ORDINANCE NO. 11-140

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, TO AMEND ORDINANCE NO 07-93; ADOPTING REVISION TO THE TOWN PARK RULES AND REGULATIONS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE REVISED RULES AND REGULATIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in July 2007, the Town Council adopted Ordinance No 07-93 establishing rules and regulations for the Town's park system inclusive of standards for parks the Town currently owns/operates; and

WHEREAS, the Town owns all of the parks within the parks system, the Town Council desires to amend the Park Rules and Regulations; and

WHEREAS, the Town Council find that it is in the Town's best interest to adopt the revision of the park rules and regulations; and

WHEREAS, the Town Council hereby approves the Ordinance accepting revisions to Amend the Town of Miami Lakes Park Rules and Regulations.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above stated recitals is true and correct and is incorporated herein by this reference.

Section 2. Ordinance No. 07-93 is hereby amended as follows:

"Section 26-1. Community and Leisure Services Department Rules and Regulations

GENERAL RULES AND REGULATIONS

Purpose: The purpose of the Rules and Regulations is to efficiently utilize the Town of Miami Lakes' (the "Town") Parks to preserve the Parks' resources, and to provide for the protection and safety of lives and property on and within the Community and Leisure Services facilities under the jurisdiction and control of the Town. Each person using any of the Parks must conduct recreational activities in such a manner so as to prevent injury or loss of life to any person and to protect property.

Application: The Rules and Regulations shall apply to all persons on any part of the property comprising the Parks, presently or hereinafter under the jurisdiction and control of the Town.

Section 26-1.1 *DEFINITIONS.*

(a) "Community Center" means any building owned by the Town and used for recreational, educational or cultural activities by the Town or Town committees.

(b) "Park Property" are all property, real and personal, in or on Parks.

(c) "Park Roads" are all surfaced areas designated for vehicular traffic, all their surface or cleared areas are classified as to form a trail or path.

(d) "Parking Areas" means any designated part of a Park Road or area contiguous thereto set apart for the standing or stationing of any vehicle.

(e) "Community and Leisure Services Department" or "the Department" is the Town Community and Leisure Services Department.

(f) "Parks," "Recreational Areas," and "Areas operated and maintained by the Town Community and Leisure Services Department" means parks, park swales, wayside parks, parkways, swales, preserves and open spaces, including the beaches and areas between the property held in private ownership and the boundaries of the Town, playgrounds, tot lots, recreation

fields, museums, auditoriums,_ranges and buildings, lakes, streams, canals, lagoons, waterways, pools, bridges, roadways, marinas, piers and abutting lands and adjacent littoral waters, which are used for recreational purposes, or as parks, and the pertinent rights-of-way presently under or hereinafter acquired and placed under the jurisdiction, control, and administration of the Town, and all public service facilities located on the grounds, buildings, and structures in the Town which are under the control of or assigned for upkeep, maintenance or operation by the Town.

(g) "Persons" means natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, including any trustee, receiver, assignee, or similar representative thereof, corporations and other groups and combinations.

(h) "Vehicle" means any wheeled conveyance, whether motor powered, animal drawn, or self propelled. The term shall include any trailer in tow, of any size, kind or description. An exception is made for baby carriages, wheelchairs, vehicles used by person with disabilities and vehicles in the service of Town Parks.

(i) "Vessel" means any motorized, wind driven, or paddle propelled means of water related transportation within a Park or upon Park littoral waters. The term shall not include rafts, floats or floatation devices whether canvas, rubber, styrofoam, or other substances intended or capable of assisting in the floatation of a person on or in the water.

Section 26-1.2 *NECESSITY FOR RULES AND REGULATIONS.*

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.

Section 26-1.3 *PARENTAL RESPONSIBILITY FOR MINORS.*

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

Section 26-1.4 *AUTHORITY TO REGULATE PARK PROPERTY AND OTHER RECREATION AREAS.*

(a) The Town Manager may, from time to time, adopt temporary rules and regulations to regulate the time, place and manner in which the Parks, or any portion thereof, is to be used and enjoyed by the public and to authorize the posting of signs regulating public use. In so doing, the Town Manager must take into account the safety, the facilities available, the preservation of public property, the number of persons who can be safely protected and safeguarded at the particular location, and the health and welfare of the public using and wishing to use the Park. In addition, the Town Manager may issue temporary rules and regulations to cover emergency, hazardous or special conditions and place, and maintain appropriate signs to warn the public. Such temporary rules and regulations shall not remain in effect for more than ninety (90) days without approval by Town Council, nor shall any such rule be binding upon the public unless indicated by appropriate signs.

(b) The directions of the Town Manager given pursuant to the authority contained in this Section are declared to have the effect of law and shall be enforced by the Town's Police Department, code enforcement officials, and Parks Department employees.

Section 26-1.5 *AUTHORITY OF TOWN POLICE DEPARTMENT, PARKS DEPARTMENT AND CODE ENFORCEMENT OFFICIALS.*

It shall be the duty and responsibility of the Town's Police Department, code enforcement officials, and Parks Department employees to enforce all State, County and Town laws, including the Community and Leisure Services Rules and Regulations, as applicable.

Section 26-1.6 *USER FEES FOR COMMUNITY AND LEISURE SERVICES.*

The user fees for Park facilities shall be those fees currently in effect, and may be subsequently amended by the Town Council by resolution. A fee schedule (Exhibit "A") for user fees for the Parks and facilities shall be established by resolution of the Town Council, from time to time.

Section 26-1.7 *ARTICLE VII OF THE CHARTER OF MIAMI-DADE COUNTY.*

As may be applicable to the Town, Article VII of the Charter of Miami-Dade County shall apply to the Community and Leisure Services Rules and Regulations.

TRAFFIC

Section 26-1.8 *TRAFFIC ORDINANCES AND STATE VEHICLE LAWS.*

The traffic ordinances of Miami-Dade County and of the Town and the applicable State vehicle laws shall apply to the Parks in addition to the following regulations established in this Section.

Section 26-1.9 *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 roads or driveways in the Parks, except when directed to do so by a police officer or Town employee. This provision shall not apply to the use of a baby carriage and any motorized vehicles in the service of the Town, any self-propelled wheelchair, power wheelchair or other mobility device by an individual with mobility impairment.

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

Section 26-1.10 *TRUCKS, BUSES AND OTHER HEAVY VEHICLES.*

No truck, commercial vehicle, or bus of any type shall be driven or stationed on any restricted road or property in the Parks without special authorization from the Town. However, trucks, commercial vehicles and buses used for transporting persons to the Parks for recreational purposes will be afforded use of ingress and egress roads and parking facilities as provided for conventional passenger vehicles without special authorization from the Town.

