

ORDINANCE NO. 26-354

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 18, PARKS AND RECREATION, SEC. 18-94. - PUBLIC DEMONSTRATION, GATHERINGS, PERFORMANCES, SPEECHES., OF THE TOWN CODE OF ORDINANCES BY ADDING SEC.18-94(c) "FIRST AMENDMENT PROTECTED ACTIVITIES"; PROVIDING FOR PURPOSE, PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Miami Lakes' (the "Town") parks are a traditional public forum subject to First Amendment protections; and

WHEREAS, the Town desires to establish clear, content-neutral time, place, and manner regulations to protect public safety and park resources while preserving constitutional rights; and

WHEREAS, the Town Code does not expressly distinguish First Amendment protected activities from special events at parks; and

WHEREAS, providing for a distinction of First Amendment Activities and codifying that no fees, insurance, bond, or security deposit shall be required for these types of activities provides clarity to the public and Town Administration on constitutionally protected activities at parks.

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 are incorporated herein by this reference.

Section 2. Amendments to Code. Chapter 18 Sec. 18-94. - **Public demonstration, gatherings, performances, speeches.**, of the Town Code is amended as set forth herein.

Chapter 18 – Parks and Recreation

NOTE: This document shows proposed deletions as ~~striketrough~~ and proposed additions as underlined.

Sec. 18-94. - Public demonstration, gatherings, performances, speeches.

(a) A permit from the Town shall be required for events described in subsection (b). 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:

- (1)Public health and safety concerns;
- (2)Obstruction of traffic;
- (3)Availability of Town or other resources;
- (4)Availability of Park space; or
- (5)Other activities already permitted.

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

- (1)Event or activity of a band, process, military company, or any company or group with flags, or banners;
- (2)Entertainment or exhibition; and
- (3)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 50 persons in any Park, playground or other recreational area.

(c) First Amendment Activities are protected by the First Amendment to the United States Constitution, including, but not limited to, demonstrations, public assemblies, picketing, speechmaking, distribution of printed materials, vigils, and similar expressive conduct. These activities are distinguished from special events and events as described in this section. No fees, insurance, bond, or security deposit shall be required for First Amendment Activities. The Town reserves the right in the event the activity is a threat to the life, health, and safety of the Town, and or its residents, to make necessary time, place, or manner accommodations.

Section 3. 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 4. 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 5. Inclusion in the Town Code. It is the intention of the Town Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Town Code and that if necessary, the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Article”, “Division” or other appropriate word.

Section 6. Effective Date. That this Ordinance shall be effective immediately upon its adoption on second reading.

THIS SPACE INTENTIONALLY LEFT BLANK

FIRST READING

The foregoing ordinance was offered by Councilmember Herzberg who moved its adoption on first reading. The motion was seconded by Vice Mayor Morera and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra-Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes


Passed on first reading this 21st day of April 2026

SECOND READING

The foregoing ordinance was offered by Councilmember Herzberg who moved its adoption on second reading. The motion was seconded by Vice Mayor Morera and upon being put to a vote, the vote was as follows:

Mayor Joshua Dieguez	Yes
Vice Mayor Bryan Morera	Yes
Councilmember Juan Carlos Fernandez	Yes
Councilmember Angelo Cuadra-Garcia	Yes
Councilmember Ray Garcia	Yes
Councilmember Steven Herzberg	Yes
Councilmember Alex Sanchez	Yes

Passed and adopted on second reading this 19th day of May 2026.



Joshua Dieguez
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi
Gastesi, Lopez Mestre & Cobiella, PLLC
TOWN ATTORNEY