

RESOLUTION NO: 2021-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, AMENDING THE RULES AND REGULATIONS FOR THE MANAGEMENT AND OPERATION OF THE PARKS OR RECREATIONAL AREAS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 764 of the City of Brooksville Code of Ordinances provides for the adoption of rules and regulations as they relate to City parks or recreational areas.

WHEREAS, on August 15, 2011, Council adopted Resolution No. 2008-02, adopting the rules and regulations of the City parks and recreation areas; and

WHEREAS, the City Council of the City of Brooksville desires to amend the rules and regulations of the City parks and recreations areas and believes that it is in the best interest of city visitors and residents to do so.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROOKSVILLE, FLORIDA, that:

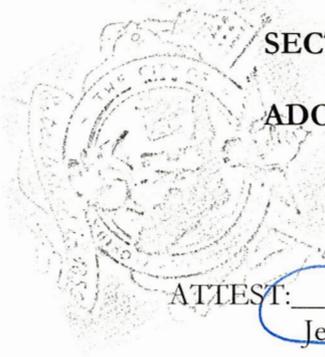
SECTION 1: The Brooksville City Council hereby adopts the amended rules and regulations for the management and operation of the various parks or recreational areas under the responsibility of the Parks and Recreation Department of the City of Brooksville, as evidenced in "Exhibit A", attached hereto.

SECTION 2: It is the intent of this Resolution to repeal Resolution No. 2011-03 in its entirety and restate it as contained herein.

SECTION 3: Penalties for violations of these Rules and Regulations are hereby established pursuant to said Code of Ordinances.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 6th day of December, 2021.



ATTEST:

Jennifer Battista, City Clerk

CITY OF BROOKSVILLE

By: [Signature] Mayor

APPROVED AS TO FORM AND CONTENT FOR THE RELIANCE OF THE CITY OF BROOKSVILLE ONLY:

[Signature] Vose Law Firm, City Attorney

VOTE OF CITY COUNCIL

Brayton [Signature]
Battista [Signature]
Erhard [Signature]
Bailey [Signature]
Bell [Signature]

“EXHIBIT A”



CITY OF BROOKSVILLE

PARKS AND RECREATION DEPARTMENT

RULES AND REGULATIONS

Revised: December 6, 2021

**CITY OF BROOKSVILLE
PARKS AND RECREATION**

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**PARKS AND RECREATION
TOM VARN PARK
DEDICATED 1970**

In 1967, through a generous donation by the Cone Family of Tampa, the City of Brooksville acquired 82 acres of old rock mining land for the purpose of constructing a Parks and Recreation Facility.

It had long been the desire of the City Council to construct an outdoor Recreation Facility that would provide the youth of Hernando County the opportunity to participate in sports.

The Council believed that competitive participation in sports, promoted not only good sportsmanship, good citizenship, but above all good moral character.

To this end, the City Council voted to develop the property, and through the cooperative efforts of the County, City employees, civic organizations and numerous area residents, the site was prepared, ball fields were constructed, fencing and lighting were erected and a dream became a reality. In 1970, upon completion, the facilities were named Tom Varn Park in honor of City Council Member Tom Varn for his outstanding and relentless contributions to the youth of Brooksville and Hernando County.

**BUD MCKETHAN PARK
DEDICATED 1982**

The City of Brooksville's park system was notably enhanced in 1982 with the dedication of the John W. "Bud" McKethan Park.

This was made possible through a donation of 4 ½ acres of prime recreational land and generous contributions by the Bud McKethan family. McKethan Park has become a favorite of many City residents.

Expansion of recreational opportunities, assisted in large measure by matching funds from the Florida Recreational Development Assistance Program in the mid-1980's, continues to make McKethan Park a valuable asset to the City of Brooksville.

Construction of an additional tennis court, a multipurpose basketball court, two new racquetball courts and a picnic pavilion provide facilities not only for the residents of Brooksville, but the citizens of Hernando County as well.

**QUARRY DISC GOLF COURSE
DEDICATED 1997**

The Quarry Disc Golf Course is a park where members of the community can gather together to play disc golf at no charge. This area is also the only city park where leashed dogs are allowed.

**JEROME BROWN COMMUNITY CENTER
DEDICATED 2000**

Jerome Brown was an All-American defensive lineman at the University of Miami and first round draft pick for the Philadelphia Eagles in 1987, where he became a two-time Pro Bowl selection and All Madden Team member in 1990. The Community Center was opened in May of 2000 in tribute to Mr. Brown, who died in a one-car accident on June 25, 1992.