Section 26-1.11 *BICYCLES, TRICYCLES, SKATEBOARDS, ROLLER/IN-LINE SKATES 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, scooter, go-cart, electric personal assistive mobility device as defined by Section 316.2068, Florida Statutes, or

similar vehicle on any roads within the Parks other than the regular vehicular roads or other designated uses or areas. However, any motorcycle, scooter, go cart, electric personal assistive mobility device as defined by Section 316.2068, Florida Statutes, or similar vehicle on any roads within the Parks, with their motors shut off, may be pushed by hand not faster than a walk over grassy areas normally reserved for the use of pedestrians.

(b) It is unlawful for operators or riders of skateboards, roller/in-line skates, bicycles, tricycles or other non-motorized vehicle to fail to yield the right-of-way to any other pedestrians or to otherwise endanger or interfere with pedestrian or vehicular traffic on any roadway, pathway or trail within the Parks.

(c) Use of skateboards, roller skates and in-line skates is prohibited within the parks facilities, including:

1. In any public access ramps or access ramps for handicapped persons providing pedestrian access to a building;

2. On any publicly owned benches, railings, planters, ceramic-tiled walkways, steps, and curbs; and

3. On any public property where prohibited by conspicuously located signs having lettering at least two inches high and containing as a minimum the words "No Skating," "No Skateboarding," or a substantially similar message.

The Town Manager, or his designee may, however, designate with appropriate signage and in accordance with safety regulations, certain areas of the Parks for use of skateboards and roller/in-line skates.

Section 26-1.12 *PARKING.*

(a) No person shall park a vehicle any place on the Parks' Property other than in the regular designated facilities/spaces provided for that particular type of vehicle, unless directed otherwise by police officers or Town employees who are authorized to designate other areas for parking when conditions so warrant. This provision shall not apply to the use of any self-propelled wheelchair, power wheelchair, or other mobility device by an individual with mobility impairment.

(b) No person shall park a vehicle any place on the Parks' Property overnight without the approval of the Town Manager This provision shall not apply to any vehicles in the service of the Town.

(c) No commercial activities may be conducted in the Parks' Parking Areas without written authorization by the Town Manager.

(d) No Town employee 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.

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

Section 26-1.13 *USE OF VEHICLES.*

(a) No operator of a vehicle shall tow another vehicle or wheeled device on Park roads except when necessary to remove a disabled vehicle, or for any reason deemed necessary by the Town's Park Department Director. No tow vehicles shall be allowed on Town managed beaches Provisions of this Section shall not apply to the operation of these vehicles on those portions of the Parks' specifically designated for such use.

(b) No person shall change any parts, repair, wash, grease, wax, polish, or clean a vehicle on any Park roadway, parkway, driveway, parking lot or other Park Property. Provisions of this Section shall not apply to the operation of those vehicles on those portions of the Park specifically designated for such use.

(c) No person shall operate a four wheeled, motorized go-cart on any roadway, parkway, driveway, parking lot, or other Park Property. This provision shall not apply to golf carts or vehicles designated primarily for use by individuals with disabilities or in areas specifically designated for such use. The Town Manager, or his designee may, however, designate with appropriate signage and in accordance with safety regulations, certain areas of the Parks for use by four wheeled motorized carts.

(d) Any authorized motorized vehicle shall not exceed eight (8) miles per hour.

PARK PROPERTY

Section 26-1.14 *PRESERVATION OF PROPERTY.*

No person shall:

(a) Destroy, damage or remove real property or improvements thereto, or movable or personal property, belonging to the Town.

(b) Bring waste from outside the Parks to be deposited in the Parks' receptacles or other Park Property unless specifically authorized by the Town. 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, except in the Park receptacles.

(c) Tamper, meddle with or alter the condition of any meter, valve or meter identification, or other part of such system in the Town, 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.

(d) 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 Town.

(e) Disturb, dig, move with the intent to remove, remove from or take any Park area, any beach 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 Town personnel may be authorized to make such removals.

(f) Write, 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 Town unless authorized by the Parks Department.

(g) Set, build or attempt to build a fire on Park Property, including the ground or beach or other object in any area, except in such areas that are specifically designated for fire building such as an approved grill, stove, fireplace or other suitable container and for which permission has been given by the Town. All persons starting a fire must extinguish the fire prior to leaving the site. Grills or any other device should not be used in such a manner as to burn, char, mar or blemish any bench, table, or other object of Park Property.

(h) Make any excavation by tool, equipment, blasting, 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, 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 Department Director.

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

(j) Willfully mark, soil, deface, or injure in any way, or displace, remove or tamper with, any Park building, public restroom and washroom facility, table, bench, cooking facility, 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 other structure or equipment, facility or Park Property or appurtenance whatsoever, either real or person.

(k) Bring to or use any container made of glass on any Park Property.

(l) Over the age of twelve (12) years, trespass upon or use the playground equipment at any Park other than those swings designated for adult use.

Section 26-1.15 *PROTECTION OF VEGETATION.*

No person shall cut, carve, or injure the bark, limbs or branches, or 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.

Section 26-1.16 *PROTECTION AND PRESERVATION OF WILDLIFE.*

(a) No person shall molest, harm, frighten, kill, net, trap, snare, hunt, chase, shoot or throw or propel any object at any animal roaming free about a park, nor shall any person remove or possess the young, eggs or nest of any animal.

(b) No person shall disobey posted notices prohibiting the feeding of animals.

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

Section 26-1.17 *DOMESTIC ANIMALS.*

(a) Domestic animals shall not be allowed upon the Parks unless the Parks or portion of the Parks is specifically designated for animal use or written permission is obtained by the Department Director. Animals under the custody and control of a law enforcement officer and dogs accompanying a disabled person are excluded from this Section.

(b) Any person owning, possessing, harboring or having the care, charge, control or custody of any animal shall immediately remove and thereafter dispose of any fecal matter deposited by the animal on Park Property. For the purpose of this Section, animal fecal matter shall be immediately removed by placing the matter in a closed or sealed container and thereafter disposing of it by depositing the matter in a trash receptacle, sanitary disposal unit, or other

closed or sealed container. This provision shall not apply to blind persons accompanied by a dog used for their assistance.

Section 26-1.18 *FISHING.*

No person shall fish in Park waters, except where signs are posted authorizing such use, and in accordance with Florida law.

Section 26-1.19 *HUNTING AND FIREARMS.*

(a) No person shall use firearms of any description, air rifles or pistols, spring guns, bows and arrows, sling or any other form of weapon potentially injurious or harmful to wildlife and human safety, or any instrument that can be loaded with and fire blank cartridges or any kind of trapping device on or in any Park. Exception is made for certified law enforcement officers for the purposes of human safety.

(b) No hunting, trapping or the pursuit of wildlife by any means or method whatsoever shall be permitted on or in any Park. Exception is made for authorized personnel for the purposes of human safety.

