

ORDINANCE No 2022-14

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING CHAPTER 29 “PARKS AND RECREATION” ARTICLE II, “RULES AND REGULATIONS” OF THE CITY’S CODE OF ORDINANCES, BY AMENDING RULES AND REGULATIONS PERTAINING TO OPERATION AND USE OF CITY PARK FACILITIES; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Article II of Chapter 29 of the City of Doral’s (the “City”) Code of Ordinances (the “Code”) provides, in part, for the rules and regulations governing the operations and use of city park and recreation facilities; and

WHEREAS, in 2010, the Mayor and City Councilmembers amended Chapter 29 “Parks and Recreation” Article II, “Rules and Regulations” through the adoption of Ordinance 2010-16, which provided for the amending of certain portions of the rules and regulations; and

WHEREAS, since the adoption of Ordinance 2010-16, the City of Doral’s parks system has grown significantly; and

WHEREAS, the Mayor and City Councilmembers desire to revise the rules and regulations governing the operations and use of city park and recreation facilities as specified herein in the best interest of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

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Section 2. Code Amended. Chapter 29 of the City of Doral Code of Ordinances is hereby amended as follows:

CHAPTER 29. PARKS AND RECREATION

ARTICLE II. RULES AND REGULATIONS

Sec. 29-18. Purpose.

The purpose of this article is to regulate the use of city-owned and/or city-operated parks, recreation, nature, and open space facilities in order that all persons may enjoy and make use of the facilities and to protect the assets and resources of these municipal properties.

Sec. 29-19. Definitions.

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

Department director means the director of parks and recreation or his/her designee.

Park property means and includes all areas, buildings, locations, and facilities defined in this section.

Parks & Recreation Department means the City of Doral Parks and Recreation Department.

Parks, parkways, recreational areas and other areas operated and maintained by city *Parks & Recreation Department* means parks, wayside parks, parkways, playgrounds, recreation fields, museums, auditoriums, ranges and buildings, lakes, streams, canals, lagoons, waterways, water areas, nature trails, nature center, fishing

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areas and therein and all public service facilities conducted on grounds, buildings, and structures in the city which are under the control of or assigned for upkeep, maintenance or operation by the parks and recreation department.

Privately run personal training means a person who works one-on-one with up to three (3) clients, at one time, to plan or implement an exercise, fitness, and/or sports regimen.

(b) In construing the provisions of this article and each and every word, phrase or part thereof, where the context will permit, the definitions provided in F. S. § 1.01 shall apply.

Sec. 29-20. Penalty.

Any person convicted of a violation of any of the provisions of this article, with the exception of sections 29-37(a), 29-53 shall be punished by a fine not to exceed \$100.00. Violation of sections 29-37(a), and 29-53 shall be punished by a fine not to exceed \$500.00.

Sec. 29-21. Authority of Doral Police Officers, Code Enforcement Officers and Parks and Recreation Staff.

It shall be the duty and responsibility of the City of Doral Police Department, Code Enforcement Officials, and Parks Department employees to enforce all state, county and city laws, including the rules and regulations, as applicable.

The director may adopt, amend and rescind daily operating rules and regulations consistent with the article in order to manage and control the parks and recreation system of the city and to manage other public recreational facilities, including but not limited to rules that:

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- (1) Clarify, interpret or apply to this article;
- (2) Designate restricted areas in parks and public recreational facilities;
- (3) Regulate and administer recreational programs;
- (4) Establish times for opening and closing of particular parks, park facilities and public recreational facilities to public use and/or for entry or use by motor vehicle as necessary in case of emergencies, construction and/or program and event needs.

**Sec. 29-21. Compliance with the rules and regulations of the City of Doral
Parks & Recreation Department**

- (a) No person shall fail or refuse to comply with any reasonable order or any order given by any Parks Department employee, or law enforcement officer, or willfully resist, obstruct or abuse any Parks Department employee or law enforcement officer in the execution of his or her office.
- (b) No person shall resist, obstruct, abuse or address in a profane or obscene manner any Parks Department employee or law enforcement officer or agent of the City.
- (c) No person shall knowingly make a false statement or knowingly swear or affirm the truth of a false statement previously made to a Parks Department employee or law enforcement officer or agent of the City, when the statement is made in any official proceeding, the statement is made with purpose to incriminate another, the statement is made with purpose to mislead a public official in

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performing his or her official function, or the statement is in writing on or in connection with a report or return in which is required or authorized by law. When the offender makes contradictory statement relating to the same fact within the period of statute of limitation for falsification, it is not necessary for the prosecution to prove which statement was false, but only that one of the other was false.

