

**Town of Welaka**  
**Special Called Town Council Meeting Agenda**  
**Thursday, December 29, 2022**  
**6:00 P.M.**

**This Meeting will be held at the**  
**Honorable Willie Washington Town of Council Room 400**  
**4<sup>th</sup> Ave., Welaka Fl. 32193**

**This meeting will be broadcast, for view only, on the Town of Welaka's Facebook page.**

- 1. Call to Order**
- 2. Pledge of Allegiance and Invocation**
- 3. Roll Call of Town Council**
- 4. Parks Ordinance 2022-06 discussion for the Town of Welaka**
- 5. Adjourn**

1 **DRAFT**

2  
3 **ORDINANCE 2022-06**

4  
5 **Town of Welaka Park Regulations**

6  
7 **SECTION 1 Damaging, Injuring or Removing Items from Park and Recreational**  
8 **Facilities is Unlawful**

9  
10 (a) **General Disfiguration and Removal** – It shall be unlawful for any person in a park to  
11 mark, deface, disfigure, injure, tamper with, displace or remove, any buildings; bridges; tables;  
12 benches; fireplaces; railings; paving or paving materials; water lines or other public utilities or  
13 parts or appurtenances thereof; signs, notices or placards, whether temporary or permanent;  
14 monuments; stakes; posts; or other boundary markers, or other structures or equipment, facilities  
15 or park property or appurtenances whatsoever, either real or personal.

16  
17 (b) **Injury or Removal of Natural Features**

18  
19 (1) Trees, shrubbery, lawns. It shall be unlawful for any person in a park to damage,  
20 cut, carve, transplant, or remove any tree or plant, or injure the bark, or pick the  
21 flowers or seeds of any tree or plant. Nor shall any person attach any rope, wire,  
22 or other contrivance to any tree or plant. A person shall not dig in or otherwise  
23 disturb grass areas, wetlands, or in any other way injure or impair the natural  
24 beauty or usefulness of any area.

25  
26 (2) Removal, excavation of natural resources. It shall be unlawful for any person in a  
27 park to dig or remove any beach sand, whether submerged or not, or any soil,  
28 rock, stones, trees, shrubs or plants, down timber or other wood or materials, or  
29 make any excavation by tool, equipment, blasting, or other means or agency,  
30 except by specified written permit issued hereunder.

31  
32 (c) **Climbing Trees, Monuments, Fences, etc.** – It shall be unlawful for any person in a park  
33 to climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences or gun  
34 carriages or upon any other property not designated or customarily used for such purposes.

35  
36 (d) **Restrooms and Washrooms** – It shall be unlawful for any person in a park to fail to  
37 cooperate in maintaining park restrooms and washrooms in a neat and sanitary condition.

38  
39 (e) **Discarding Refuse and Trash** – It shall be unlawful for any person in a park to bring, or  
40 have brought in, or to dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans,  
41 dirt, rubbish, waste, garbage, refuse, or other trash on park property. No such refuse or trash shall  
42 be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but  
43 shall be placed in the proper receptacles where these are provided; where receptacles are not so  
44 provided, all such rubbish or waste shall be carried away from the park by the person responsible  
45 for its presence, and properly disposed of elsewhere.

47 (f) **Water Pollution and Contamination** – It shall be unlawful for any person in a park to  
48 throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake  
49 stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer,  
50 or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or  
51 may result in the pollution, discoloration or contamination of said waters.

52

## 53 **SECTION 2 Vehicle Usage and Parking**

54

55 (a) **Vehicle Operation Confined to Designated Roads and Parking Areas** – It shall be  
56 unlawful for any person in a park to drive any vehicle on any area except on designated park roads  
57 or parking areas.

58

### 59 (b) **Parking**

60

61 (1) *Parking in Designated Lots Only.* It shall be unlawful for any person in a park to  
62 park a vehicle in other than a designated parking area, and such use shall be in  
63 accordance with the posted directions.

64

65 (2) *Parking Areas for Loading and Unloading Only.* It shall be unlawful to gather or  
66 loiter in a designated parking area except for purposes of loading and unloading  
67 the vehicle.

68

69 (3) *Parking After Hours Prohibited.* Parking, stopping, or standing in a vehicle either  
70 in a designated off-street parking area for the park or in the right-of-way abutting  
71 the park boundaries after established park hours is prohibited, unless approved  
72 under a special written permit issued under this Article.

