

# Parks and Recreation - Rules and Regulations

## Intent

It is the Parks and Recreation Department's goal to provide citizens with a safe environment in which recreational opportunity can be maximized. Due to the wide variety of patron needs and use of City property, it is necessary to establish the following rules and regulations. It is the intent of these Rules and Regulations that they be applicable to any City property that is zoned "P" for Parks, Recreation and Open Space.

## 1.0 HOURS OF OPERATION

- 1.1 Parks and recreation facilities will be open as posted on buildings or entrance areas.
- 1.2 No person shall remain in any park or facility after the park or facility is closed, except in an area authorized by the City or specifically designated by the City as an area where persons may remain after the park or facility is closed to the public. Any section or part of any park or facility may be closed to the public or limited to certain ~~users~~ uses at any time, at the sole discretion of the City to preserve the health, safety and welfare of the general public.

## 2.0 PARK PROPERTY

- 2.1 Buildings and Other Property. All park property, facilities and equipment shall be used for the purpose for which it was designed.
- 2.2 Uses. Parks shall be used for recreation and relaxation, ornament, light and air for the general public. Parks shall not be used for business or other purposes, unless authorized pursuant to a written agreement with City or a City-issued permit.
- 2.3 Trees, Shrubbery, Lawns, etc. No person shall cut, carve or injure the bark or break off the limbs or branches, or mutilate in any way or pick the flowers or seeds of any tree or plant existing on City property. Nor shall any person dig in or otherwise disturb grass areas or in any other way injure or impair the natural beauty or usefulness of any area. Removal of any plant material from City property, City parks or park facilities, without the Parks and Recreation Department's prior approval, is strictly prohibited.
- 2.4 Wild Animals, Birds, Fish, etc. No person shall molest, harm, frighten, kill, trap, hunt, chase, capture, shoot or throw any object which may harm any mammal, bird, reptile or amphibian. Fishing is permitted in designated areas as long as it is in accordance with state law provisions and regulations.
- 2.5 Golf activities may only take place in designated areas of Osswald Park. No person shall engage in any golf related activities at any other park location.
- 2.6 Attaching any objects, including but not limited to, hammocks, ropes, slacklines, clotheslines, flags or banners to trees, showers or structures is prohibited.

## 3.0 FIREWORKS

- 3.1 No person shall discharge any fireworks in any City Park unless done as part of a special event authorized by the City. Fireworks shall mean any combustible or explosive composition or substance or combination of substance or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including sparklers.

## 4.0 NUISANCES

- ~~4.1 Pets. No person shall bring into, permit, have, or keep in any park or City facility any dog, cat, pet of any kind or other animal.~~ Dogs are permitted in parks on a maximum of six-foot leash or less under the control of a responsible adult. However, it is strictly prohibited to bring dogs or any other pets on or into any athletic fields, courts, playgrounds or water splash pads, swimming areas, beaches, or any body of water

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~~unless permitted by law or authorized under this section for service animals. Dogs are only allowed to be off-leash in designated fenced-in dog areas. Dog owners are responsible for cleaning up and disposing of any waste created by their dogs. All dogs must have current vaccinations and a license, pursuant to Sections 6-31 and 6-32 of the Code of Ordinances of the City of Fort Lauderdale, Florida, as amended. Owner or Handler must be responsible for their pet. Aggressive dogs may be removed at the City's discretion. Dogs shall not create a nuisance by causing any form of disturbance such as excessive barking or any similar conduct.~~

4.1

Exceptions:

(a) Service Animals

~~(1) The term "Service Animal" shall mean an animal individually trained to do work or perform tasks for the benefit of an individual with a disability (as defined in the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12102), as amended, including without limitation, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. Additionally, "service animal" shall mean an animal used for medical reasons, including without limitation, cancer, diabetes, and seizure detection, and any animal used for emotional support pursuant to a doctor's prescription.~~

~~(2) All dogs must have current rabies vaccination and license. This information Required documentation must be presented by person responsible for dog, upon request. The service animal must be under the control of its handler and must have a harness, leash, or other tether, unless either the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control by means of voice control, signals, or other effective means.~~

~~(3) To determine the difference between a service animal and a pet, City may inquire whether the animal is a service animal because of a disability and what work or tasks the animal has been trained to perform.~~