Sec. 29-22. Traffic ordinances and state vehicle laws.

The traffic ordinances of the county, the city and applicable state vehicle laws shall apply in and about all park property and, in addition thereto, the traffic regulations of this article shall be applicable.

Sec. 29-23. Roads and driveways within parks.

(a) No person driving, operating, controlling or propelling any motorized vehicle shall use any other than the regularly designated paved or improved park roads, driveways, or paths, except when directed to do so by a police officer or department employee. The provisions of this subsection shall not apply to the use of any self-propelled wheelchair, power wheelchair, electric scooter, or other mobility device by an individual with a mobility impairment.

(b) No driver or operator of any vehicle shall obstruct traffic or park or stop on any road or driveway except at places so designated or in case of an emergency beyond his control.

Sec. 29-24. Trucks, buses, other heavy vehicles.

No truck, commercial vehicle, or bus of any type shall be driven on any restricted park road or property without special authorization from the Parks & Recreation

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Department for the purpose of park work, service or activities except that trucks and buses used for transporting persons to a park for recreational purposes will be afforded use of ingress and egress park roads and parking facilities as provided for conventional passenger vehicles.

Sec. 29-25. Bicycles, tricycles, motorcycles, scooters, dirt bikes, go carts.

(a) Except for areas designated otherwise by a posted sign or notice, no person shall ride, drive or propel any motorcycle, dirt bike, go cart or similar vehicle on any but the regular vehicular roads or other designated uses or areas except that such vehicles, with motors shut off may be pushed by hand not faster than a walk over grassy areas normally reserved for the use of pedestrians and no person shall deviate from compliance with all traffic ordinance provisions governing the operation of bicycles while on park property. Violators of the provisions of this section shall pay a fine not to exceed \$100.00 for the first violation and \$200.00 for each succeeding violation. Provisions of this section shall not apply to the operation of these vehicles on those portions of park property specifically designated for such use.

(b) Parks & Recreation Department staff reserve the right to limit and/or prohibit the riding of bicycles and tricycles in park facilities when the riding of such bicycles and tricycles may present a safety issue to park patrons.

Sec. 29-26. Parking.

~~(a)~~ No person shall park a vehicle any place on park property other than in the regular designated facilities provided for that particular type of vehicle, unless

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directed otherwise by police officers or park staff who are authorized to designate other areas for parking when conditions so warrant. The provisions of this section shall not apply to the use of any self-propelled wheelchair, power wheelchair, or other mobility device by an individual with a mobility impairment.

(b) No person shall park a vehicle any place on the Parks property overnight without the prior approval of the Parks Department. This provision shall not apply to any vehicles in the service of the City.

(c) No person shall park a vehicle or use the parking areas on Park property for any other purpose other than park use.

(d) No commercial activities may be conducted in the Parks parking areas without written authorization by the Parks Department.

(e) No parks staff shall be permitted to accept any fee or gratuity for any service concerning the parking of a vehicle except those employees assigned to areas where a stated fee is charged by the Parks Department.

(f) The City has the authority to tow illegally parked vehicles on the Parks Property. Any towing fees will be at the vehicle owner's expense.

Sec. 29-27. Preservation of property.

No person shall do the following:

- (1) Destroy, damage or remove real property or improvements thereto, or movable or personal property, belonging to the city.

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(2) Bring waste from outside the Parks to be deposited in the Parks receptacles or other Park Property unless specifically authorized by the City. Throw or deposit or permit to be deposited or scattered upon any sidewalk, alley, street or public passageway, or upon any public or private property, any waste or other material of any kind.

(3) Tamper or meddle with or alter the condition of any meter, valve or meter identification, or other part of such system in the city, or appliance connected thereto in such manner as to cause loss or damage to the owner of such facilities or the users thereof; or to create a hazard to life or property.

(4) Tamper with, injure, deface, destroy or remove any sign, notice, marker, fire alarm box, fireplug, topographical survey monument, or any other personal property erected or placed by the city.

(5) ~~Move, disturb, or take any earth, stone or other material from any public street, alley, park or other public ground.~~ Disturb, dig, move with the intent to remove, remove from or take any Park area, and sand, whether submerged or not, any earth, stone or other material from any public street, alley, Park or other public ground including the removal of plants or plant materials, trees or parts thereof or any flowers, nuts, seeds, fruits, whatsoever, except that the City personnel may be authorized to make such removals.