73

## 74 **SECTION 3 Proper Usage and Activities in Public Parks and Recreational Facilities**

75

76 (a) **Erection of Structures** – It shall be unlawful for any person in a park to construct or erect  
77 any building or structure of whatever kind, whether permanent or temporary in character, or run  
78 or string any public service utility into, upon, or across park lands, except for special written permit  
79 issued under this Article.

80

### 81 (b) **Swimming and Bathing**

82

83 (1) Designated areas. It shall be unlawful for any person in a park to swim, bathe or  
84 wade in any waters or waterways in or adjacent to any park, except in such waters  
85 and at such places as are provided therefore, and in compliance with such  
86 regulations as are herein set forth or may be hereafter adopted. Nor shall any  
87 person frequent any waters or places customarily designated for the purpose of  
88 swimming or bathing, or congregate thereat, when such activity is prohibited by  
89 the Mayor upon finding that such use of the water would be dangerous or  
90 otherwise inadvisable.

91

92 (2) Certain hours. It shall be unlawful for any person in a park to frequent any waters  
93 or places designated for the purpose of swimming or bathing or congregate  
94 thereat, except between such hours of the day as shall be designated for such  
95 purposes.

96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139  
140  
141  
142  
143  
144

(c) **Fishing**

- (1) Fishing Defined. In addition to the activity of catching fish, either for food or as a sport, fishing as used here shall include catching crab or shrimp for food or sport.
- (2) Commerce prohibited. It shall be unlawful for any person in a park to engage in commercial fishing, or the buying or selling of fish caught in any waters inside the Town limits.
- (3) Fishing Prohibited in Boat Ramps. It shall be unlawful for any person in a park to fish in areas designated for boat ramps.
- (4) Fishing Prohibited in Designated Swimming Areas. It shall be unlawful for any person in a park to fish offshore from the beaches designated for swimming or bathing.
- (5) Fishing Prohibited Outside of Established Park Hours. It shall be unlawful for any person to fish from the shore of any park, including any public Town pier or dock facility, except during established hours of operation under Section 4 below.

(d) **Picnic Areas**

- (1) Availability. Individual picnic amenities such as tables, benches, follows the general rule of "first-come, first-served," except in those cases where prior reservations have been made pursuant to a permit issued under Section 5 below.
- (2) Non-exclusivity. It shall be unlawful for any person in a park to use any portion of the picnic areas or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, or to use such area and facilities for an unreasonable time if the facilities are crowded, except in those cases where prior reservations have been made pursuant to a permit issued under Section 5 below.

(e) **Camping** –No person shall be allowed in the parks after the established hours for public access provided for under Section 4 below. Thise shall be interpreted to mean that, in addition to being unlawful to be present in a park after established hours, is shall be unlawful to set up sleeping bags, hammocks, tents, shacks or any other temporary shelter for the purpose of overnight camping in any parks, right of ways or other public spaces, nor shall any person leave any movable structure or special vehicle to be used or that could be used for such purpose, such as a house-trailer, camp-trailer, RV camper, camp-wagon or the like, except by as expressly provided under a permit issued by the Town Council under Section 5, below, and then only in specified areas that must be specifically designated in the permit.

(f) **Use of Weapons**. All parks, recreational facilities, or other properties owned by the Town of Welaka are public places within the meaning of section 790.15, Florida Statutes, as amended.

- (1) No person shall carry a firearm on such properties unless properly licensed or authorized to carry firearms under Chapter 790, Florida Statutes.

145  
146  
147  
148  
149  
150  
151  
152  
153  
154  
155  
156  
157  
158  
159  
160  
161  
162  
163  
164  
165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192

(2) It shall be unlawful to discharge a firearm in or into public places except for lawful purposes as defined by Chapter 790, Florida Statutes.

(3) Air rifles, spring-guns, bow and arrows, slings, or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. except a person lawfully defending life or property.

(g) **Fireworks and Explosives** – It shall be unlawful for any person in a park to bring, or have in his possession, or set off, or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rocket, or other fireworks or explosives of inflammable material, or discharge them or throw them into any park area from land or a highway adjacent thereto. This prohibition includes any substance, compound, mixture, or article that, in conjunction with any substance or compound, would be dangerous from any of the foregoing standpoints, except under the sponsorship of organized groups and with the permission of the Town Council after application to and a public hearing before the Town Council.