~~(b) Dogs on Riverwalk are subject to the following requirements:~~

- ~~(1) Dogs shall be on a leash, maximum of six feet in length, at all times.~~
- ~~(2) All dogs must have current rabies vaccination and license. This information must be presented by person responsible for dog, upon request.~~
- ~~(3) Owner or Handler must be responsible for their pet. Aggressive dogs may be removed at the City's discretion.~~
- ~~(4) A person bringing a dog upon the Riverwalk shall be responsible for disposing of all fecal matter deposited by their dog.~~
- ~~(5) Dogs shall not create a nuisance by causing any form of disturbance such as excessive barking or any similar conduct.~~

~~(c) Dogs on the Beach are subject to the following requirements:~~

- ~~(1) Dogs are only permitted beginning at lifeguard tower 16 to a point 100-yards north of Sunrise Blvd. This section is posted as a Canine Beach. Maximum of three dogs per owner or handler. Dogs shall be on a leash, maximum of six feet in length, at all times.~~
- ~~(2) All dogs must have current vaccination and license. This information must be presented by person responsible for dog, upon request.~~
- ~~(3) Owner or handler must be responsible for their pet. Aggressive dogs may be removed at the City's discretion.~~
- ~~(4) A person bringing a dog upon the Beach shall be responsible for disposing of all fecal matter deposited by their dog.~~
- ~~(5) Dogs shall not create a nuisance by causing any form of disturbance such as excessive barking or any similar conduct.~~

~~(d) Dogs in designated dog park areas; are subject to the following requirements:~~

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**Commented [PS2]:** Per ADA rules and regulations, service animals are subject to the same local licensing and vaccination rules that are applied to all dogs.

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**Commented [PS4]:** The ADA prohibits local governments from asking the public to show documentation to prove an animal is registered, licensed, or certified as a service animal. Sections 413.08(3)(a) and (b), Florida Statutes, indicate documentation to establish the service animal is trained is not a pre-condition to providing service to a person with a service animal and specifically prohibits a public accommodation to inquire about the nature or extent of an individual's disability. However, under both the ADA and Florida law, a local government MAY require the following (1) that the service animal be controlled by a leash, voice command, signals, or other effective means; and (2) to determine the difference between a service animal and a pet, inquire whether the animal is a service animal because of a disability, and what work or tasks the animal has been trained to perform. That said, I recommend we define the term "Service Animal" and I tracked the Florida Statutes regarding leash and control of the service animal, as well as permitted City inquiries.

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(1) Designated dog park areas shall be posted by the City as permitting dogs unleashed within the confines of such areas. Maximum of three dogs per owner or handler.

~~(2) All dogs must have current vaccination and license. This information must be presented by person responsible for dog, upon request.~~

~~(3) Each dog owner or handler shall keep his or her dog(s) on a leash, maximum of six feet in length, from the parking lot until inside posted area.~~

~~(4) Each dog owner or handler shall be responsible for disposing of all fecal matter deposited by his or her dog(s) within the posted area.~~

4.2 Trash Disposal. Park patrons are responsible at all times for proper disposal of their trash. Any trash generated outside park and recreation facilities may not be disposed of inside the park.

4.3 Soliciting and Vending. No person shall expose or offer for sale any article, service, or thing nor shall he station or place any stand, cart or vehicle for the transportation, sale or display of any such article or merchandise within the limits or adjacent roadways of any park, without securing a permit or license from the City. Exception is made to regularly licensed concessionaires acting by and under the authority of the City of Fort Lauderdale. Any publicity, posted signs or announcement placed in or on park property must have the prior approval of the Parks and Recreation Department. It shall be unlawful for any solicitor, peddler, itinerant merchant or transient vendor of merchandise or services to solicit orders for the sale of foods, wares, merchandise or services or to try to attempt to dispose of goods, wares, merchandise or services by barter and sale in any private dwelling, apartment or other place of residence without having obtained a permit to do so from the chief license inspector of the city.

4.4 Interference with Authorized Activities. No person or group shall interfere with any recreational activities or event authorized by the City's Parks and Recreation Department. Beach patrons shall not interfere with the clear and safe passage of any City tractors or City-authorized maintenance vehicles within the seaweed line of the public beach.

4.5 Loud Noise. No person or group shall play or operate any sound amplification device including radios, television sets, turn tables, tape decks, public address systems, amplified musical instruments, portable generators, or any other loud noise generating device which disturbs other persons.

4.6 Sleeping. Sleeping or reclining in a horizontal position is specifically prohibited in the following: building, pavilion, rest room, trash receptacle, bench, picnic table, as well as recreational activity areas (such as athletic courts and fields, dug outs, and playgrounds), pedestrian or vehicular traffic ways (such as roads, sidewalks, bike paths, and jogging paths), and landscaped areas (such as flower gardens, hedges, and planters).