(6) ~~Paint, or draw any inscription, figure, or mark of any type on any public or private building or structure or other real or personal property, owned, operated, or maintained by the city.~~ Write, paint, or draw any inscription, figure, or mark of any type

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on any public private building or structure or other real or personal property, owned, operated, or maintained by the City unless authorized by the Parks Department.

(7) Be permitted to build fires against or adjacent to any park building, structure, tree or plant or near the property of others or in any area of any park except in such areas as are specifically designated for fire building and for which permission has been given by the parks and recreation department.

(8) Stand or sit on any fence rail or on any picnic table or any other structure not intended for such use in any park.

(9) Make any excavation by tool, equipment, lasting, or other means or utilize metal detectors or shall construct or erect any building or structure of whatever kind other than a tent with a fabric top 10' x 10' or smaller in approved areas, whether permanent or temporary, or run or string any public utility into, upon, across or over any Park Property unless authorized by permit, easement, or written approval is obtained by the Parks Director.

(10) Climb any tree or walk or stand or sit upon any other property not designated or customarily used for such purposes.

(11) Willfully mark, soil, deface, or injure in any way, or displace, remove or tamper with, any Park building, public restroom and washroom facility, tables, bench, cooking facility, grill, railing, paving or paving material, water line or other public utility or parts of appurtenances thereof or equipment thereon, Park sign, notice or placard whether temporary or permanent, monument, stake, post, or other boundary marker, or

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other structure or equipment, facility, or Park Property or appurtenance whatsoever, either real or person.

Sec. 29-28. Protection of Vegetation

No person shall cut, carve, or injure the bark, limbs, or branches, mutilate trees in any way, or pick the flowers or seeds of any tree, plant, or shrub, nor shall any person dig in or otherwise disturb grass areas, or any other way injure or impair the natural beauty or usefulness of any area, nor shall any person pile debris or material of any kind on or about any tree or plant, or attach any rope, wire, or other contrivance thereto, whether permanent or temporary in character or in use.

Sec. 29-29. Protection and preservation of wildlife.

(a) No person shall molest, harm, frighten, kill, net, trap, snare, hunt, chase, shoot, throw or propel by any means missiles at any wildlife creature, be it animal, bird or reptile, roaming free about a park or in captivity in a cage, nor shall any person remove or possess the young of any wild animal or the nest or eggs of any reptile or bird or to collect remove, possess, give away, sell or offer to sell, buy or offer to buy, or accept as a gift any specimen, dead or alive.,~~of any of the group of tree snails.~~

(b) No person(s) shall be permitted to feed any animals, birds, or reptiles on park property. ~~No person shall disobey posted notices prohibiting feeding animals, birds or reptiles which are on restricted diets.~~

(c) No person shall place, dump, abandon or leave any animal, reptile or bird, either wild or domestic, in an effort to find a home for such creature, on the grounds of any park.

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Sec. 29-30. Bathing and swimming.

(a) No person, regardless of age, sex or manner of dress, shall swim, wade, or bathe in waters or waterways in or adjacent to any park.

(b) No person shall erect or cause to be erected any tent, shelter or structure on or in any beach, bathing or wading area in such a manner that a guide wire, rope, extension, brace or support connected or fastened from any such structure to any other structure, stake, rock or other object is necessary, nor shall any such structure, tent or shelter lack an unobstructed view of the interior front at least two sides unless authorized by the city.

Sec. 29-31. Boating.

(a) No person shall bring any motorized vessels, including, but not limited to, boats, personal watercraft, etc., in any park property watercourses, lakes, canals, rivers, ponds, or sloughs other than those so designated for such use or purpose by the Parks & Recreation Department and then only in strict conformance with chapter 7 of the Miami-Dade County Code., ~~Metropolitan Safe Boating Ordinance.~~

(b) No person shall moor, anchor or tie up to the bank or any wharf, dock, tree, building, rock or any object or structure on the bank in waters within or contiguous to any park within 200 feet of the shoreline unless the owner, or his representative, of any motorized vessels, including, but not limited to, boats, personal watercraft, etc., has obtained written permission from the parks and recreation department, except that if the boat is the property of the government of the United States.

Sec. 29-32. Fishing.