(h) **Fires** – It shall be unlawful for any person in a park to build or attempt to build a fire except in areas designated for outdoor grilling, and then only in a proper grilling apparatus. Open fire pits or trash barrel fires are prohibited. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other flammable material, within any park area or on any highway, road, or street abutting or contiguous thereto.

(i) **Loitering, Disorderly Conduct** – It shall be unlawful for any person in a park to sleep or protractedly lounge on seats, on benches, in vehicles or in other areas; or to engage in loud, boisterous, threatening, abusive, insulting, or indecent language; or to engage in any disorderly conduct or behavior tending to a breach of the public peace.

(j) **Restricted Areas** – It shall be unlawful for any person in a park to enter an area posted as "Closed to the Public"; nor shall any person use or abet the use of any area in violation of posted notices. Any section or part of any park may be declared closed to the public by the Mayor at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the Mayor shall find reasonably necessary.

(k) **Intoxicating Substances Prohibited** – It shall be unlawful for any person to consume any beer, wine, or liquor, as defined in the beverage law of the State of Florida, or any in any park, boat ramp, or recreation area owned or maintained by the Town, except for a special event authorized and permitted by the Town Council pursuant to the Town’s special event policies and procedures.

(l) **Gambling** – It shall be unlawful for any person in a park to gamble or participate in or abet any game of chance. A raffle conducted in Town parks pursuant to a permit issued hereunder that serves as a legitimate fund-raising event for civic and religious organizations located in Town, where all the proceeds are used to support the civic and religious organization are not considered gambling under this section.

193 (m) **Advertising Generally** – It shall be unlawful for any person in a park to announce,  
194 advertise or call the public attention in any way to any article or service for sale or hire without  
195 the express permission of the Town Council.

196  
197 (n) **Vending and Peddling** – It shall be unlawful for any person in a park to expose or offer  
198 for sale any article or thing, or to station or place any stand, cart, or vehicle for the transportation,  
199 sale or display of any such article or thing, or to engage in any commercial business activity. An  
200 exception is made as to any regularly licensed concessionaire acting by and under the authority  
201 and regulation of a special permit issued hereunder.

202  
203 (o) **Dogs and other pets in parks.**

204  
205 (1) It shall be unlawful for any person keeping, harboring, owning or responsible for a  
206 dog or other pet to permit the dog to be in a public park unless the dog is held, by  
207 a competent person, on a leash that is no more than eight [8] feet in length.

208  
209 (2) Exceptions.

210  
211 (a) It is a defense to a charge of violating this section that the dog involved is  
212 a working dog trained to assist disabled individuals and that the dog is  
213 under the control of a competent person and obedient to the command of  
214 such person.

215  
216 (b) It is a defense to a charge of violating this section that the dog involved  
217 was participating in an organized competition or that the dog involved was  
218 engaged in an organized training exercise under the supervision of a  
219 person competent to provide such training.

220  
221 (c) It is a defense to a charge of violating this section that the dog involved is  
222 a trained police dog and that the dog is under the control of a competent  
223 person and obedient to the command of such person.

224  
225 (d) It is a defense to a charge of violating this section that the dog is located  
226 inside an established dog park where dogs have been expressly permitted  
227 or required by the Town to be off their leash while in the designated dog  
228 park.

229  
230 (3) No person owning or responsible for a dog shall permit the dog to defecate on any  
231 public property or right of way. It is a specific defense to a charge of violating this  
232 section that the person keeping, harboring, owning or responsible for the dog or  
233 other pet has and makes use of equipment to remove animal waste and dispose of  
234 it in a sanitary and lawful manner or that the dog involved is a certified working  
235 dog trained to assist disabled individuals and that the person charged has a  
236 disability which prevents the individual from removing the excrement and  
237 properly disposing of it in a sanitary manner.