4.7 Intoxicants. Consumption, possession or sale of alcoholic beverages is prohibited within City parks except during and within the specified area of a Special Event authorized by the City or premises licensed for sale and consumption of alcoholic beverages.

4.8 Disorderly Intoxication. No person shall be intoxicated in a City park or upon a City beach and endanger the safety of another person or property, and no person shall be intoxicated or drink any alcoholic beverage in a City park or upon a City beach and cause a public disturbance.

4.9 Personal Property. Personal property shall not be stored in any park or facility except in a facility or area specifically authorized by the City for such storage. No person shall erect any structure or accessory structure of any type on any park, park facility, or City beach, except pursuant to a City-issued permit or by written approval/authorization of the City Commission.

4.10 Disorderly Conduct. Any person that acts in a disorderly manner, corrupts public morals, outrages public decency, disturbs the peace and quiet of others, starts a fight, or acts in a way that breaches the peace may be subject to a revocation of the privilege of using any Parks & Recreation facilities or participating in any activities or programs at any park or recreation facility.

4.11 Abusive Conduct. Any person acting inappropriately or disrespectfully may be subject to a revocation of the privilege of using the Parks & Recreation facilities or participating in activities or programs at any park or recreation facility.

4.12 Balloon Releases. No person shall intentionally release or organize the release of balloons or sky lanterns into the atmosphere at any park or recreation facilities, or otherwise risk any potential impacts to the wildlife and the environment.

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## **5.0 VEHICLES AND TRAFFIC**

- 5.1 Existing Laws. All vehicle and traffic control laws and regulations shall be complied with in City Parks and Recreation facilities.
- 5.2 Parking. All motor vehicles shall be parked only in established and indicated parking areas or in such other areas at such times and in such a manner as the Parks and Recreation Department officials may designate. Parking on the roadways and driveways is prohibited. No person shall park or station any vehicle in any zone designated and marked "No Parking" or otherwise marked for restricted use except briefly for emergency purposes. Parking on turf is prohibited except in designated areas.
- 5.3 Directions of Traffic. No person shall fail to comply with any order, signal or direction given or posted by any police officer or park ranger for the direction of traffic.
- 5.4 Bicycles. All bicyclists shall comply with state and municipal laws and regulations pertaining to bicycles.
- 5.5 Skates. Skates, skateboards, roller skates, incline skates and similar equipment may be restricted to certain times and locations by Parks and Recreation officials for safety reasons.
- 5.6 Boats. All boat operators shall comply with all existing state laws, municipal ordinances, and Coast Guard regulations. All boats are to be launched and docked in designated areas only.
- 5.7 Motorized Vehicles. No motorized vehicles are allowed to be operated off any road or upon any designated bike path within the interior of parks, including non-licensed motorized vehicles.
- 5.8 Vehicle Maintenance. Motor vehicle maintenance is prohibited in parks, except repairs or maintenance of an emergency nature.

## **6.0 PICNICKING**

- 6.1 Designated Areas and Uses. All visitors shall comply with the directions of park officials pertaining to proper locations for picnicking in order to safeguard park property and to ensure the maximum use for the comfort and convenience of all.
- 6.2 Use of picnic tables for other than picnic purposes is prohibited. Proper use of tables for picnicking is on a first come, first serve basis. Holding tables for patrons who have not arrived is prohibited.
- 6.3 Pavilions. Pavilions are available for exclusive use by permit only. Individuals and groups using pavilions shall comply with written pavilion regulations.
- 6.4 Fires
  - (a) Ground Fires - Ground fires are prohibited in all park areas, unless authorized by the Department Director and the City's Fire Marshall.
  - (b) Safety - Visitors are responsible for insuring that their grill is properly monitored and extinguished at the end of their outing.

## **7.0 BEACH REGULATIONS**

- 7.1 Swimming at public beach areas is prohibited under the following conditions:
  - (a) If the beach is closed due to lightning or other dangerous conditions.
  - (b) If swimmers are wearing long pants or shoes.
  - (c) Beyond 50 yards from shore.
  - (d) If children are not properly supervised by adults (proper supervision is one adult minimum per ten children).
- 7.2 Skin and scuba diving shall be permitted from the Fort Lauderdale Beach under the following regulations:
  - (a) All divers must be accompanied by at least one other diver.
  - (b) Each diver is equipped with a buoyancy compensator.
  - (c) Divers must have an approved diver's down flag displayed in accordance with Statutes of the State of Florida.
  - (d) Scuba divers must remain a minimum of 100 yards offshore, except when entering or leaving the water. All scuba divers must remain on the surface of the water until they reach 100 yards offshore.