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No person, adult or minor, shall fish in park waters, by use of hook and line, seine, net, trap, spear, gig or other device except at such places and in such areas as have been prescribed for.

Sec. 29-33. Hunting and firearms.

(a) Except as provided for in F.S. § 790.33, no person shall carry, use or possess, air rifles or pistols, spring guns, bows and arrows or any other form of weapon potentially inimical to wildlife or dangerous to human safety on or in any park area or property.

(b) No hunting, trapping or the pursuit of wildlife by any means or method whatsoever will be permitted on or in any park area.

(c) Nothing in this section shall be interpreted to conflict with the provisions of F.S. § 790.33.

Sec. 29-34. Picnic areas and use.

(a) No person shall build, light or cause to be lighted any fire upon the ground or other object in any area except in an approved grill, stove, fireplace or other suitable container without written permission from the parks and recreation department, nor shall any person starting a fire leave the area without extinguishing the fire.

Sec. 29-35. Games, etc.

No person shall engage in rough or potentially dangerous games or practice for same, such as football, baseball, softball, horseshoes, quoits, tennis, volleyball,

badminton or any other games, practice or exercise involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, shuttlecocks, model aircraft or roller skates except in the areas specifically designated and set aside for such recreational usages.

Sec. 29-36. Toy firearms, fireworks and explosives.

(a) No person may bring into, or have in his possession, or set off or otherwise cause to explode, discharge or burn in any park area or on any public lands or highways adjacent thereto, any firecrackers, torpedoes, rockets, toy firearms or cannon or other fireworks or explosives of inflammable material or any substance, compound, mixture, or article that, in conjunction with any other substance or compound, may explode, discharge or burn, unless he/she first obtains a written permit from the Parks & Recreation Department director.

(b) Parents or guardians will be held strictly responsible and accountable for the actions of minors in regards to the prohibitions in subsection (a) of this section.

Sec. 29-37. Domestic animals.

(a) No person shall be permitted to take any domestic animal into any park unless the park specifically permits domestic animals. Canines (dogs) are particularly excluded from all parks other than ~~the dog park~~ those with designated off-leash dog areas or considered "dog friendly". Canines (dogs) must remain on leash at all times while in "dog friendly" parks. The Parks & Recreation Department shall determine

and authorize which parks are considered to be “dog friendly”. The provision of Chapter 5 (Sections 5-3 through 5-15) of the Code of Miami-Dade County (Miami-Dade County Code Control Ordinance No. 58-28) shall apply to all park property not specifically designated for canine use. The provisions of this rule shall not apply to the use of a specially needs service animal. As special needs service animal is defined as any dog guide or other animal individually trained to work or perform tasks for an individual with a disability. Special needs service animals must have the appropriate identification visible when on premises.

(b) Cattle, horses, other than as provided in Rule 21, mules, swine, sheep, goats, or fowl shall not be allowed upon park property and all owners or attendants of such animals are charged with the duty of preventing such occurrences but this prohibition does not apply to animals and fowl kept by the Parks & Recreation Department or under its direction. Any person found violating this provision shall receive a \$200.00 civil citation.

~~(c) Animals may be allowed into the park for special events upon obtaining a written permit from the parks and recreation director.~~

Sec. 29-38. Littering, dumping, garbage, sewage and noxious material, air pollution and/or damages.

(a) No person, without the specific written consent of the director, shall bring into, leave behind, or dump any material of any kind in a park except the refuse, garbage, and other material resulting from a park picnic or other permitted activity and such material shall be deposited in receptacles or areas provided for such purpose. No

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material shall be left or deposited near a park so as to pollute the land, water, or air coursing through or over the park or otherwise to interfere with proper use and enjoyment of a park. No bottles, cans, refuse, or foreign materials of any description shall be deposited or thrown into any of the waterways, located in or adjacent to any park.

(b) No person shall, within or outside of the park, place or permit to be placed in any waterway, any noxious or deleterious material which may render park waters harmful or inimical to the public health, or to animal, or aquatic life, or which may prevent, limit, or interfere with the use of such waters for domestic, industrial, or agricultural purposes, or which may lessen to an unreasonable degree the use and enjoyment of such waters for recreation or other park uses.

(c) No person, occupant, owner or person in charge, by himself, his agent, or employee, shall cause, suffer, or allow burning of garbage waste material, trash, refuse, vehicle or any part thereof or other combustibles within or adjacent to the park so as to cause smoke, odor, sparks, dust, dirt, etc., to come upon, pass through, or over the park which would cause air pollution, nuisance, or damage.