The Jerome Brown Community Center was a "Total Community Effort" as hundreds of volunteers raised approximately \$500,000, in cash and in-kind contributions toward construction of this facility. This complex includes a 6,600 square foot gymnasium, a multi purpose game and meeting room, offices, and full kitchen/banquet facilities.

DEFINITIONS

When used hereinafter, the following definitions shall apply:

- A. The terms “parks, parkways, recreational areas,” are defined to mean parks, wayside parks, parkways, playgrounds, recreation field and buildings, lakes, lagoons, waterways, water areas and all public facilities constructed on grounds, buildings and structures in the City of Brooksville which have been assigned to the Parks and Recreation Department for upkeep, maintenance or operation.
- B. The terms “Park property” and “Park area” are defined to cover all areas, buildings, locations and facilities described in the foregoing paragraph, and shall include Tom Varn Park, Bud McKethan Park, Russell Street Park, Jerome Brown Community Center, Quarry Golf Course, Brooksville Cemetery and all other areas assigned to the Parks and Recreation Department in the future.
- C. The term “City” shall mean the City of Brooksville, Florida, City Council refers to the City Council of the City of Brooksville, Florida, “Parks Department” or the “Department” are defined as the City’s Parks and Recreation Department and the term “Director” refers to the Parks and Recreation Director.
- D. The term “Park personnel” and “Park employees” refers to those individuals employed by the City and assigned to the Parks and Recreation Department.

GENERAL RULES AND REGULATIONS

The following general rules and regulations are designed to assist the public in using the City’s Park and Recreation facilities. Obviously all specific questions or concerns are not addressed, and therefore the Parks and Recreation Director is authorized to resolve issues consistent with general City Policies and Code requirements. Interpretation of these rules may be reviewed by the City Manager.

City Council may authorize exemptions or modifications of the Rules and Regulations for specific events or activities.

ARTICLE 1. PARK AUTHORITY

- A. It shall be the duty and responsibility of the Police Department and the Parks Department to enforce all rules and regulations.
- B. In addition to the rules and regulations as set out in this article, the City Manager shall have the authority to establish regulations for Park use pursuant to the preservation of health, safety, and/or welfare of the public in furtherance of keeping with the mandates and provisions of this article.
- C. Any violation of the provisions of this article, or any violation of any rules and regulations adopted pursuant hereto shall authorize the Director or his or her designee or any Police Officer to expel the violator from the Park area; said removal shall be effectuated by requesting the violator to remove himself or herself from the Park area. Failure of any such violator to remove himself or herself from the Park area after a request has been made by Park personnel shall constitute a trespass. Upon the issuance of a first trespass warning, the person noticed shall be banned from the premises for a period of thirty (30) days. Subsequent notices shall ban the individual for periods of ninety (90) days. Any violation of same shall constitute a trespass and shall subject the violator to charges for trespass. In the event a violator does not comply with the request by Park personnel, the Police Department will be requested to require the violator to leave the facility.

ARTICLE 2. MERCHANDISING, VENDING, AND PEDDLING

Unless specifically authorized in and limited to the duration of any special events permit authorized hereunder, no person, organization or firm except concessionaires approved by the City shall expose or offer for sale, rent, or trade any article, thing, station, service or place any stand, cart, or vehicle for the transportation, sale, or display of any article or merchandise within the limits of any Park area.

ARTICLE 3. PRESERVATION OF PROPERTY

- A. No person shall damage or remove plants or plant materials, trees, or parts thereof or any flowers, nuts, or seeds whatsoever from any Parks Department property, nor shall they pile debris or material of any kind on or about any tree or plant, or attach any rope, wire, or other contrivance to any tree or plant, whether temporary or permanent in character or use, without written authorization from the Director.
- B. No person shall make any excavation by tool, equipment, blasting, or other means or agency. Metal detectors are prohibited without written permission by the Director.
- C. No person shall construct or erect any building or structure whatever kind, whether permanent or temporary, or run or string any public utility into, upon, across or over any Park or recreation lands unless authorized by easement or approved in writing by the City Manager.
- D. No fires shall be built by any person against or adjacent to any Park building, structure, tree or plant or near the property of others or in any area of any Park except the picnic areas and in such open areas as are specifically designated for fire building, nor shall any person drop, throw or permit to be scattered by any means, lighted matches, burning

tobacco products, or any other inflammable material within any Park area or any highway, road, or street abutting or contiguous thereto.