Section 26-1.20 *FIREWORKS AND EXPLOSIVES.*

No person may set off or otherwise cause to explode, discharge or burn in any Park or on any public lands or highways adjacent thereto, any firecrackers, torpedoes, rockets, or cannon or other fireworks, explosives or other inflammable material in any Park or on any public lands or highways adjacent thereto unless he or she first obtains written authorization from the Town and the Fire Department, if appropriate for fireworks displays.

Section 26-1.21 *AIRCRAFT.*

No person operating, directing, or responsible for any airplane, helicopter, glider, hot air balloon, dirigible, parachute or other aerial apparatus including radio controlled aircraft (excluding kites) shall take off from or land in or on any Park or waterway, except when human life is endangered or when prior written permission has been obtained from the Town.

Section 26-1.22 *CLOSING OF PARKS.*

(a) No person shall be in any part of any Park between sunset and sunrise or as specifically posted at the Park unless written permission is obtained by the

Town. This provision shall not apply to police officers or the Town employees while in the discharge of their duties or to persons having a permit in writing issued by the Department 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 and such exceptions shall be posted.

(b) 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 specifically permitted by the Town.

RECREATIONAL ACTIVITIES

Section 26-1.23 *RECREATIONAL ACTIVITIES.*

(a) No person shall engage in any recreational or other activities other than those intended to be performed in the designated areas set aside for such purposes and as provided for herein.

(b) No person or corporation shall engage in or promote any for-profit recreational activity in the parks without prior written permission from the Town.

Section 26-1.24 *GAMES.*

No person or persons shall engage in rough or potentially dangerous games or practice for same, or any other games, practice or exercise involving thrown or otherwise propelled objects such as stones, arrows, javelins, shuttlecocks, or model aircraft except in the areas specifically designated and set aside for such recreational usages.

Section 26-1.25 *BATHING AND SWIMMING.*

(a) Bathing, swimming, and wading are done at the risk of the public user. No person shall swim, wade, or bathe in waters or waterways in or adjacent to any Park, other than at places that are designated for such activities where signs are posted authorizing such use and in compliance with the rules of these areas as to hours of the day and safety limitations for such use.

(b) No person shall erect or cause to be erected any tent, shelter or structure on or in any beach, bathing or wading area unless authorized by the Town.

Section 26-1.26 *BOATING.*

(a) No person shall bring any motorized or non-motorized vessels, including, but not limited to, boats, personal watercraft, etc. in any Park property watercourses, bays, lagoons, lakes, canals, rivers, ponds, or sloughs other than those so designated for such use or purpose by the Town and then only in strict conformance with applicable sections of the Town Code.

(b) No person shall moor, anchor or tie up to the bank or to any wharf, dock, tree, building, rock or any object or structure on the bank of waters within or contiguous to any Park within 200 feet of the shore line unless the owner, or authorized operator of the motorized vessels, has obtained written permission from the Town, except if the motorized vessel is the property of the United States government or is in distress.

(c) No person shall launch, retrieve, dock or operate any vessel within a Park or littoral waters after the Park is closed.

(d) Permission to rent, hire or operate for a charge any kind of boat, water craft, whether powered or not, on any Park waters or from any Park dock, mooring or marina area, shall be reserved for the Town or its licensed designee. Any boat operating for any commercial activity or for hire, or carrying passengers for money, or contemplating same, before docking or mooring or receiving such passengers at any dock or wharf or landing place or anchorage in the Park jurisdiction shall obtain a special permit from the Town prior to the activity.

Section 26-1.27 *CAMPING.*

There shall be no camping or overnight stay in Parks unless authorized by the Town. Hence, the bringing into a Park and using for overnight occupancy any house trailer, camp trailer, camp wagon, or any other form of moveable structure or special vehicle is prohibited, except in areas designated for that purpose by the Department. There shall be no sleeping in parks, nor any encampments of any kind, nor any unauthorized uses, nor any uses which extend beyond a single day, unless specifically authorized by the Town Manager.

SANITATION

Section 26-1.28 *POLLUTION OF WATERS, SANITATION.*

Using the fountains, ponds, lakes, streams, bays, or any other bodies of water within the Parks, or the tributaries, storm sewers or drains flowing into them as

dumping places for any substance or matter or thing which shall or may result in the pollution of said waters is prohibited.

Section 26-1.29 *REFUSE, TRASH, AND DESTRUCTION OF PARK PROPERTY.*

(a) No person shall bring in or dump, deposit or leave any bottles, broken glass, ashes, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash. No such materials shall be placed in any waters in or contiguous to any Park, or left anywhere on the grounds thereof, but shall be placed in proper receptacles where these are provided; where receptacles are not so provided, all such materials shall be carried away from the Park by the person responsible for its presence, and properly disposed of elsewhere.

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

UNDESIRABLE ACTS AND BEHAVIOR

Section 26-1.30 *NOISE.*

No person entering or in or upon any Park shall make any excessive, unreasonable or unnecessary noise, with a wrongful motive or malicious intent or purpose to cause public inconvenience, annoyance or alarm, or to recklessly create a risk thereof to the visitors and patrons of the Park then present. Blow horns and air horns are specifically prohibited by the provisions of this Section.

Section 26-1.31 *MERCHANDISING, VENDING, PEDDLING.*

(a) No person, persons, organization or firm other than the Town or licensed concessionaires acting by and under the authority of the Town shall expose or offer for sale, rent or trade, any article or thing, solicit alms or contribution for any purpose, whether public or private, 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.

(b) The Director of Community and Leisure Services is authorized to issue vending permits in Town Parks pursuant to, and not inconsistent with, a Town Council adopted Parks Vending Policy, which may be amended by resolution from time to time. . Vending permits will be at fixed locations designated by the Community and Leisure Services Department. Policy is included as Exhibit "B".

(c) All properly authorized activities under this Section are subject to regulation by the Town Manager.

Section 26-1.32 *ADVERTISING, PUBLICITY AND SIGNS.*

No person shall advertise or obtain publicity through any means whatsoever within or upon any Park without making a written request, paying any applicable fees, and obtaining specific advance written approval from the Parks Department Director and such approval shall be so worded as to prohibit damage to or marring of the Parks or vegetation, disturbance of Park patrons or erection, painting or displaying of anything unsightly or in disharmony with the Parks.

Section 26-1.33 *PUBLIC DEMONSTRATION, GATHERINGS, PERFORMANCES, SPEECHES.*

(a) A permit from the Town shall be required for events described in subsection (b) below. Said permit shall clearly define the nature of the activity, the limit of its scope and time of setting forth such other restrictions and requirements as the Town may deem necessary. Such permit may only be denied for one or more of the following reasons:

i. Public health and safety concerns;

ii. Obstruction of traffic;

iii. Availability of Town or other resources;

iv. Availability of Park space; or

v. Other activities already permitted.

(b) The following events or activities on a Park shall require a permit from the Town:

i. Event or activity of a band, process, military company, or any company or group with flags, or banners;

ii. Entertainment or exhibition; and

iii. Public gatherings, meetings or any public speaking by any person, persons, or representatives of any political party, social club, or society, officer, aspirant, religious sect, theatrical or circus group, act, rite or

ceremony, or other public exhibition to be held of more than fifty (50) persons in any Park, playground or other recreational area.