(d) Violations of this section may be written as a misdemeanor violation and enforced accordingly.

39. Refuse, trash, and destruction of park property.

(a) No person will deposit or drop or place any refuse, including bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, tobacco products or containers of foil, upon the ground or in or on any other park property except in the receptacles provided for trash disposal.

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- (b) No person shall vandalize, deface or destroy any park property.

Sec. 29-40. Aircraft.

No person operating, directing, or responsible for any airplane, helicopter, glide, hot air balloon, dirigible, parachute or other aerial apparatus, including radio controlled aircraft, drone, will take off from or land in or on any park land or waterway, except when human life is endangered or written permission has been obtained from the Parks & Recreation Department Director.

Sec. 29-41. Authority of city police department officers and parks staff.

(a) It shall be the duty and responsibility of the city police department and park staff to enforce this article.

(b) It shall be unlawful for any person to do any act forbidden or fail to perform any act required by this article or for any person to fail to comply with any lawful and reasonable order given by police officers or park staff.

Sec. 29-42. No trespassing during closing hours.

No person shall be or remain in any part of any park which is fenced in or provided with gates between the closing of the gates at night and their reopening on the following day; nor shall any person be or remain in any park not fenced in or provided with gates, between the hours of 10:00 p.m. and 7:00 a.m. unless posted on the following day, except in areas designated as twenty-four-hour launching areas, and except that persons and vehicles may pass through such parks without stopping, on the most direct walk or driveway leading from their point of entrance to the exit nearest to their point of destination. The provisions of this section shall not apply to police officers or Parks &

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Recreation Department employees while in the discharge of their duties or to persons having a permit in writing to be or remain in any part of the parks between such hours. The department director has the authority to establish exceptions to the closing hours as set forth above when it is in the interest of the public health, safety or welfare.

Sec. 29-43. Hours of operations.

(a) Except for designated holidays, unusual and unforeseen emergencies, parks shall be open to the public every day of the year during hours to be designated by the parks and recreation director. The designated opening and closing hours for each individual park, or park facility if the hours designated for such park facility differ from the remainder of the park, shall be posted therein for public information.

(b) No person(s) shall remain in any park or facility after the park or facility is closed unless otherwise authorized by the Parks & Recreation Department Director.

Sec. 29-44. Same—Unfinished parks.

No person shall enter upon any part of any park which is in an unfinished state or under construction or withheld from general public usage in the interest of public safety, health and/or welfare unless otherwise authorized by the Parks & Recreation Department Director.

Sec. 29-45. Use of vehicles.

(a) No vehicles except those authorized by the Parks & Recreation Department to carry passengers for hire or for fare will be permitted to so operate in the parks and these vehicles will be the only ones which pedestrians may hail for rides.

(b) No person shall conduct any vehicle maintenance including but not limited to, changing of parts, repairs, wash, grease, wax, polish or clean a vehicle on any

park roadway, parkway, driveway, parking lot or other park property. This provision shall not apply to City vehicles or equipment.

Sec. 29-46. Recreational activities.

(a) No person shall engage in recreational or other activities other than those prescribed in certain areas set aside for such purposes.

(b) No person shall dress or undress except in such structures as may be provided and maintained by the Parks & Recreation Department for that purpose and dressing or undressing in any vehicle, in any park area except as provided above is prohibited.

(c) The parks staff will regulate activities in picnic areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. If the facilities are crowded, persons holding picnics in any park picnic area, building or structure, will avoid using same to the exclusion of others for an unreasonable time, the determination of what is unreasonable being at the discretion of the parks staff. Use of the individual fireplaces, together with tables and benches, follows generally the rule of "first come, first served."

(d) No person or organization shall conduct bingo games, card games for money or participate in any other forms of gambling within park limits whether they are for charity or otherwise unless specifically authorized in writing by the Parks & Recreation Department director.

(e) It is the responsibility of each person to conduct recreational activities in such a manner so as to prevent injury or loss of life to any person; therefore, it is necessary to prescribe rules and regulations to govern recreational activities in the parks.

(f) Parents or guardians shall be held strictly responsible and accountable for the actions of children under the age of 18 who violate any of the rules and regulations.