- E. No person shall willfully mark, deface, damage, displace, destroy, remove, or tamper with any buildings, facilities, bridges, piers, tables, benches, railings, paving, or paving materials, water lines or other utilities, permanent or temporary signs, placards, or notices, monuments, stakes, posts, gateways, locks, fencing, boundary markers, or other structures, equipment on city property.
- F. No person shall use tacks, nails, staples, or other items that penetrate wood on shelters, signs, trees, etc.
- G. No person shall stand, or sit on any structure not intended for such use in any park or parkway.
- H. Preservation of archaeological and historic sites: no person shall excavate, disturb, or remove any historic or prehistoric cultural artifacts, nor any bones, shells, or geological specimens on land owned or managed by the city, except as part of an authorized and designated study for scientific, documentation or research purposes, and only with the written permission from the City Manager. Scientific evaluation excavation of any designated or non-designated archaeological site may not be conducted without a state permit.

ARTICLE 4. TRAFFIC ORDINANCES AND STATE VEHICLE LAWS

In addition to the traffic laws of this State and applicable State vehicle laws, which shall apply in and about all Park property, the following traffic regulations shall also be applicable:

- A. No person driving, operating, controlling, or propelling any vehicle, motorized, horse-drawn, or self-propelled, shall use any other than the regularly designated paved or improved Park roads or driveways except when directed to do so by law enforcement officers or Park employees.
- B. Speed limit in Park area is ten (10) miles per hour, or as otherwise posted.
- C. No driver or operator of any vehicle shall obstruct traffic, park, or stop on any road or driveway except at places so designated or in case of an emergency beyond the driver or operator's control. At places so designated a vehicle may be stopped for a period of no more than fifteen (15) minutes in order for the occupant to view the scenic features.
- D. No truck, commercial vehicle, or bus of any type shall be driven on any Park road or property without authorization from the Parks Department, except those trucks and buses used for transporting persons to a Park for recreation purposes will be afforded use of ingress and egress to Park roads and parking facilities as provided for conventional passenger vehicles.
- E. No person shall ride, drive, or propel any bicycle, tricycle, motorcycle, scooter, skateboard, or similar vehicles being motor propelled or self-propelled on any but the regular vehicular Park roads and/or designated areas for that class vehicle; except such vehicles with motors off, may be pushed by hand not faster than a walk over grassy areas, wood tracts or specially designated paved areas normally reserved for the use of pedestrians.

- F. No person shall park a vehicle any place on Park property other than in the regular designated facilities provided for that particular type of vehicle, unless directed otherwise by law enforcement officers.
- G. No Park employee shall accept any fee or gratuity for any service concerning the parking of a vehicle except those employees' assigned areas where a stated fee is charged by the Parks Department.

ARTICLE 5. OPERATING HOURS

- A. No person shall be or remain in any part of any Park which is fenced in or provided with gates between the closing of the gates at night and their reopening during the day. No person shall be or remain in any Park not fenced in or provided with gates, between dusk and dawn, which for the purposes of this Article shall be one hour after sunset and one hour prior to sunrise the hours of 11:00 p.m. and 6:00 a.m. Notwithstanding the foregoing, the Department may provide authorization for an organized activity to take place between dusk and dawn, in which case persons may remain in the park through the completion of the event. Furthermore, lighted areas, such as sports fields, tennis courts, basketball courts and the like may remain in use as long as the lights are on, except that in no case shall any person remain in the park between the hours of 11:00 p.m. and 6 a.m. without special approval of the Parks Department or the City Manager, as described herein. The provisions of this section shall not apply to law enforcement officers or designated employees of the City while in the discharge of their duties, nor to persons having a written permit issued by the Parks Department allowing them to be or remain in any part of the Parks between such hours. The City Manager has the authority to establish exceptions to the closing hours as set forth above when it is in the interest of public health, safety, or welfare.
- B. No operator of any vehicle shall park or be permitted to remain parked on any driveway, parkway, parking area, or other park property between dawn and dusk the hours of 11:00 p.m. and 6:00 a.m., or as otherwise posted, without the authorization of the Director.
- C. No person shall change any parts, repair, or lubricate or wash a vehicle on any Park roadway, parkway, driveway, parking lot, or other Park property unless authorization is given by the Director or his or her designee.

ARTICLE 6. PICNIC AREAS; USE.