At that time they are no longer under the supervision of the beach patrol and are permitted to go under the surface.

- (e) Snorkelers using mask, snorkel, and fins within 50 yards are permitted and are considered bathers. If snorkelers desire to go beyond 50 yards, then all other requirements of Rule 7.2 applicable to scuba divers must be met.
  - (f) The use or possession of spear guns or similar weapons is prohibited on the beach. Such weapons must be transported a minimum distance of 100 yards offshore. During such transportation, weapons must be handled safely in an unarmed condition.
  - (g) Scuba instruction by private enterprise is prohibited.
- 7.3 Use of boats and watercraft are subject to the following regulations:
- (a) Designated Boat Launching Area – located
    - (i) 600 South Atlantic Boulevard on the beach and
    - (ii) 1000 North Atlantic Boulevard at the end of Sunrise Boulevard and the beach.
  - (b) Watercraft permitted to launch in Designated Boat Launching Area:
    - (i) Manually powered watercraft (e.g. kayak, stand-up paddleboard, inflatables, outrigger canoes, etc., but not including surfboard activity area).
    - (ii) Sail powered watercraft (e.g. Sunfish, catamaran sailboats, kite surfing, windsurfing, etc.).
    - (iii) Watercraft are permitted to launch or return pursuant to the conditions of City Code § 8- 173.
    - (iv) The Designated Boat Launching Areas and channels are for launching and returning watercraft only. Watercraft may not anchor or interfere with the use of the channel area within the Designated Boat Launching Area.
  - (c) Designated Activity Area – located between Lifeguard Tower 16 and Lifeguard Tower 20 (N.E. 18<sup>th</sup> Street)
  - (d) Watercraft activities permitted in Designated Activity Area:
    - (i) Manually powered watercraft (e.g. surfing, surfboards, kayaks, stand-up paddleboards, inflatables, outrigger canoes, etc.)
    - (ii) Wave powered watercraft (surfboards, paddleboards, etc.)
    - (iii) Sail powered watercraft (kite surfing, windsurfing, etc.).
  - (e) No watercraft may be kept on the beach overnight, except those properly registered with the City to stay in designated areas.
- 7.4 The following beach regulations are intended to reduce safety hazards which may cause injury to beach patrons:
- (a) Playing ball, Frisbee, flying kites, or any other game that may endanger patrons on the beach or in the water, is limited to designated times and areas as posted or as determined by City officials.
  - (b) Fishing or netting of fish is permitted on the sandy part of the public beach located between N.E. 18th Street and N.E. 23rd Street only during the hours of 9:00 a.m. through 4:00 p.m. Monday through Friday, and 9:00 a.m. through 6:00 p.m. on Saturday, Sunday and national holidays, and must be conducted in a safe manner. All debris, bait, fish line and hooks, and other fishing equipment or tackle must be removed from the beach after fishing has been conducted. Fishing or netting of fish is prohibited from or under any bridge in the city, or from any pier, dock, wharf, or other waterfront facility at Port Everglades.
  - (c) Dogs and pets are prohibited on the sandy portion of the beach, except for service animals and the area that is designated as Canine Beach, ~~(see 4.1 c).~~
  - (d) Surfing is allowed in designated surfing area only.
  - (e) Alcoholic beverages are prohibited on the beach, except during such times and within certain locations of the beach permitted or licensed by the city.
  - (f) Glass bottles and glass containers are prohibited on the beach.
  - (g) Digging holes or erecting tents and fencing is prohibited. Canopies of any type may be prohibited as well during special events at the discretion of Police or Ocean Rescue.
  - (h) Unauthorized use of lifeguard towers is prohibited.
  - (i) Anyone requested to do so must move out of the way of Police, Beach Patrol, Park Ranger, or other

Government Service vehicles.

- (j) No person shall interfere with Police, Lifeguards or Park Rangers or Park Personnel in the performance of their lawful duties.
- (k) Directives given by the lifeguards must be adhered to.
- (l) Use of any grill or generator is not permitted without a city approval or a permit.
- (m) No all-terrain vehicles (ATVs), golf carts, go carts, moped, or motorized vehicles are permitted on the sand. Only authorized city personnel are permitted use of the aforementioned.