Sec. 29-47. User Fees

(a) The user fees for Park facilities, services, programs, and rentals shall be those fees currently established through the departments fee schedule and may be subsequently amended from time to time by the City Council by resolution.

(b) The user fees may be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by, or on behalf of, the City to finance such park and recreational facility improvements; and any administrative costs incurred by the City in accordance with this section. No person shall use any Parks facility funded by bond proceeds without paying the appropriate user fees. The user fees and charges for park facility usage and services shall not be waived, suspended, or discounted by the Parks and Recreation Department or the City Council.

Sec. 29-48. Noise.

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No person entering or upon park and recreation areas shall make excessive unnecessary noise and all provisions of the City of Doral's Noise Ordinance- Code of Ordinance No. #2006-23 shall apply to and be enforced in all park areas.

Sec. 29-49. Horseback riding.

No person shall engage in horseback riding in any park or Parks & Recreation Department area other than those where provision for such is provided by clearly marked bridle paths, trails, and other necessary features and then only upon thoroughly broken and properly restrained animals that are ridden with care, prevented from grazing, straying unattended, untethered to any rock, tree or shrub and not ridden or led on any park land other than that so designated. This provision shall not apply to City authorized personnel operating in an official City capacity.

Sec. 29-50. Merchandising, vending, peddling, etc.

No person, organization or firm other than the Parks & Recreation Department or regularly licensed concessionaires acting by and under the authority of the city will expose or offer for sale, rent or trade, any article or thing, or station or place any stand, cart, or vehicle for the transportation, sale or display of any article or merchandise within the limits of any park or recreation area.

Sec. 29-51. Advertising and publicity and signs.

No person shall advertise or obtain publicity through any means whatsoever within or upon any park property without obtaining specific approval in advance and in writing from the Parks & Recreation Department Director and such approval will be so worded as to prohibit damage to or marring of park property or vegetation, disturbance of park

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patrons or erection, painting or displaying of anything unsightly or in disharmony with park beauty.

Sec. 29-52. Public demonstration, gatherings, performances, speeches, etc.

(a) No band, procession, military company, or any company or group with flags, banners, or transparencies, shall be allowed within any park without required permit from the City of Doral Police Department, said permit to clearly define the nature of the activity, the limit of its scope and time of setting forth such other restrictions and requirements as the chief of police or department director may deem necessary. In accordance with all provisions of the Code of Ordinance #2010-09.

(b) No entertainment or exhibition shall be given in any park or recreation area except for entertainments given under the direction and authority of the parks and recreation department.

(c) No person will perform acrobatic acts or feats, or make any display or exhibit or carry on any performance of doing anything that will cause numbers of persons to congregate to the interference or obstruction of traffic or to other proper use of a park or recreational area.

~~(d) No intoxicated persons will be permitted entry to parks or recreation areas and, if discovered therein, will be ejected forthwith.~~

Sec. 29-53. Proper use of facilities.

(a) No person will loiter in or around any restroom or dressing room.

(b) It is unlawful for any person to use any city recreation or park facility for private instruction for compensation in money or any other property of value unless prior written approval from the Parks & Recreation Department.

(c) No person shall tie or anchored any items to trees, park equipment, or park infrastructure unless prior approval from the Parks & Recreation Department.

Sec. 29-54. Intoxicating liquors, beer, wine, and controlled substances etc.

(a) Drinking of alcoholic liquors or beverages and the bringing of such into the park areas shall be permitted only for city-sponsored or -sanctioned events and only upon the prior written authorization by the Parks & Recreation Department director.

(b) No person who is intoxicated and/or under the influence of alcohol or drugs shall be permitted entry to the Parks and if discovered therein shall be ejected forthwith and subject to all Federal, State, County, and City laws and the Rules and Regulations prohibiting this activity.

Sec. 29-55. Enforcement of permits.

(a) It shall be the duty and responsibility of police officers and park staff to enforce all provisions of permits issued by the parks and recreation department.

(b) It shall be unlawful for any person to do any act forbidden or fail to perform any act required by any permit issued by the parks and recreation department.

Sec. 29-56. Permits.

Picnic tables/shelters:

The use of the picnic areas and shelters shall require advance reservations by way of a permit. Reservations shall be obtained through the Parks & Recreation Department. Reservations for the picnic areas and shelters shall be subject to the provisions of the permit and use of picnic areas and shelters must comply with the Rules and Regulations concerning same.

(a) Any applicable fees associated with the reservation of picnic areas or shelters must be paid prior to usage.