Section 26-1.34 *ALCOHOL AND CONTROLLED SUBSTANCES.*

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

(b) No person shall sell or drink alcoholic beverages in the Parks or bring such beverages into such Park areas except for Town sponsored or approved events contingent upon prior written authorization by the Town Manager and the appropriate permits have been issued.

(c) The consumption of alcoholic beverages is specifically prohibited by those directing, participating in, or spectators of any athletic events, and youth activities and programs organized by the Town or self-organized and authorized under permit by the Town.

Section 26-1.35 *SMOKING PROHIBITED IN OUTDOOR AREAS IN TOWN PARK.*

No person shall smoke on playing fields and playgrounds, bleacher areas, dugouts, around team seating areas, concession areas and restrooms, within any Park.

Section 26-1.36 *PROPER USE OF FACILITIES.*

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

(b) No person shall dress or undress except in such structures as may be provided and maintained by the Town for that purpose. Dressing or undressing in any vehicle or in any Park area is prohibited.

(c) It is intended that all facilities be on a first come, first served basis. It is also intended that no group or organization be permitted to monopolize any area or

facilities to the exclusion of all others. Whenever the situation warrants, use of a facility will be regulated by use of permits.

(d) In general, the facilities and equipment are to be used for the purposes for which they were designed: benches to sit on, picnic tables to eat on, tennis courts to play tennis on, etc.

Section 26-1.37 *GAMBLING.*

No person or organization shall conduct or participate in any form of gambling within the Parks.

MISCELLANEOUS

Section 26-1.38 *PHOTOGRAPHY.*

(a) No person shall without prior written authorization from the Town take still or moving pictures that involve the use of special settings, structures, lighting or apparatus, or the performance of a cast of persons, either amateur or professional, or the posing of professional models on any Park property. However, the provisions of this section do not in any way restrict the use of cameras by amateur photographers or professionals not using set scenery, casts or models.

(b) Bona fide newspaper, press association, newsreel and/or television news department personnel, identified by press cards or passes and assigned by their respective editors to make photographs for use of such communications media shall be allowed in the Parks for such purposes with prior written Town authorization. Community Based Organizations hiring professional photographers for program based photography, will also be allowed in the Parks for such purposes with prior written authorization.

Section 26-1.39 *PARK NAMING*

(a) The naming of Town parks, park areas and park facilities shall be the function of the Town Council.

(b) Criteria for Park Naming shall be established through a Town Council adopoted Park Naming Policy, which may be amended from time to time by resolution. Policy is included as Exhibit "C".

PICNIC PARKS,SHELTERS, AND FACILITY USE.

Section 26-1.40 *PICNIC SHELTER PERMIT.*

The use of the picnic shelters and their facilities shall require advance reservations by way of a permit. Reservations shall be obtained through the Parks Department. Reservations for the picnic shelters shall be subject to the provisions of the permit and use of picnic areas must comply with the Rules and Regulations concerning same. Any applicable usage fees collected will be utilized to defray the Town's direct operational expenses.

(a) Unless permitted by the Town, financial transactions 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 of donations or offerings, in order to defray the expense of a picnic or to realize a profit there from is prohibited and subjects a permit holder to immediate cancellation of said permit and the imposition of fines in accordance with Rules and Regulations.

(b) Picnic shelters shall be used only by reservation through the Town and shall be for a specific time and duration. However, such facilities may be used by the public during unreserved periods if occasion demands and it is deemed feasible by the Town.

(c) No outside grills or cooking devices shall be brought into the picnic shelters.

Section 26-1.41 *PICNIC AREAS AND USE.*

(a) The Parks Department shall regulate activities in picnic areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Use of the individual grills, together with tables and benches, except those described in Section 40 (a), generally follows the rule of "first come, first served", with use of picnic tables limited to two tables per party, unless specifically authorized by the Parks Department.

(b) No person will cook, or setup equipment in any area not specifically designated and regulated by the Town. If the applicant sets up in a location other than the pre-designated area, the Community and Leisure Services Department reserves the right to revoke the permit and all applicable deposits and additional monies will be lost.

Section 26-1.42 *PICNIC SHELTER RENTAL RULES AND REGULATIONS.*

(a) Reservations can be made for any period the desired Park or Park Property is available but not more than six (6) months in advance accompanied by any applicable reservation deposits as specified in the fee schedule established pursuant to Section 6. Reservations are limited to one (1) household per twelve (12) month period, unless otherwise authorized by the Parks Department. Any applicable reservation deposits shall be held by the Town and returned to the applicant once the applicant uses the facility and a facility inspection is made. No refunds of any applicable reservation deposits will be made for cancellations, unless a written notice of cancellation is received by the Town at least four (4) weeks in advance of the reserved date.

(b) No shelter may be reserved by any person less than eighteen (18) years of age. The Town may refuse to reserve a shelter to any person who cannot prove the age requirement to the satisfaction of the Town.

(c) The sale of merchandise of any kind is expressly forbidden, unless a permit has been obtained from the Parks Department or as permitted through the Parks concessionaires.

(d) Fees will be processed and rental agreement will be upheld regardless of weather conditions. Severe weather conditions are exceptions. If the weather is deemed unsafe by an employee of the Town of Miami Lakes, the rental fee and deposit will be refunded upon request. A written request must be submitted to the Town's Community and Leisure Services Department no later than (15) business days after the event date. Rescheduling of the reservation will be allowed if it can be accommodated under these same conditions.

(e) The designated area will be reserved for the exact number of hours and may not exceed the maximum number of persons permitted for the rental area. The rental time includes set-up and clean-up.

(f) Carnival rides or any mechanical rides are forbidden in the Parks.

(g) Only Community and Leisure Services Department installed barbecue grills are authorized for use unless otherwise approved by the Community and Leisure Services Director or his/her designee.

(h) Bounce houses or variation of inflatable amusements with the exception of those with water features, little farms, petting zoos, pony rides are only permitted with prior written approval from the Parks Department and a minimum $500,000 liability

insurance policy that names the Town of Miami Lakes as additionally insured. Only one (1) amusements is permitted per shelter. Any persons using this equipment shall have to sign a waiver indemnifying the Town from responsibility of any injuries/incidents resulting from its use. All permits require full payment in advance and must be granted ten (10) business days prior to the rental date in order to reserve the facility. Bounce houses must use an independent energy source, i.e. generators; electrical outlet at and within the picnic shelters may not be used for bounce houses.

(i) No cars are permitted in the grassy areas unless otherwise authorized by the Parks Department. Parking and drop off/pick up is confined to the parking lot area only. No amplifiers, loud bands, loud music or disc jockeys.