7.5 The following regulations are intended to eliminate nuisance activity on the beach and provide patrons with a pleasant environment in which to recreate:

- (a) Loud Noise. No person or group shall play or operate any sound amplification device including radios, television sets, turn tables, tape decks, public address systems, amplified musical instruments or any other loud noise generation device which disturbs other persons.
- (b) All commercial photography and filming is prohibited unless prior written permission has been obtained from the City Manager's Office.
- (c) Soliciting, begging or panhandling is prohibited. This includes tips or payment for any service, performance or instruction.
- (d) Removing trash and debris from waste receptacles requires a written permit from the Parks and Recreation Department. Such a permit shall be issued under specific criteria determined by that Department.
- (e) Use of picnic tables for other than picnic purposes is prohibited. Proper use of tables for picnicking is on a first come, first serve basis. Holding tables for patrons who have not arrived is prohibited.
- (f) Drying clothes by hanging them on trees, bushes, tables or in or around rest rooms is prohibited.
- (g) Beach sea oat and dune plantings are protected, and no person shall cut, damage, or remove such plants from the beach.
- (h) No person shall discharge any fireworks on any portion of the City Beach unless done as part of a special event authorized by the City. Fireworks shall mean any combustible or explosive composition or substance or combination of substance or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including sparklers.

## **8.0 COLLECTION FEES**

It is prohibited for any person to use any facility, land or area for which a fee or charge has been established by the City of Fort Lauderdale without payment of such fee or charge.

## **9.0 GENERAL LAWS - ADDITIONAL OPERATING PROCEDURES**

- 9.1 Federal, State, County and Municipal Laws. All federal, state, county and municipal laws are hereby adopted and are to be enforced within all City of Fort Lauderdale parks, beaches and recreational facilities.
- 9.2 Compliance with Additional Posted Rules. Specific facilities which require additional operational procedures for orderly use shall be posted with rules in a conspicuous place. Patrons utilizing all facilities shall comply with posted regulations.

## **10.0 PERMITS**

- 10.0 Reservation of any parks and recreation facility or area for exclusive use requires written approval of the Parks and Recreation Department in the form of a permit. Contact (954) 828-PARK, for additional information.

## **11.0 ENFORCEMENT**

- 11.0 Intent. It is the intent of the Parks and Recreation Department that these regulations be enforced in a fair and equitable manner.

- 11.1 Hindering Enforcement. No person shall impersonate in any way a park official nor hinder park officials or personnel in the performance of their lawful duties.
- 11.2 Trespass. Any person or group found in violation of the above rules and regulations shall be ordered to leave all City of Fort Lauderdale parks, beaches and recreation facilities for a minimum 24-hour period. Any person who fails to leave all facilities, parks or beach at the time requested may be arrested and prosecuted for trespassing or prosecuted under other existing ordinances.
- 11.3 Any person determined by the Director of the Parks and Recreation Department to be a violator of the Parks and Recreation Rules and Regulations may be ordered by the Director of the Parks and Recreation Department to remain out of City parks and beach areas for a period of time, not to exceed six (6) months. Upon being ordered to remain out of a City park or beach area, violators shall be entitled to an administrative hearing before the City Manager or designee, in order to appeal the Parks and Recreation Director's decision. The person appealing the Director's decision may present evidence to the City Manager or designee. The request for such hearing must be in writing and directed to the City Manager. This request must be made within three (3) days of the order being appealed.

## **12.0 REGULATION EXCEPTIONS**

- 12.0 All government activities carried out in the ordinary course of park and beach operations shall be exempt from the provisions of the Parks and Recreation Department Rules and Regulations. Acts or conducts prohibited by the rules shall be permitted when approved by the Director of Parks and Recreation and occurring in conjunction with City sponsored, co-sponsored, or City approved special events.

## **13.0 POOL REGULATIONS**

- 13.1 No food or beverages in pool or on pool wet deck
- 13.2 No glassware or animal is permitted in the fenced in pool area (or 50 feet from unfenced pool)
- 13.3 All persons must shower before entering pool.
- 13.4 Do not swallow or ingest the pool water at anytime, it is recirculated.
- 13.5 Pools will be closed during severe weather, when lightning is seen or when thunder is heard, or when heavy rain or wind impairs the lifeguard's ability to see the bottom of the pool.
- 13.6 Do not use the pool if you are experiencing symptoms of diarrhea or other illness.
- 13.7 Do not use the pool if you are under the influence of drugs or alcohol.
- 13.8 Children under 12-years of age must be accompanied by an adult or guardian at all times.
- 13.9 Do not change clothes or diapers in the pool area, except inside a designated toilet area, restroom, or locker room.
- 13.10 No person is permitted to hold his/her breath underwater while inside a pool for a prolonged period of time.
- 13.11 Proper swimming attire is required – no street clothes, gym shorts, cut-off shorts, or underwear is to be worn in the pools. Nude bathing or any indecent exposure is strictly prohibited anywhere within the pool area.