

**ORDINANCE NO. 2009 - 014**

**AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES TO PROVIDE A SECTION ENTITLED "SPECIFIC PARK RULES AND REGULATIONS"; PROVIDING FOR THE ENACTMENT OF SPECIFIC PARK RULES AND REGULATIONS GOVERNING EACH TOWN PARK BY RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on April 14, 2005, pursuant to Ordinance No. 2005-04, the Town adopted general rules and regulations governing the use of the Town's parks; and

**WHEREAS**, although Ordinance No. 2005-04 governs the general use of the Town's parks, it does not provide specific rules and regulations for each individual park; and

**WHEREAS**, since some parks are currently open to the public, while other parks are yet to be developed, and since each park will offer its own individual facilities and amenities, it is important to adopt additional specific rules and regulations for use of such facilities and amenities on a park by park basis; and

**WHEREAS**, to give the Town greater flexibility to amend its specific park rules and regulations, the Town desires to establish its specific park rules and regulations by Resolution; and

**WHEREAS**, the Town Council believes that this Ordinance is in the best interest of the health, safety, and welfare of its residents;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:**

**Section 1.** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2.** The Town hereby amends the Town of Southwest Ranches Code of Ordinances to provide a Section entitled "Specific Park Rules and Regulations", which shall state as follows:

**Sec. \_\_\_\_\_ - \_\_\_\_\_ Specific Park Rules and Regulations**

(A) In addition to the general park rules and regulations set forth herein, specific rules and regulations governing each individual park may be established by Resolution of the Town Council.

(B) Any specific rules and regulations established by Resolution shall be given the same weight and authority as if adopted by an Ordinance of the Town.

**Section 3. Conflicts.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

**Section 4. Inclusion.** It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Code of Ordinances; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

**Section 5. Severability.** If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property or circumstance.

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon its adoption.

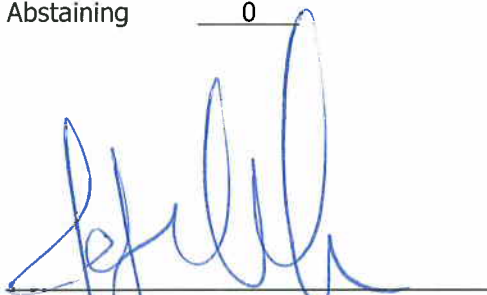
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**PASSED ON FIRST READING** this 4<sup>th</sup> day of June, 2009, on a motion made by Council Member McKay and seconded by Vice Mayor Breitkreuz.


**PASSED AND ADOPTED ON SECOND READING** this 3<sup>rd</sup> day of September, 2009, on a motion made by Council Member McKay and seconded by Vice Mayor Breitkreuz.

Nelson	<u>YES</u>
Breitkreuz	<u>YES</u>
Fisikelli	<u>YES</u>
Knight	<u>YES</u>
McKay	<u>YES</u>


Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>

  
\_\_\_\_\_  
Jeff Nelson, Mayor

ATTEST:

  
\_\_\_\_\_  
Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney

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