playgrounds, limiting the hours during which the same shall be open to the public, establishing admission fees as may be requisite therefore, and providing standards of conduct for persons while using such buildings, parks and playgrounds.

(Code 1960, § 2-29(a))

Sec. 18-18. Listing of city parks.

The following are city parks to which closing hours set forth in section 18-19 apply:

(a) *Active/recreational etc.:*

- (1) Anne Park.
- (2) Citizen's Park/Martin Luther King, Jr. Recreation Complex.
- (3) Fred Cone Park/Eastside Center Recreation Complex.
- (4) Green Acres Park.
- (5) Greentree Park.
- (6) Kiwanis Park.
- (7) N.E. 31st Avenue Park.
- (8) N.E. Community Center Recreation Complex.
- (9) Northeast Park.
- (10) Northside Park.
- (11) Oak Hill Park.
- (12) Phoenix Neighborhood Playground.
- (13) Porter's Community Center.
- (14) Possum Creek Park.
- (15) Roper Park.
- (16) Rosa B. Williams/Union Academy Recreation Complex.
- (17) Smokey Bear Park.
- (18) Springtree Park.
- (19) T.B. McPherson Recreation Complex.
- (20) Tumblin Creek Park.
- (21) Tot Lot No. 1.
- (22) Tot Lot No. 2.
- (23) Tot Lot No. 3.
- (24) Tot Lot No. 4.
- (25) Tot Lot No. 5 (Barbara Higgins Park).
- (26) Tot Lot No. 6.
- (27) Tot Lot No. 7.
- (28) Tot Lot No. 9.
- (29) Wacahoota Archery Range and Park.
- (30) Westside Recreation Complex.

(b) *Nature parks, centers and conservation areas:*

- (1) Alfred A. Ring Park.

- (2) Bivens Arm Nature Park.
- (3) Boulware springs Nature Park.
- (4) Broken Arrow Bluff Nature Park.
- (5) Clear Lake Nature Park.
- (6) Cofrin Nature Park.
- (7) Colclough Pond Nature Park.
- (8) Flatwoods Nature Park.
- (9) Forest Nature Park.
- (10) Gum Root Park.
- (11) Loblolly Environmental Facility and Loblolly Woods Nature Park (Hogtown Creek Greenway).
- (12) Morningside Nature Center.
- (13) Palm Point Nature Park.
- (14) NW 29th Road Nature Park.
- (15) Split Rock Conservation Area.
- (16) Sugarfoot Prairie Conservation Area.
- (17) Terwilliger Pond Conservation Area.
- (18) John Mahon Nature Park.

(c) *Other:*

- (1) Boulware Springs Historic Water Works.
- (2) Depot Park.
- (3) Downtown Community Plaza.
- (4) Lynch Park.
- (5) City Hall Plaza.
- (6) Springhill Park.
- (7) SW 5th Avenue Basin.
- (8) Sweetwater Park.
- (9) Thelma A. Boltin Senior Activity Center.
- (10) Thomas Center and Grounds and Gardens.
- (11) Wilhelmina Johnson Center and Sharmie Ffar Complex.
- (12) Woodlawn Park.
- (13) Ironwood Golf Course.

(Code 1960, § 18-32.1(b); Ord. No. 3792, § 1, 10-5-92; Ord. No. 041020, § 1, 10-24-05)

Sec. 18-19. Park hours.

(a) Except as specifically provided or posted at the park facility, and except for tot lots, the parks listed in subsections 18-18(a) and 18-18(c) shall be open for public use between the hours of 6:00 a.m. until 11:30 p.m. (this includes the buildings, pools, and ball fields located within the park boundaries), the same day and shall be closed to public use from 11:30 p.m. until 6:00 a.m. of the following day. The city manager or designee reserves the right to program facilities located in any of the above listed parks, including but not limited to park grounds, centers, picnic pavilions and ball fields, during the open hours of operation notwithstanding the fact that public access to these facilities may be limited during programmed events. Tot lots shall be open during daylight hours only and shall be closed to public use from dusk until dawn. The parks listed in subsection 18(b) shall be open during daylight hours only and shall be closed to public use from dusk until dawn unless otherwise posted. Daylight hours are defined as those hours between dawn and dusk.

(b) Such closing hours shall not apply to activities being held pursuant to an approved contract for use, signed by the city manager or appropriate designee responsible for the park property. In these cases the fully executed contract for use shall state the waiver of operating hours and shall be signed by the city manager or appropriate designee.

