

ORDINANCE NO. 014-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 74, PARKS AND RECREATION, BY CREATING NEW ARTICLE VI – RECREATIONAL AREA CLOSURES, AND BY ADDING SEC. 74-282 AND 74-283; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town has experienced increased criminal activity in the late evening and early morning hours in Bradley Park and on the Lake Trail; and

WHEREAS, the propensity for criminal activity in Bradley Park, Lake Drive Park, and on the Lake Trail exists due in part to their locations and layouts; and

WHEREAS, in the interest of public safety and the protection of the public it is important that access to said areas be curtailed between the hours of 11:00 p.m. and 5:00 a.m. and 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. Chapter 74, Parks and Recreation, is hereby amended by creating a new Article VI.– Recreational Area Closures, and by adding Sections 74-282 and 283, to read as follows:

ARTICLE VI – RECREATIONAL AREA CLOSURES

Sec. 74-282 – Closure of Bradley Park and Lake Drive Park

It shall be unlawful for any person to enter or go upon the grounds of Bradley Park and Lake Drive Park between the hours of 11 p.m. and 5 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 Bradley Park and Lake Drive Park when said grounds are not open for public use. (2) The holder of a Special Event permit issued by the Town of Palm Beach granting specific authorization for such after-hours use. (3) Registered Town Marina customers and guests shall be allowed travel through Lake Drive Park as necessary for dock or vessel access when said park is not open for public use.

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 11 p.m. and 5 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 2. 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 3. 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 4. Codification. This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach, Florida.

Section 5. 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 12th day of July, 2022, and for second and final reading this 9th day of August, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

ATTEST:

Julie Araskog, Town Council Member

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member