- A. No person shall picnic, lunch, or cook in any Park area not specifically designated for such usage without authorization of Park personnel.
- B. No person shall build, light, or cause to be lighted any fire upon the ground or other object in any Park area except in an approved grill, stove, fireplace, or other suitable container, nor shall any person starting a fire leave the area without first extinguishing the fire.
- C. No person shall use a grill or other device in such a manner as to burn, char, mar, or blemish any bench, table, or other object of Park property.
- D. 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.

ARTICLE 7. GAMES, AND ACTIVITIES

- A. No person shall engage in any unlawful or other activity within the Park that is dangerous to the health, safety, and welfare of others; and no person or persons shall engage in any activity within the Park that interferes with the use and equipment of the Park and its facilities by others.
- B. No person or organization shall conduct raffles, bingo games, card games for money, or drawings for prizes or participate in any other forms of gambling, as described by State law, in unauthorized areas whether for charity or otherwise, without the authorization of the Director.

ARTICLE 8. JEROME BROWN COMMUNITY CENTER (JBCC) - GYM RULES

- A. No food or drink will be permitted in the gym, unless authorized by the Parks and Recreation Director.
- B. Water must be kept in a plastic container with a cap.
- C. Inappropriate behavior or offensive or abusive language will not be tolerated.
- D. Proper footwear must be worn at all times; boots shall not be worn at any time.
- E. JBCC reserves the right to remove any person or persons for violation of any rules.

ARTICLE 9. QUARRY **DISC** GOLF COURSE - RULES & REGULATIONS

- A. Alcoholic beverages may be permitted on premises as specifically authorized by the City; however, no personal coolers shall be allowed on the course.
- B. Limitations – No alcoholic beverages may be sold when the Hernando County Mining Association Enrichment Center of Hernando County/Special Needs Shelter is under the control of the Emergency Operations Center (EOC) and is being used as an emergency shelter.
- C. ~~Proper golf attire must be worn at all times on course. No tank tops, denim with holes, sleeveless shirts, or short shorts may be worn.~~ Quarry Park is a public park. The park is a shared space unless the city approves a Park Permit to close the park to the general public.
- D. ~~No metal spikes are allowed on course.~~ Park users who are playing disc golf must obey any posted disc golf rules or regulations.
- E. ~~Pace of play must be maintained; do not fall behind more than 1 (one) hole.~~ Users must pack out any trash brought onto the course unless the city places designated waste receptacles.
- F. ~~No ball hawking allowed.~~
- G. ~~No entering quarries, Holes #2, #3, and #4 are considered “out of bounds”; drop areas are provided.~~

~~H. Tee off from markers only.~~

~~I. Repair ball marks on greens.~~

ARTICLE 10. LEAGUE, TOURNAMENT GAMES AND PRACTICES

The Director will establish appropriate schedules for the use of Park facilities for organized sport teams.

- A. All participating leagues shall provide game schedules two (2) calendar weeks prior to commencement of play. Team rosters containing the names and addresses of all players shall be provided to the Department. Any changes in scheduling must be coordinated with the Department.
- B. Each league team shall pay an entry fee to participate in league play each season. Fees must be paid no later than two (2) calendar weeks prior to commencement of play.
- C. User Fees approved by the City Council will apply, and are to be paid prior to approval to the use of the Park Facilities. Checks are to be made to the order of the City of Brooksville. For continuous eligibility to use Park facilities, all outstanding City of Brooksville Parks and Recreation debts, (league, team or individual) shall be met before commencement of each season.
- D. The Department shall determine when games are to be cancelled due to inclement weather or unsuitable field conditions.
- E. All league games shall be concluded prior to 11:00 p.m.
- F. Tournament Games

In order to protect the City of Brooksville and to ensure that all tournaments are administered properly, the following conditions shall apply:

- 1. Unless approved by the Director, all requests for tournaments shall be made no later than two (2) calendar weeks prior to the start of tournament and must include the following:
 - a. Name and address of individual or league requesting tournament.
 - b. Number of team's invited and total number of team members.
 - c. Number of fields or courts to be utilized.
 - d. Exact tournament dates.
- 2. If deemed necessary by the Director, all tournaments shall have a Park employee or City designee assigned at all times, to ensure that Park facilities are maintained, such as: press boxes, restrooms, fields and parking areas.
- 3. User fees are to be paid prior to start of the tournament.
- 4. All tournament games shall be concluded prior to 11:00 p.m.