(c) It shall be unlawful for any person to remain in any of the parks and/or facilities listed herein during the hours the park and/or facility is closed to public use, except with prior written approval from the city manager or designee. Such unauthorized presence shall be grounds for immediate arrest.

(d) If a park is designated as such by the city commission but is not listed in section 18-18, the park shall be posted on the grounds of the park area be posted on the grounds of the park area stating its hours of operation. (Code 1960, § 18-32.1(c); Ord. No. 3585, § 1, 12-18-89; Ord. No. 041020, § 1, 10-24-05; Ord. No. 041020, § 2, 10-24-05)

Sec. 18-20. Prohibited activities.

It shall be unlawful for any person to do any of the following in any park listed in section 18-18 of this article or any other areas officially designated by the city commission as a park and posted as such unless specifically permitted by the appropriate authorization received from the city manager or designee and issued pursuant to this article, except for activities of the City of Gainesville which are undertaken within the scope of its governmental authority:

- (1) Construct, erect any hut, shanty or other shelter. Park users may temporarily set up a sun/shade apparatus up to ten feet by ten feet in size (larger sizes may be approved by request for special events conducted in the park areas upon the issuance of a facility use agreement by the city manager or designee in charge of that park area). Such apparatus must be made of flexible material, and any support lines which extend beyond the length and width of the covering, must be flagged for visibility and cannot be within 15 feet of any game court, sport's field, or children's play equipment. No sun/shade apparatus shall remain in place overnight in any park without a special use permit or facility use agreement being issued by the city manager or designee. All nature parks, centers and conservation areas are exempt from this provision.
- (2) Cook foodstuff on personal grills brought into the park area. Persons may utilize grills provided by the city only for cooking in the park area. No fires or food preparation shall be allowed that pose a hazard to public property or the general public;
- (3) Set or stoke a fire, except for city authorized prescribed burns or those fires set or stoked in designated city grills, where they are provided, and said fire shall not be allowed if it poses a hazard to public property or the general public;
- (4) Discharge or deposit human wastes, except in toilet facilities provided by the city;
- (5) Disturb the natural surface of the ground in any manner unless authorized in writing by the city manager or designee and done in accordance with a city-initiated land management activity;
- (6) To allow privately owned animals to discharge or deposit waste on park property. All owners or others in charge of privately owned animals shall remove their waste from the park grounds, and may deposit animal waste in park trash receptacles;
- (7) Pick flowers, nuts, berries, or fruit and to damage or remove plants, trees, shrubs, from any part of the park grounds unless specifically authorized in writing by the city manager or designee and done in accordance with a city-initiated land management activity;
- (8) Erect signs or affix signs to any tree, post, pole, fence or park facility or grounds except as provided by city ordinance, or through an approved facility use contract with the city manager or appropriate designee;
- (9) Drive, putt or otherwise hit a golf ball or shoot an arrow, except in parks specifically designated for those purposes;
- (10) To in any way disturb or remove any wildlife, animal, bird, or egg located above, upon or below the surface of the park grounds or to allow any privately owned animal to do so unless specifically authorized in writing by [the] city manager or designee;
- (11) Write on, draw on, paint on, or otherwise deface, damage, remove or destroy any park facility or any part of the park grounds;
- (12) To carry any firearm, weapons, explosive, or destructive device, as defined in F.S. ch. 790, either opened or concealed, onto any park property, except in parks specifically designated for these uses; except as otherwise permitted by law or this article;
- (13) Operate any motorized vehicle, as defined in F.S. Ch. 316, in violation of city ordinance on park grounds except in areas designated by the city as parking areas, driveways, and roadways. Motorists shall obey all posted speed limit and other directional signs posted within the park. Authorized city personnel or contract personnel shall be allowed to drive vehicles onto park areas during facility maintenance or renovation projects;