(j) Any music that disturbs park patrons or neighboring residents is prohibited. Applicant must lower music upon request by the Department. Failure to comply will result in immediate revocation of permit.

(k) The renter assumes all risk in use of the picnic shelter and/or picnic areas and shall be solely responsible for all damages, accidents and injury of persons or property and hereby covenants and agrees to indemnify and hold harmless the Town and their officers and employees from any and all claims, suits, losses, damages including attorneys fees at the trial and appellate court level, paralegal charges and investigation costs, or injury of person(s) or property. Insurance requirements shall be at the Town's discretion.

(l) Groups larger than sixty (60) shall not be permitted in picnic shelters. The Community and Leisure Services Department may modify the capacity of the picnic shelter based on shelter size, location, or for any other purpose.

(m) When vacated, picnic shelter and/or picnic areas shall be returned in the same condition as received. All party decorations, signage, equipment, staples and tacks must be removed and properly discarded. Immediately following an event, the permittee shall dispose of all trash in the trash receptacles adjacent to each facility.

(n) Electric generators of any kind are forbidden except when a permit for a bounce house or a variation of inflatable amusements has been granted by the Parks Department.

(o) Electrical outlets are available at the picnic shelter near the barbecue pits. The permittee is responsible for any damage resulting from overloading electrical outputs. If any of the above Sections are violated, the Town has the right not only to hold the deposit, but also to call the police, to terminate the activity and to exercise any other right as provided herein.

(p) The Town may cancel or revoke the right to use the Parks for failure of a permittee to follow these Rules.

(q) The Town may cancel or revoke the permit as deemed necessary by the Parks Department waive the requirements of the Rules and Regulations or make additional conditions regarding the use of the Park grounds which are in the public interest.

Section 26-1.43 *COMMUNITY CENTER(S) RULES AND REGULATIONS.*

(a) Smoking is prohibited throughout the community center(s) pursuant to Florida Law.

(b) Under no circumstances are groups or individuals using the community centers allowed to remove chairs, tables, or any other equipment from the community centers, unless authorized in writing by the Town.

(c) Use of kitchens, concessions, closets or storage facilities shall be permitted solely upon the written authorization of the Town.

(d) Control of the lights, thermostats, and other equipment and locking and unlocking of the doors are the responsibilities of the Town supervisor on duty, who shall be informed of any special needs required by persons using the community center(s) and any deviations of the schedule.

(e) Proper attire, including shirts and shoes are required.

(f) Pets shall be prohibited in the community center(s), unless such pets are used to assist or accompany a disabled person.

(g) No person shall have the permanent/exclusive use of the community centers and/or certain areas of the community centers unless authorized by the Town Council.

Section 26-1.44 *FACILITY/RECREATION ROOM RENTAL RULES AND REGULATIONS*

(a) A "Special Event Permit Application" shall be required for any event involving the catering of food or the serving or selling of alcohol. All permit forms and applicable payments for a special event must be submitted no later than 30 business days prior to the event date or otherwise specified by the Community and Leisure Services Department.

(b) Decorations must be free-standing. The use of confetti, glass containers, nails, staples, as well as, hanging of decorations from the lights, ceiling, and/or on the walls is strictly prohibited without the consent of the Community and Leisure Services Department.

(c) Control of the lights, thermostats, and other equipment and locking and unlocking of the doors are the responsibilities of the Town supervisor on duty, who shall be informed of any special needs required by persons of the applicant's party and any deviations of the schedule.

(d) The use of kitchens, concessions, closets or storage facilities shall be permitted solely upon the written authorization of the Town.

(e) For the setup and clearing of tables and chairs, the permit holder shall consent with the Community and Leisure Services Department. The Department will ensure that tables and chairs are set up before, and cleared after, the event.

(f) Fees will be processed and rental agreement will be upheld regardless of weather conditions. Severe weather conditions are exceptions. If the weather is deemed unsafe by an employee of the Town of Miami Lakes, the rental fee and deposit will be refunded upon request. A written request must be submitted to the Town's Community and Leisure Services Department no later than (15) business days after the event date. Rescheduling of the reservation will be allowed under these same conditions.

(g) The designated area will be reserved for the exact number of hours and may not exceed the maximum number of persons permitted for the rental area. The rental time includes set-up and clean-up.

(h) The renter assumes all risk in use of the facility and shall be solely responsible for all damages, accidents and injury of persons or property and hereby covenants and agrees to indemnify and hold harmless the Town and their officers and employees from any and all claims, suits, losses, damages including attorneys fees at the trial and appellate court level, paralegal charges and investigation costs, or injury of person(s) or property. Insurance requirements shall be at the Town's discretion.

(i) When vacated, the facility shall be returned in the same condition as received. All party decorations, signage, equipment, staples and tacks must be removed and properly discarded. Immediately following an event, the permittee shall dispose of all trash in the trash receptacles adjacent to each facility.

(j) Electrical outlets are available in the facilities. The permittee is responsible for any damage resulting from overloading electrical outputs.

(k) If any of the above Sections are violated, the Town has the right not only to hold the deposit, but also to call the police, to terminate the activity and to exercise any other right as provided herein.

(l) The Town may cancel or revoke the right to use the facility for failure of a permittee to follow these Rules.

(m) The Town may cancel or revoke the permit as deemed necessary by the Parks Department waive the requirements of the Rules and Regulations or make additional conditions regarding the use of the Park grounds which are in the public interest.

(n) Fees are listed in Exhibit "A" and may be modified by resolution from time to time.

Section 26-1.45 *ATHLETIC FIELD RENTAL RULES AND REGULATIONS.*

(a) Field reservations are on a first come, first-served basis and will be limited to certain days and times and will not disrupt practices, games, or any other events scheduled by the Town of Miami Lakes and its partner organizations.

(b) Athletic field preparation (bases, portable pitcher's mound, field lines and markings) require an additional fee.

(c) A designated area will be assigned for the rental. If the applicant sets up in a location other than the pre-designated area, Department employees reserve the right to revoke the permit and all deposits and additional monies will be lost.

(d) Rental of facility does not include the right for the permit holder to sell or reassign sponsorships and/or marketing rights associated with their rental/activity.

(e) The renter assumes all risk in use of the facility and shall be solely responsible for all damages, accidents and injury of persons or property and hereby covenants and agrees to indemnify and hold harmless the Town and their officers and employees from any and all claims, suits, losses, damages including attorneys fees at the trial and appellate court level, paralegal charges and investigation costs, or injury of person(s) or property. Insurance requirements shall be at the Town's discretion.

(f) If any of the above Sections are violated, the Town has the right not only to hold the deposit, but also to call the police, to terminate the activity and to exercise any other right as provided herein.

(g) The Town may cancel or revoke the right to use the facility for failure of a permittee to follow these Rules.