238  
239 (p) **Posting Signs** – It shall be unlawful for any person in a park to paste, glue, tack or  
240 otherwise post any sign, placard, advertisement, or inscription whatsoever, or to erect or cause to  
241 be erected any sign whatsoever on any public lands or highways or roads adjacent to a park. A

242 temporary sign posted to advertise a special event at the park approved by a permit issued  
243 hereunder may be posted on the day of the event at or near the area to be occupied by the event.  
244

245 (q) **Extinguish Grills and Remove Trash.** It shall be unlawful for any person in a park to leave  
246 the park area before any grill fire is completely extinguished or before all his or her trash, garbage  
247 or other refuse is placed in the disposal receptacles where provided. If no such trash receptacles  
248 are available, then the person shall be responsible for carrying away all his or her refuse and trash  
249 away from the park area to be properly disposed of elsewhere.

250  
251 (r) Use of Vehicles. It shall be unlawful to operate motorized vehicles of any kind inside a public  
252 park except in designated parking areas, unless expressly permitted pursuant to a special event  
253 permit under Section 5, below, or such vehicle is being operated by a Town employee or authorized  
254 contractors in the normal course of their official duties for the Town. This includes but shall not  
255 be limited to cars, trucks, golf carts, and off-road vehicles of any size or type.

256  
257 (s) Mooring. It shall be unlawful to moor any motorized or non-motorized watercraft over night  
258 at a public dock or pier owned and maintained by the Town except when expressly authorized by  
259 the Town. The Town may, in its discretion, establish additional rules and regulations concerning  
260 the use of its docks and piers.

#### 261 262 **SECTION 4 Hours of Operation**

263  
264 (a) **Establishing the Hours of Operation.** The Town Council may set and establish from time  
265 to time by Resolution the permissible times or hours in which the various Town parks or other  
266 recreational facilities may be used. Except for unusual and unforeseen emergencies, parks shall  
267 be open to the public every day of the year during the designated hours. The opening and closing  
268 hours for each individual park shall be posted at Town Hall for public information. Absent a  
269 resolution and a posting of specific hours that a park will be open to the public, the default  
270 designated hours for all ~~city~~-Town parks shall be sunrise to sunset.

271  
272 (b) It shall be unlawful and a violation of this ordinance to be in a Town park or recreational  
273 facility outside of the established hours.

274  
275 (c) The Mayor or the Chief of Police are hereby authorized, in their discretion, to close a park  
276 or parks or reduce the hours of said park or parks based on a determination that it is in the best  
277 interest of the health, safety and general welfare of the public. Valid purposes for closure or  
278 reduced hours may include but are not limited to:

- 279
- 280 (1) Over-crowding, excessive traffic and/or noise.
  - 281
  - 282 (2) Damage to support facilities such bathrooms, parking areas, playground equipment,  
283 etc.
  - 284
  - 285 (3) Unsafe conditions due to current or impending weather events.
  - 286
  - 287 (4) Person or persons violating the provisions of this Ordinance in blatant disregard to  
288 direction given by the Mayor, the Chief of Police or such other person authorized  
289 by the Mayor or the Chief of Police to provide such direction.

290

291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301  
302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338

**SECTION 5 Park Permits**

(a) **Permit Required** – A permit shall be obtained before holding or participating in any special event or activity in a park. A special event or activity as used in this section shall mean a gathering of more than 20 people for a single purpose or event such as a birthday party, wedding, family reunion, organized sporting event, rally, festival, etc. The Mayor, or the Chief of Police upon the request of the Mayor, may review and determine whether to issue a permit under this Section; except that events that are expected to exceed 50 participants or will otherwise make use of the full capacity of the park so that members of the public who are not part of the event or activity will be excluded from the park, then the application must be approved by the Town Council. **Copies of park permits issued pursuant to this Section, whether issued by the Mayor or the Town Council, will be provided to the Chief of Police; and any event expected to exceed 50 participants shall be subject to review by the Chief of Police to determine whether additional public safety measures are necessary, including but not limited to traffic control and the provision of additional law enforcement.**

(b) **Application** – A person seeking issuance of a permit hereunder shall submit an application to the Mayor on a form provided by Town Hall. The application shall include, at a minimum:

- (1) The name and address of the applicant.
- (2) The name and address of the person sponsoring the activity, if any.
- (3) The day and hours for which the permit is desired.
- (4) The park or portion thereof for which such permit is desired.
- (5) An estimate of the anticipated attendance.
- (6) The nature of the activity and whether there will be amplified sound.
- (7) Any other information which the Mayor-permit issuer shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

(c) **Standards for issuance** – The Mayor or the Town Council may issue a permit hereunder when they he finds:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the public enjoyment of the park.
- (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.
- (3) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.