(b) Normally the larger picnic shelters and their facilities will be used only on reservation which must be obtained in advance and must be for a specific time and duration but such facilities, however, may be used by the public during unreserved periods if occasion demands and it is deemed feasible by the department director. Reservations for picnic shelters shall be subject to the provisions of the permit.

(c) Unless the department director otherwise authorizes in writing, financial arrangement in connection with picnics held in a park either on a reserved basis or otherwise must be made outside the limits of the park, and the sale of tickets, acceptance of money, soliciting or accepting donations or offerings for food, drink or refreshment, in order to defray the expenses of a picnic or to realize a profit there from is prohibited and subjects a permit holder to immediate cancellation of said permit.

(d) It shall be unlawful for any person to misuse any public property at the public picnic areas or to fail to comply with the regulations pertaining to such picnic areas.

Indoor Rental Areas:

The use of indoor rental areas shall require advance reservations by way of a permit. Reservations shall be obtained through the Parks & Recreation Department. Reservations for indoor rental areas shall be subject to the provisions of the permit and use of indoor rental areas must comply with the Rules and Regulations concerning same.

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- (b) Any applicable fees associated with the reservation of indoor rental areas must be paid prior to usage.

Playground:

(e) Organized groups and organizations ~~that are larger than ten in number, including supervision,~~ will be required to obtain a permit from the Parks & Recreation Department for each use of the city's playgrounds. A permit fee ~~will~~ may be required. ~~One permit fee, per calendar year, will be waived for a group.~~

(f) Each permit should be for up to a two-hour period of time.

(g) Proof of insurance shall be required to issuance of permit ~~(minimum coverage \$300,000.00)~~ naming the City of Doral as additionally insured. Insurance coverage amount shall vary depending on use and will be provided by the City.

(h) Playground permit is non-exclusive and patrons may be using playground at the same time. Third party instructors contacted by a group to conduct an activity at the park facility shall be an employee of the group, company, etc.

(i) The city should reserve the right to limit the time of day of use and the right to issue permits for parks other than the park requested.

Film, photography and video:

(j) Individuals or groups wishing to conduct film, television, video and photography projects within the City of Doral must obtain a permit from the City of Doral's ~~Planning and Zoning Department~~ Public Affairs Department.

(k) A permit fee will be required and permit will be issued upon completion of application and paid permit fee.

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(l) Proof of insurance shall be required to issuance of permit (~~(\$1,000,000.00 general liability coverage)~~) naming the City of Doral as additionally insured, as well as, when necessary: proof of workers compensation insurance coverage and proof of auto insurance coverage for all persons operating the permit. Insurance coverage amount may vary depending on use and will be provided by the City.

(m) Permit holder must comply with City of Doral Noise Ordinance and Parks and Recreation Rules and Regulations.

Large scale events and festivals:

(n) Individuals or organized groups (~~+200 persons~~) wishing to conduct large scale events, festivals, etc. within the City of Doral must obtain a special events permit from the City of Doral's Planning and Zoning Department.

(o) A permit fee will be required for ~~profit groups~~ and permit will be issued upon completion of application and paid permit fee. ~~Permit fee will be waived for all not-for-profit groups.~~

(p) Proof of insurance shall be required to issuance of permit (~~(\$1,000,000.00 general liability coverage)~~) naming the City of Doral as additionally insured, as well as, when necessary: proof of workers compensation insurance coverage and proof of auto insurance coverage for all persons operating the permit. Insurance coverage amount may vary depending on use and will be provided by the City.

(q) Permit holder must comply with City of Doral Noise Ordinance and Parks and Recreation Rules and Regulations.

Sec. 29-57. Smoking prohibited in outdoor areas in city parks.

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(a) Smoking and vaping shall be prohibited in all ~~developed~~ city parks, with the exception of parking lots and expressly designated areas, if any.

(b) The city may, at its sole discretion, allow smoking and vaping in parks during designated events.

(c) A code enforcement officer or law enforcement officer may issue a citation to any person in violation of the provisions of this section.

(d) ~~Penalty.~~ Any person issued a citation pursuant to this section shall be deemed to be charged with a civil infraction. A fine of \$50.00 shall be assessed for each violation of this section. Furthermore, any person that refuses to comply with this section may be suspended from the park for 30 days.

Sec. 29-58. Privately run personal training.