(h) Fees will be processed and rental agreement will be upheld regardless of weather conditions. Severe weather conditions are exceptions. If the weather is deemed unsafe by an employee of the Town of Miami Lakes, the rental fee and deposit will be refunded upon request. A written request must be submitted to the Town's Community and Leisure Services Department no later than (3) business days after the event date. Rescheduling of the reservation will be allowed under these same conditions.

(i) The designated area will be reserved for the exact number of hours and may not exceed the maximum number of persons permitted for the rental area. The rental time includes set-up and clean-up.

(j) The Town may cancel or revoke the permit as deemed necessary by the Parks Department waive the requirements of the Rules and Regulations or make additional conditions regarding the use of the Park grounds which are in the public interest.

(k) Fees are listed in Exhibit "A" and may be modified by resolution from time to time.

Section 26-1.46 *FEE WAIVERS.*

Fee waivers are limited to the waiver of one event per year per organization and are granted only for:

i. Activities that benefit the Town of Miami Lakes community
ii. Fee waivers for field reservations must be Miami Lakes based organizations.
iii. 501(c)(3) Non-for-Profit Organizations that do not have existing facility use agreements with the Town (Must provide proof of 501(c)(3) status at the time of application and request for waiver as well as Level 1 background checks on volunteers and organizers)
iv. Town Co-Sponsored Events

ENFORCEMENT AND OBEDIENCE TO RULES

Section 26-1.47 *ENFORCEMENT OF PERMITS/RULES.*

(a) The Town Manager is authorized to enforce the Rules and Regulations and all permits issued for Park use, and is authorized to delegate such authority through the appropriate Town staff, including but not limited to the Town's Police Department, Code Enforcement, and Park employees.

(b) Any person who violates the Rules and Regulations shall be subject to removal from the Park by the appropriate Town staff.

Section 26-1.48 *PENALTY AND FINES.*

Any person convicted of violating any of the provisions outlined in these rules shall pay a fine not to exceed five hundred dollars ($500.00) with the amount determined by the Department Director. In addition, any persons found guilty of violating these rules shall remit to the Town the cost of repairing any public property destroyed or vandalized, together with costs and attorney fees incurred in the enforcement of these rules. A schedule of fines (Exhibit "D") may be adopted and amended by the Town Council by resolution from time to time.

Section 3. Authorization of Town Manager. The Town Manager is hereby authorized to take all necessary actions to implement the Town of Miami Lakes, Florida, Parks and Rules Regulations.

Section 4. Repeal of Conflicting Provisions. All provisions of the Code of the Town of Miami Lakes that are in conflict with this Ordinance are hereby repealed.

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. Inclusion in the Code. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Code of Miami Lakes, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. Effective Date. This Ordinance shall be effective immediately upon its adoption on second reading.

The foregoing Ordinance was offered by Councilmember Mary Collins, who moved its adoption on first reading. The motion was seconded by Councilmember Nick Perdomo and upon being put to a vote, the vote was as follows:

Mayor Michael Pizzi	yes
Vice-Mayor Ceasar Mestre	yes
Councilmember Mary Collins	yes
Councilmember Tim Daubert	yes
Councilmember Nelson Hernandez	yes
Councilmember Nick Perdomo	yes
Councilmember Richard Pulido	yes

PASSED AND ADOPTED on first reading this 8th day of November, 2011.

The foregoing Ordinance was offered by Councilmember Mary Collins, who moved its adoption on second reading. The motion was seconded by Mayor Michael Pizzi, and upon being put to a vote, the vote was as follows:

Mayor Michael Pizzi	yes
Vice-Mayor Ceasar Mestre	yes
Councilmember Mary Collins	yes
Councilmember Tim Daubert	yes
Councilmember Nelson Hernandez	yes
Councilmember Nick Perdomo	yes
Councilmember Richard Pulido	yes

PASSED AND ADOPTED on second reading this 13th day of December, 2011.

Michael Pizzi
MAYOR

Attest:

Marjorie Tejeda
TOWN CLERK

Approve as to Form and Legal Sufficiency:

Joseph S. Geller
INTERIM TOWN ATTORNEY

EXHIBIT "A"

Town of Miami Lakes Proposed Fee Schedule

Cancellation Fees	
Before Deadline	100% Returned
After Deadline	0% Returned

Athletic Field Fees	
Security Deposit	$0.00
Tournament Deposit	$0.00
Tournament Fee	$500.00
Additional Per Team Fee	$10.00
Softball /Baseball	
3 Hour Rental (Day)	$60.00
Additional Hour(s)	$20.00
Additional Light Fee Per Hour(s)	$25.00
Field Prep/Lining Fee	$25.00
Football/Soccer	
3 Hour Rental (Day)	$60.00
Additional Hour(s)	$20.00
Additional Light Fee Per Hour(s)	$25.00
Field Prep/Lining Fee	$50.00

Building and Room Fees	
Large Room (130 people)	
3 Hour Rental	$120.00
Additional Hour(s)	$35.00
Security Deposit	$0.00
After-Hours Fees Per Hour - ROPCC	$100.00
After-Hours Fee Per Hour - CC West	$50.00
Medium Room (90 people)	
3 Hour Rental	$100.00
Additional Hour(s)	$25.00
Security Deposit	$0.00
After-Hours Fee Per Hour - ROPCC	$100.00
After-Hours Fee Per Hour - CC West	$50.00
Small Room (50 people)	
3 Hour Rental	$80.00
Additional Hour(s)	$15.00
Security Deposit	$0.00
After-Hours Fee Per Hour - ROPCC	$100.00
After-Hours Fee Per Hour - CC West	$50.00

Picnic Area and Pavilion Fees	
Medium Pavilion (60 P) Daily Fee (4 hours)	$50.00
Additional Hour(s)	No Charge
Security Deposit	$0.00
Small Pavilion (30 P) Daily Fee (4 hours)	$25.00
Additional Hour(s)	No Charge
Security Deposit	$0.00
Amusement Administrative Fee	$20.00

Park Vending Permit - Short Term Vendor Fees (per day)	
Food and Beverage Sales: Booth	$50.00
Food and Beverage Sales: Mobile/Cart	$100.00
Food and Beverage Sales w/ Alcohol	$150.00
Merchandise Sales; Booth/Mobile	$25.00
Liquor Catering Permit	$50.00
Special Event Organizer; Up to 20 Vendors	$1,500.00
Bounce House/Amusement Vendor	$100.00 per year

EXHIBIT "B"

Town of Miami Lakes Parks Vending Policy

Vending permits will be available at fixed locations designated by the Community and Leisure Services Department.

All applications will be reviewed by the Community and Leisure Services Director or authorized designee. Park vending permits will be granted to those applicants who best meet the needs of the public that the Community and Leisure Services Department is trying to serve at locations deemed appropriate by the Community and Leisure Services Director. Permits shall be issued on a first come basis and only a limited number of park vending permits will be issued. The Community and Leisure Services Department will file and maintain a list of permit requests in chronological order. To increase access to healthier food and beverage alternatives in our parks, the Town encourages vendors to implement provide healthy snacks (see Department website for guidelines for healthy foods).