- 339 (4) That the proposed activity will not entail unusual, extraordinary, or burdensome  
 340 expense or police operation by Town.  
 341  
 342 (5) That the facilities desired have not been reserved for other use at the day and hour  
 343 required in the application.  
 344  
 345 (6) The proposed activity and use will not extend past the established hours of  
 346 operation for the park, unless the permit has been brought before the Town  
 347 Council for approval and the Town Council expressly approves a waiver of the  
 348 hours of operation.  
 349  
 350 (7) The proposed use will not violate the Town’s Noise Ordinance unless the permit  
 351 has been brought before the Town Council for approval and the Town Council  
 352 expressly approves decibel levels more than the levels established by ordinance.  
 353  
 354 (8) The application or request is timely.  
 355  
 356 (9) The application demonstrates sufficient planning and resources to support the  
 357 proposed use, including proper arrangements for the applicant to provide  
 358 management and removal of trash and debris from the park, public safety of the  
 359 attendees, and the provision portable toilet facilities if deemed necessary by the  
 360 Town due to the size, length, or general nature of the event.

361  
 362 (d) **Liability of permittee.** The person to whom a permit is issued shall be liable for any  
 363 applicable ordinances as fully as though the same were inserted in said permits.  
 364

365 (e) **Revocation.** The Mayor or the Chief of Police shall have the authority to revoke a permit  
 366 upon finding a violation of any rule or ordinance, or upon good cause shown.  
 367

368 (f) **Display of Permit Required.** It shall be unlawful for any person in a park to fail to  
 369 produce and exhibit any permit he claims to have upon request of any authorized person who shall  
 370 desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.  
 371

372 (g) **Interference with Permittees.** It shall be unlawful for any person in a park to disturb or  
 373 interfere unreasonably with any person or party occupying any area or participating in any activity  
 374 under the authority of a permit.  
 375

376 **SECTION 6 Fees**  
 377

378 The Mayor shall have the authority to implement and collect the following fee schedule for the use  
 379 of the Town’s parks and other publicly owned properties for events or occasions other than Town-  
 380 sponsored events.

381 *Use of Sport-Public Facilities*  
 382

383 **Special Sporting Events:** \$\_\_\_ per team per day, or \$\_\_\_ per day, whichever  
 384 is greater, plus a deposit of \$\_\_\_ per day  
 385

386 **Seasonal Sporting Clubs** \$\_\_\_ per team, or \$\_\_\_ per month, whichever is  
 387 greater, plus a deposit of \$\_\_\_ per day

388  
389 *Special Event – 100+ people* \$ \_\_\_ per hour or \$ \_\_\_ per day, plus \$ \_\_\_ deposit  
390 per day.

391  
392 *Special Event – 50 to 100 people* \$ \_\_\_ per hour or \$ \_\_\_ per day, plus a deposit of  
393 \$ \_\_\_ per day

394  
395 *Special Event - 20 to 50 people* Resident: \$ \_\_\_ deposit only, no usage  
396  
397 Non-Resident: \$ \_\_\_ per hour, or \$ \_\_\_ per day,  
398 whichever is less, plus \$ \_\_\_ deposit per day  
399 Insurance may still be required by Mayor depending  
400 on the type of event  
401

402 The Mayor shall have the authority to reduce the fee or deposit requirement for Town sponsored  
403 or charitable events. Any other request to reduce or waive fees as provided for in this Section shall  
404 require approval of the Town Council.

405  
406 **SECTION 7 Insurance**

407  
408 For special events over fifty [50] people, or for use of sporting facilities for organized  
409 sports camps or leagues, or at the discretion of the Mayor due to the nature of the proposed use,  
410 the host organization or person shall be required to carry a occurrence form general liability policy  
411 that shall name the Town as an additional insured with a right of defense, with minimum coverage  
412 protection of sufficient to cover the maximum liability of the Town under state law~~\$200,000 per~~  
413 ~~claim / \$300,000 per event.~~ Special events, or use of sporting facilities involving more than 1,000  
414 persons, the limits will be no less than \$1,000,000 / \$2,000,000. Any request to waive or reduce  
415 the amount of insurance coverage shall require the approval of the Town Council.