- (14) Except as otherwise provided in this Code of Ordinances, purchase, sell, offer for sale, possess, or consume any alcoholic beverages, illegal drugs or intoxicating substances;
 - (15) Use public restrooms to shave and/or shower, unless shower facilities are specifically provided for public use at that park;
 - (16) Bathe or otherwise be or remain in a water or drinking fountain and/or its reservoir or to allow any privately owned animal to do so;
 - (17) Use roller skates, roller blades or skateboards, except on park facilities specifically designated for this purpose;
 - (18) Engage in the sale of any item on park property for any non-city sponsored function(s), except as allowed by a facility use agreement issued by the city manager or appropriate designee or in these ordinances;
 - (19) Use of any park property for non-city sponsored fundraising activities, except as authorized by the city manager or appropriate designee or in these ordinances;
 - (20) Engage in the destruction, removal or alteration of any city owned facility or equipment from any park property except as authorized by the city manager or designee;
 - (21) Engage in the removal, alteration or destruction of archaeological or cultural resources from any park property and water body except as authorized by the city manager or designee. For purposes of this article "archaeological or cultural resources" means associated physical remnants and features contained in the ground including but not limited to artifacts, fossils, bones, shell mounds, or primitive culture facilities or items;
 - (22) Engage in the removal, destruction or harassment of animals and plants from or on parklands, except for authorized research efforts, as authorized by the city manager or appropriate designee; and
 - (23) Engage in the introduction of plants or animals onto park lands unless authorized by the city manager or appropriate designee.
- (Code 1960, § 18-32.1(d); Ord. No. 961060, § 1, 7-14-97; Ord. No. 041020, § 3, 10-24-05)

Cross references: Offenses, Ch. 17.

Sec. 18-21. Land management provisions.

Unless otherwise specified herein and in addition to the restrictions state at section 18-20, the following land management provisions shall be applicable to the parks listed at subsection 18-18(b), nature parks, centers and conservation areas:

- (1) Nature parks, centers and conservation areas shall be open to the public; however, the activities established by the city manager or designee for each park shall be compatible with the protection of the natural resources for each individual park and shall be posted at each park. Nature parks, centers and conservation areas shall be closed to the public when, due to emergency conditions or activities undertaken by the federal, state or local government for maintenance of such areas, closure is necessary to protect such lands or to protect the health, safety and welfare of the public.
- (2) Hiking, defined as travel by foot, is permitted in nature parks, centers and conservation areas only on designated trails, established roads and in firebreaks, and shall not occur in areas posted as restricted to access.
- (3) Bicycling is permitted at certain nature parks, centers and conservation areas and these parks will be so posted. Within a park permitting bicycling, bicycling shall be only permitted on trails or areas so designated within the individual park area.
- (4) Horseback riding is permitted only from the north parking area of Boulware Springs Nature Park to the Gainesville-Hawthorne State Trail unless otherwise authorized in writing by the city manager or designee.
- (5) Hunting or trapping is prohibited in any nature park, center or conservation area, except where specifically authorized in writing by the city manager or designee for the purposes of scientific study or the removal of nuisance species and as regulated by the state.
- (6) Dogs are permitted in nature parks, centers and conservation areas (except where otherwise posted) provided that such animals shall be leashed at all times. When authorized in writing by the city manager or designee, other domestic animals may be permitted at Morningside Nature Center and at nature parks, centers and conservation areas. The owner or other person responsible for the animal shall clean up and properly dispose of the animal's waste as stated in section 18-20.

- (7) Swimming is prohibited at all nature parks, centers and conservation areas except in areas posted for swimming.
- (8) Fishing is permitted at Palm Point Nature Park and Colclough Pond Nature Park in compliance with the guidelines established in state law.
- (9) The disposal of oil, gasoline or other hazardous substances is prohibited at all nature parks, centers and conservation areas.
- (10) The use of metal detectors is prohibited in all nature parks, centers and conservation areas.
- (11) Concessions may be allowed in certain nature parks, centers and conservations areas, if they are determined to be appropriate to that natural area and are approved in writing by the city manager or designee. Appropriate to the natural area is described as:
 - a. The concession is necessary to fulfill a need in the interest of the public and will assist the city in providing public use of nature parks, centers and conservation areas;
 - b. The concession will be open to the public;
 - c. The concession will be economically feasible for the city;
 - d. The concession will be compatible with the protection of the natural resources and the management goals for that land as stated in the management plan; and
 - e. The concession will not result in an unfair advantage over existing businesses that provide similar services in the area.
- (12) Research may be permitted in nature parks, centers and conservation areas if said research is compatible with the protection of the natural resources and the management goals for that land as stated in the land management plan for that property and when approved in writing by the city manager or designee.
(Ord. No. 041020, § 4, 10-24-05)

Sec. 18-22. Archaeological discovery.

Any person discovering archaeological or cultural resources on nature parks, centers and conservation areas shall immediately notify the city manager or designee of such discovery.

(Ord. No. 041020, § 5, 10-24-05)

Secs. 18-23--18-35. Reserved.