G. Practices

1. All practices will be between the hours of 8:00 a.m. through 12:00 p.m. Scheduling and any changes shall be approved by the Director or authorized representative.
2. The Parks and Recreation Department shall determine when all night practices are permitted; a Park employee shall be on duty when lights are in use, if deemed necessary by the Director.

ARTICLE 11. SWIMMING, FISHING AND BOATING

- A. No person, regardless of age, sex, or manner of dress, shall swim, wade, or bathe in water, lakes, or ponds of any Park area.
- B. No person shall bring into or operate any boat, canoe, raft, or other watercraft into any Park water- courses, lakes, or ponds.
- C. No fishing is allowed in the Park without approval of the Director.

ARTICLE 12. ANIMALS

No person shall bring any cats or dogs in any Park, except for service animals accompanying disabled persons according to Americans with Disabilities Act Regulations, unless approved in advance by the City Manager, with the exception of Quarry Park, where dogs may be allowed only if the dog is on a leash and under the direct control of the dog's handler at all times. Handlers are responsible for removing waste from the park unless a waste station is provided at the park, in which case handlers are responsible for ensuring that waste is property deposited into the waste station. Dumping of waste in any park is strictly prohibited except as otherwise described in this Article.

ARTICLE 13. HORSEBACK RIDING

No person shall engage in horseback riding in any Park without the authorization of the City Manager.

ARTICLE 14. HUNTING, FIREWORKS AND EXPLOSIVES

- A. No hunting, trapping, or the pursuit of wildlife by any means or method whatsoever shall be permitted on or in any Park area.
- B. No person may bring into or have in his possession or set off or otherwise cause to explode in any building or in any Park areas, any fireworks as described by State law or explosives of inflammable material or any substance, compound, mixture, or article that in conjunction with any other substance or compound, may explode, discharge or burn, unless he first obtains a written permit from the City Manager.
- C. Parents or guardians shall be held responsible and accountable for the actions of minors in regards to the prohibitions in the foregoing subsection.

ARTICLE 15. DISORDERLY INTOXICATION/PROFANITY

- A. No disorderly or intoxicated person or persons shall be permitted entry into any Park area, and if discovered therein, the same shall be ejected by authorized Park personnel and/or with assistance of a law enforcement officer.
- B. No person or persons shall be permitted to use profanity, molest, or otherwise interfere with the equipment of the Park in any Park area, and if discovered therein, the same shall be ejected by authorized Park personnel or by a law enforcement officer.

ARTICLE 16. PROPER USE AND PROHIBITED ACTIVITIES

- A. Loitering is prohibited in and around any Park restroom, dressing room, or parking lot or engage in any lewd and lascivious behavior.
- B. No person shall dress or undress in a Park except in such structures as may be provided and maintained by the Department for that purpose; and dressing or undressing in any vehicle (except for recreational vehicles), toilet, or any park area or restroom is prohibited. This prohibition shall not apply to single occupancy restrooms with locks and individual restroom stalls with doors. Furthermore, no person shall utilize any restroom, single occupancy restroom with locks, or individual stalls with doors as a however or bathing facility, except in such structures as may be provided and maintained by the Department for shower or bath purposes. For purposes of this section shower or bathing shall have the ordinary meaning associated with such terms.

ARTICLE 17. POLLUTION OF WATERS

Using the fountains, ponds, lakes, streams, or any other bodies of water within the Park or the tributaries, storm sewers or drains flowing into them as dumping places for any substance, matter or thing which will or may effect public health, resulting in the pollution or blockage of said waters is prohibited.

ARTICLE 18. BROOKSVILLE CEMETERY

See Attached Rules & Regulations.

ARTICLE 19. LIABILITY OF CITY

Neither the Council nor the City shall be responsible for accidents, injuries, or loss of property in parks by fire, theft, wind, flood, or other natural acts which are beyond its control. Facilities provided and equipment furnished on the parks grounds are solely for the public's convenience and use at their own risk.

ARTICLE 20. RESPONSIBILITY FOR ACTIONS; MINOR CHILDREN

Park visitors shall be responsible for any damage or violations of the park rules and regulations that they or minor children under their care or supervision may cause. Children 12 years of age and younger shall not be left unattended in a park.

ARTICLE 21. ALCOHOL

Unless specifically authorized in and limited to the duration of any special events permit authorized hereunder or as otherwise specifically authorized by the City, the sale, possession or consumption of alcoholic beverages on any park property is prohibited. In addition to any other

remedies under this article, any individual possessing or consuming alcoholic beverages in violation of these rules shall be expelled from such park.