

CITY OF POMPANO BEACH
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 98.16, "LAKE SANTA BARBARA PARK," TO DESIGNATE SAME AS A PASSIVE PARK, TO SET FORTH PROHIBITED CONDUCT AND PROVIDE PENALTIES FOR VIOLATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That Section 98.16, "Lake Santa Barbara Park," of Chapter 98, "Parks and Playgrounds," of the City of Pompano Beach Code of Ordinances is created to read as follows:

§ 98.16 LAKE SANTA BARBARA PARK.

(A) Lake Santa Barbara Park is designated as a passive park.

(1) No swimming, diving or other entry into Lake Santa Barbara from within the park, nor entry onto park property from the lake, is permitted.

(2) No vessel or watercraft may be launched into Lake Santa Barbara from the park, or retrieved in the park from the lake, except if such retrieval is performed by law enforcement or other authorized officials.

(3) **No person shall** moor or otherwise tie any vessel or watercraft to any portion of Lake Santa Barbara Park including, but not limited to, its seawall or railings. Any vessel or watercraft so found shall be deemed **lost** or abandoned and removed and disposed of **as provided in § 705.103, Florida Statutes.**

(B) Violations of any provision of subsection (A) above shall be punishable as provided in § 10.99 of this Code.

SECTION 2. All ordinances or parts of ordinances in conflict with this Ordinance are revoked.

SECTION 3. That any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 4. This Ordinance shall become effective upon passage.

PASSED FIRST READING this _____ day of _____, 2023.

PASSED SECOND READING this _____ day of _____, 2023.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

MEB/jrm
2/15/23
L:ord/ch98/2023-80a