Community and Leisure Services Department
Parks Vending Rules and Regulations

Application Requirements

All persons, partnerships and corporations interested in vending in a Town park are required to submit the following documents to the Town of Miami Lakes Community and Leisure Services Department, 15150 NW 79th Court, Miami Lakes, FL 33016, (305) 364-6100:

- A letter of application which includes the applicants full name; name of business; residence and business addresses, phone numbers, and email address; the type of vending permit requested and the vending location requested.
- A photograph and measurements of the vending unit to be used in the vending operation.
- A typed list of items to be sold, services to be offered, and the prices to be charged for same.
- Dates and times of requested vending.
- A copy of the food permit obtained from the Miami Dade County Health Department
- A copy of the vendor's occupational license
- Present proof of general liability insurance in an amount no less than One Million and No/100 Dollars ($1,000,000.00) per occurance, and automobile insurance for owned and non-owned vehicles in an amount no less than $300,000. A certificate of insurance listing the Town of Miami Lakes (15150 NW 79th Court, Miami Lakes, FL 33016) as the certificate holder and naming the Town of Miami Lakes and the Miami Dade County School Board as an additional insured.
- A completed and signed application form (provided with preliminary approval letter), which includes a statement that the applicant will adhere to all Town ordinance provisions and Parks Rules and Regulations regarding vending

If approved, a letter confirming preliminary approval will be issued by the Community and Leisure Services Department will be issued by the Department, at that point, the applicant will have up to 30 days to present a cashier's check or money order in the amount owed (as stated in the preliminary approval letter made payable to the Town of Miami Lakes.

Vending of Alcoholic Beverages

The vending of alcoholic beverages is strictly prohibited unless prior approval has been received. If requesting to sell alcoholic beverages in the park, in addition to the standard application requirements specified in #1, the following documents must also be submitted:

- A separate letter of request to sell alcoholic beverages.
- A typed list of items to be sold and the prices to be charged for same.
- A rider listed on the certificate of general liability insurance to indemnify and hold harmless the Town of Miami Lakes, its officers, agents, employees, and volunteers, from any and all claims for liability arising directly or indirectly out of the sale or consumption of alcoholic beverages.
- If a temporary vending permit, a copy of the temporary permit from the Division of Alcoholic Beverages and Tobacco.
- Approved State of Florida license or permit authorizing sale of alcoholic beverages.

Vendor Types

- *Long Term Vendors*

  Agreements for multiple year operation of a food and drink concession and/or recreational equipment and activities not otherwise prohibited by Town ordinance or statute. Long term vendors are operated in conjunction with permanent facilities.

- *Seasonal Vendors*

  Issued for one non-renewable term, not to exceed 12 calendar months. These vendors operate out of mobile units or booths specifically constructed for food preparation and distribution and/or recreational equipment and activities.

- *Short Term Vendors*

  Permits issued to event sponsors or private vendors for a single day or multiple day use in conjunction with a sports tournament or a community event. Event sponsors may purchase a blanket vendor permit to cover all vendors for their event.

Fee Structure

- *Long Term and Seasonal Vendors*

  Fees will be based on negotiated terms and conditions by the Town Manager.

- *Short Term Vendors*

  Short term vendor permit fees are established by the Department's fee schedule approved by the Town Council.

Standard Permit Conditions

In addition, the following requirements apply when vending in the parks and must be strictly followed by the vendor:

1. A vendor certificate including all required licenses must be prominently displayed on the mobile unit from which the vendor operates. Park vendors must keep a copy of the approved Community and Leisure Services Department application available for inspection at all times.
2. A park vending permit shall be valid for a one year period.
3. The Community and Leisure Services Department reserves the right to limit the number of vendors allowed in any one park and the total number of permits issued in any one year. The department further reserves the right to limit the vending unit size based on park aesthetics and available vending space in each park.
4. No person, partnership or corporation will be issued more than two park vending permits at any one time.
5. The fee for a park vending permit shall be in accordance with the Department's fee schedule payable in advance; however this fee may be prorated for terms of less than one year.
6. A park vending permit may be revoked at any time by the Community and Leisure Services Director or authorized designee upon seven days notice by mail to the permit holder's business address of record. No refund of permit fees will be granted.
7. The business of park vending shall be conducted between the hours of 8:00 a.m. to 10:00 p.m.
8. Every park vendor shall indemnify and hold harmless the Town of Miami Lakes from all suits or actions brought against the Town for or on account of any injuries or damages received or sustained by any party or parties by or from said vendor, his/her employees or agents, or by or on account of any act or omission of said vendor.
9. Park vending permits shall not be assigned by vendors in whole or part, nor any portion of the premises sublet.
10. A park vending permit does not grant exclusive use of the area assigned. Special events permitted in adjacent areas are allowed to provide vendors during the course of such an event. Further, the Community

and Leisure Services Department Director or authorized designee reserves the right to exclude dates from the vending permit if special event, festival, fair or parade permits are issued within 300' of the park vending permit location.

11. The items to be offered for sale at park locations shall include food, beverages, merchandise, and services. Alcoholic beverages can only be sold with prior approval from the Town Manager and after all required documentation and approval has been received (seeabove vending of alcoholic beverages)). All products offered for sale and for public consumption by park vendors, shall be number one, first grade quality. All Federal, State, and local regulations pertaining to the quality of products offered for sale shall be met by vendors.
12. Park vendors shall dispense all beverages and liquids in cans or paper/plastic cups. No glass bottles or containers shall be served to customers in the park.
13. Park vendors shall provide at their own expense all equipment necessary to provide the items for sale in the conduct of the business. All equipment used shall be in a self-contained unit. No storage area, water, electric or other utilities will be supplied by the Town. Generators may be used in the vending operation with approval from the Community and Leisure Services Department Director or authorized designee.
14. Vehicles and equipment related to the vending operation shall not be parked, stored or left overnight in any park location.
15. Park vendors shall not block the passage of the public through a public area or interfere with access to ramps, curb cuts or other conveniences for individuals with disabilities.
16. Park vendors shall not leave their vehicles and equipment unattended at any time.
17. Park vendors shall collect all litter and garbage generated in the operation of the business at the end of each business day and remove same from the park. In addition, vendors shall retrieve any containers or food or litter that may be carried away and left on the park grounds. Vendors may not put refuse from the operation of their business in or beside any public trash container or in any drain along or in the streets or sidewalks.
18. Each vending unit shall be inspected and approved by the Community and Leisure Services Department. Each vending unit shall be kept in a clean and sanitary condition at all times.

In addition to the above, alcohol permits will also have these additional conditions.