416  
417 **SECTION 8 Security and traffic control**

418  
419 The Chief of Police shall determine whether security and traffic control devices may be mandated  
420 due to the size and nature of the proposed event. Unless expressly waived by the Town Council,  
421 the costs associated with any additional security and traffic control shall be borne by the festival  
422 organizers and shall be paid prior to the event with the standard permit fee and deposit.

423  
424 **SECTION 9 Application required, minimum time to review, and right to refuse.**

425  
426 Subject to the discretion of the Mayor or the Town Council to increase the time frames described  
427 herein, applications that require only mayoral or Chief of Police approval shall be submitted at  
428 least 72 hours in advance of the proposed event. For events or activities where Town Council  
429 approval is required, application must be submitted no later than two weeks prior to date of the  
430 Town Council meeting where such application will be reviewed.

431  
432 Any proposed use of the Town park or public facilities for events that will draw more than 100  
433 persons, or involve bringing in elements not already provided at the park or public facilities (i.e.  
434 staging, booths, bounce houses, amplification devices, etc.) shall be required to obtain a permit  
435 from the Town Council as provided in section 5 above. Such permit application shall be submitted,

436 and all necessary fees, documentation and insurance provided at least 30 days prior to the proposed  
437 event or usage date.

438  
439 The Mayor or the Town Council shall have the discretion to refuse or deny the use of Town parks,  
440 or other public facilities, if he or they determine that the proposed use is inappropriate for the  
441 facilities such that it has the potential to damage the facilities and prevent normal use thereof; or  
442 if there is a conflict with events or uses already permitted for that same date or dates; or if the  
443 person(s) using or proposing to use the facilities have demonstrated improper use of the facilities  
444 in the past; or if the person(s) proposing to use the facilities is unable to provide the required fee,  
445 deposit or insurance in a timely fashion.

446  
447 **SECTION 10 Penalties.**

448  
449 (a) A violation of this Ordinance shall be punishable by any enforcement action or legal  
450 remedy permitted by law including, but not limited, to (i) prosecution as a misdemeanor with  
451 imposition of a fine not to exceed \$500.00, imprisonment for a term not to exceed 60 days, or by  
452 both fine and imprisonment; (ii) imposition of civil fines or penalties; and (iii) pursuit of injunctive  
453 relief or declaratory relief from a court of competent jurisdiction. Nothing stated in this paragraph  
454 shall prevent the Town from taking any lawful action that may be necessary for it to enforce or to  
455 remedy any violation of this Ordinance.

456  
457 (b) Each violation of the ordinance is a separate infraction for which a separate penalty may  
458 be imposed. Violations of a continuing nature shall constitute a separate violation for each day  
459 such violation continues and a separate fine whether imposed pursuant to a misdemeanor  
460 prosecution, civil penalty, or otherwise, may be imposed for each day such violation continues or  
461 occurs.

462  
463 (c) The Town's law enforcement officers, or if Town law enforcement is unavailable, any on  
464 duty law enforcement officer responding to a situation at any of the Town parks or recreational  
465 facilities are authorized to remove an ordinance violator and their personal property from any  
466 Town park or recreational area. The enforcement officer(s) shall first warn the violator and request  
467 that the violator immediately leave the area with their personal property. A violator's failure to  
468 timely comply with the request shall constitute a trespass after warning which may be prosecuted  
469 in accordance with applicable criminal sanctions.

470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483

484 **PASSED** by the Town Council for the Town of Welaka on **FIRST READING** on the \_\_\_\_ day  
485 of \_\_\_\_\_, 2022.

486  
487

488 **PASSED** by the Town Council for the Town of Welaka on **SECOND READING** on the \_\_\_\_ day  
489 of \_\_\_\_\_, 2022.

490  
491  
492  
493

494 **ATTEST:**

**SIGNED:**

495  
496  
497

\_\_\_\_\_  
Meghan E. Allmon, Town Clerk

\_\_\_\_\_  
Jamie D. Watts, Mayor

499  
500  
501  
502

503 **Approved as to form:**

504  
505  
506  
507

\_\_\_\_\_  
Patrick Kennedy, Town Attorney