

ORDINANCE NO. 019-2024

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 74, PARKS AND RECREATION, ARTICLE VI – RECREATIONAL AREA CLOSURES, BY AMENDING SEC. 74-283 TO CHANGE THE HOURS OF CLOSURE OF LAKE TRAIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Palm Beach, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has the authority, pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Chapter 166, Florida Statutes, to adopt such regulations as it deems appropriate to further the health, safety, and welfare of its residents: and

WHEREAS, in the interest of public safety and the protection of the public, the Town deems it important that access to the Lake Trail be curtailed between the hours of 10:00 p.m. and 6:00 a.m. subject to certain necessary exceptions.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are incorporated herein.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 74, Parks and Recreation, Article VI – Recreational Area Closures by amending Section 74-283 to read as follows:

Sec. 74-283 – Closure of Lake Trail

It shall be unlawful for any person to enter or go upon the grounds of Lake Trail between the Royal Park Bridge to its terminus in the 1300 block of North Lake Way between the hours of 10:00 p.m. and 6:00 a.m. The town manager or the town manager's designee is authorized to post signs setting forth the prohibition set forth above. Any person found guilty of a violation of this section by being present during the closure shall be subject to the terms of section 1-14 of this Code or, alternatively, the provisions of Chapter 2, Article V, Code Enforcement.

The following exceptions apply to this section: (1) Town personnel within the scope of their employment and other persons working on the behalf of the Town may enter and go upon Lake Trail when said grounds are not opened for use. (2) Property owners with deeded access to the Lake Trail and/or their docks are granted access to their docks and the Lake Trail that is immediately adjacent to their property at all times.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this ____ day of _____, 2024, and for second and final reading on this ____ day of _____, 2024.

Danielle H. Moore, Mayor

Bobbie D. Lindsay, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Kelly Churney, Acting Town Clerk

Bridget Moran, Town Council Member