19. Signage – Signs shall be posted notifying the public that all persons must be of legal drinking age to purchase and/or consume alcoholic beverages. Signs shall be posted notifying the public that purchases of alcoholic beverages are limited to two (2) drinks per person per transaction, and that the servers reserve the right to refuse service to any person who appears intoxicated.
20. Vendor and employees shall be responsible, at the time an alcoholic beverage is requested, for verifying that the person making the request is of legal drinking age as required by law. If, for any reason, picture identification evidencing proof of legal drinking age cannot be provided upon request, alcoholic beverage service shall be denied.
21. Vendor shall refuse to serve an alcoholic beverage to any person who appears intoxicated.

Permit Revocation

The Community and Leisure Services Department reserves the right to revoke a permit under the following conditions:

1. Should park vendors fail to abide related Town ordinances and the Parks Rules and Regulations regarding vending. No refund will be issued and the permit will be forfeited by the park vendor.
2. In cases where excessive (as determined by the Town) litter, grease, and/or other debris results from the vending activity.
3. Should the park vendor become involved in misconduct, misbehavior, and/or illegal activity. Examples of this type of behavior might include, but not be limited to, the use of profanity or discriminatory practices.

EXHIBIT "C"

Town of Miami Lakes
Park Naming Policy

Purpose
The purpose of the policy is to establish consistent standard procedures and guidelines for naming of public park lands owned and/or operated by the Town of Miami Lakes.

Policy
The naming of Town parks, park areas and park facilities shall be the function of the Town Council.

Diversity, balance and creativity will be sought during adoption of names. The name selected for a site will be recommended to or by the Town Council for approval and amendment. The Town Council has final authority to approve or amend any recommendation.

Objectives

A) Provide name identification for individual parks, park areas or park facilities.
B) Provide criteria for process of naming parks, park areas or park facilities.
C) Provide opportunities for public input including a public hearing at a Town Council Meeting.
D) Ensure that the naming of parks, park areas or park facilities is controlled by the Town Council.

Criteria
The naming of parks, park areas and park facilities should be approached with caution, patience, and deliberation.

Names submitted for consideration should provide some form of individual identity in relation to the following:

A) The geographic location of the facility; this includes descriptive names.
B) An outstanding feature of the facility.
C) An adjoining subdivision, street, school, or nature feature. No park shall be given the same name as an existing school site or public facility, except where the sites abut one another.
D) A commonly recognized historical event, group, organization or individual (living or deceased).
E) An individual or organization that contributed significantly to the acquisition or development of the facility to be named. This can include either a deed or substantial monetary contribution, or contribution toward acquisition and/or development of the park or park facility (typically not less than 50 percent of the value of the property or improvements).

F) Outstanding accomplishments by an individual for the good of the community. Quality of the contribution should be considered along with the length of service by the individual – this to be fully substantiated by person making recommendation.
G) Any individual who provided an exceptional service in the interest of the park system as a whole.

Donated Land
Parks and park facilities that are donated to the Town can be named by deed restriction by the donor. The naming and acceptance of land is subject to approval by the Town Council. Naming rights are not guaranteed if the donation of parkland is a dedication as required by the subdivision ordinance (parkland dedication).

Naming Process
The Community and Leisure Services Department will notify the Town Council about the proposed naming opportunities.

1) *Permanent Naming*
   Citizen involvement in the naming process is encouraged and may be accomplished in a variety of ways throughout the naming process:
   A) Individuals, groups and/or organizations interested in proposing a name for an existing un-named park area or park facility may do so in writing using a "Park Naming Form" that outlines the naming criteria. These will be presented to the Community and Leisure Services Department for consideration by the Town Council.
   B) The Town Council will conduct a public hearing on the proposed names.
   C) The Town Council will approve and/or amend the naming.

2) *Park Renaming*
   Critical examination will be conducted to ensure that renaming the park will not diminish the original justification for the name or the prior contributors. Renaming will follow the same procedures as naming the park.
   A) Only park and facilities named for geographic locations, outstanding feature or subdivision should be considered for renaming. Parks that have been named by deed restriction shall not be considered for renaming.
   B) Parks and facilities named after individuals shall not be changed unless it is found that because of the individual's character the continued use of their name would not be in the best interest of the community.

Town of Miami Lakes Park Rules and Regulations Fine Schedule
EXHIBIT "D"

Minimum Penalty - $50 to $100

Section/Rule	Description
26-1.9	Unauthorized vehicles in or on park property
26-1.10	Unauthorized trucks, buses or heavy vehicles on or within park property or restricting access to park property
26-1.11	Unauthorized bicycles, tricycles, skateboards, roller/in line skates, motorcyles scooters, dirt bikes, and go carts on any roads other than vehicular roads or within park facilities where prohibited
26-1.12	Parking in undesignated parking areas or unauthorized parking
26-1.13	Use of vehicles within park property
26-1.16 b	Disobey posted notices prohibiting the feeding of animals
26-1.17 a	Unleashed or unauthorized animals in park
26-1.18	Failure to comply with fishing regulations
26-1.22	Unauthorized entry or use of parks when closed
26-1.23	Unauthorized activities within park property or use of park property/engaging or promoting for-profit activities
26-1.24	Unauthorized games
26-1.25	Failure to comply with bathing or swimming regulations
26-1.35	Smoking within prohibited areas
26-1.36	Unauthorized use of facilities
26-1.38	Unauthorized photography
26-1.39	Failure to obtain a permit for picnic shelters or use of outside cooking devices or grills
26-1.40/26-1.41	Violating the picnic shelter rental rules and regulations
26-1.42	Violating the community center rules and regulations
26-1.43	Violating the facility and recreation room rental rules and regulations
26-1.44	Violating the athletic field rental rules and regulations

Medium Penalty - $150 to $300

Section/Rule	Description
26-1.17 b	Failure to remove or dispose of domestic animal waste
26-1.26	Failure to comply with boating regulations
26-1.27	Unauthorized camping in parks
26-1.30	Unauthorized excessive or unreasonable noise
26-1.32	Unauthorized advertising and posting of signs

Major Penalty - $350 to $500

Section/Rule	Description
26-1.14	Preservation of park property
26-1.15	Destruction/defacement/abuse of park vegetation
26-1.16 a, c	Harming/abandonment/removal of wildlife or animals
26-1.16 a	Unlawful use of firearms, air rifles, pistols, spring guns, bows and arrows, slings, or other weapon to use on wildlife or humans
26-1.19 b	Unlawful hunting or trapping of wildlife
26-1.20	Unauthorized use of toy firearms, fireworks, and explosives
26-1.21	Unauthorized aircraft
26-1.28	Pollution of waters
26-1.29	Dumping/ trash in park property/Defacing, vandalizing, or destroying park property
26-1.31	Unauthorized merchandising, vending, peddling, violating parks vending policy
26-1.34	Unauthorized selling of alcoholic beverages/consumption of alcoholic beverages or intoxication within park property
26-1.33	Unauthorized gatherings, performances, speeches or public demonstrations/failure to obtain permit
26-1.37	Unauthorized gambling within park facilities