(a) No person shall conduct privately run personal training within any public park within the city without first having obtained a permit to do so from the parks and recreation department. Privately run personal training shall be limited to facilities designated by the Parks & Recreation Department . J.C. Bermudez Doral Central Park, Morgan Levy, Doral Meadow, Downtown Doral, Trails & Tails, and NW 114th Parks Doral Legacy Park. Times permitted for personal training will be at the discretion of the Parks & Recreation Department . Permits for privately run personal training may be issued for a maximum length of one year.

(b) A maximum of 25 permits to conduct privately run personal training may be issued at any one time by the city. Distribution of permits issued per park facility will be at the sole discretion of the Parks & Recreation Department. ~~seven for J.C.~~

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~~Bermudez Park, Doral Central Park, seven for NW 114th Park, Doral Legacy Park, five for Morgan Levy Park, five for Doral Meadow Park, and three each for Downtown Doral and Trails & Tails Parks.~~ Permits are non-transferable between parks and/or entities.

(c) No person shall engage in privately run personal training in park areas, including, but not limited to, children's play area, vehicular use areas, athletic fields and courts when in use and all other areas as determined by the parks and recreation department.

(d) Approved trainers may only bring the following items:

- (1) Training mat.
- (2) Weights under 50 pounds.
- (3) Aerobic steps.
- (4) Water bottles.
- (5) Medicine balls.
- (6) Rubber and TRX brand suspension bands.
- (7) Jumping rope.
- (8) Boxing gloves and personal padding.
- (9) Conditioning ladders.
- (10) Sports balls (i.e., soccer, basketball, football, baseball)
- (11) Agility Training Cones

(e) No training equipment shall be tied or anchored to trees or park equipment. All other parks and recreation rules and regulations must be adhered to.

(f) Submittal requirements:

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(1) Name, address, driver's license and telephone number of the applicant and, if a business name, the name of the individual owner of the business.

(2) General description of the training being provided.

(3) Site plan sketch indicating the locations where the training will occur within the park.

(4) Agree to indemnify, defend and hold harmless the city, its elected officials, employees, agents and volunteers against all loss, costs, penalties, fines, damages, claims, expenses, including attorney's fees, or liabilities by reason of any injury to, or death of any person, or damage to, or destruction, or loss of any property arising out of, resulting from, or in connection with the performance, or non-performance of privately run personal training activities at any city park which is, or is alleged to be directly, or indirectly caused, in whole, or in part by any act of omission, default, or negligence of the applicant, its employees, agents, or sub-contractors.

(5) Secure and maintain insurance as specified by the parks and recreation department.

(6) Provide proof of, or obtain, a business tax receipt and certificate of use (if applicable).

(g) Background check and fees:

(1) Prior to the issuance of the permit, the applicant shall remit a fee of \$20.00 to defray the cost of a background check. The Parks and Recreation Director, at his/her discretion, may deny or revoke a permit based upon the results of the background check.

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(2) An applicant that owns a legally permitted business within the city's limits and providing similar personal trainer services shall pay a non-refundable permit fee of \$300.00. All other applicants shall pay a non-refundable permit fee of \$600.00.

(3) The permit fee is for a one year permit beginning from October 1 through September 30. If a permit is granted after October 1, the permit fee shall be prorated at \$25.00 or \$50.00 per month, as appropriate, for each month remaining in the fiscal year. In the event that a permit is revoked, the permit holder will not be reimbursed the permit fee.

(h) Enforcement.

(1) Upon seven days written notice to the permit holder the Parks & Recreation Department director may revoke the permit provided for herein if the permit holder violates any provision of the Doral Code; or damages the park, landscaping or infrastructure within the park. The permit holder shall pay all costs to repair any damage to city property.

(2) The city may at all times enforce the Doral Code through any authorized means, including but not limited to, issuance of a notice of violation, the issuance of a citation, and code compliance action pursuant to chapter 11, articles II and III of the Doral Code. Nothing contained herein shall be construed or interpreted to serve as a defense against any enforcement action brought to the city based on non-compliance with the requirements of the Doral Code.

Section 3. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to

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take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 4. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change the word “ordinance” to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

Section 5. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective immediately upon passage by the City Council on second reading.

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The foregoing Ordinance was offered by Councilmember Puig-Corve who moved its adoption. The motion was seconded by Vice Mayor Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 9 day of August, 2022.

PASSED AND ADOPTED on SECOND READING this 14 day of September, 2022.

JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

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