

City of St. Petersburg
Public Services & Infrastructure Committee
June 8, 2023 – 9:25 AM
City Hall, Room 100

Members: Council Vice Chair Deborah Figgs-Sanders, Council Member Lisset Hanewicz, Council Member Copley Gerdes, and Council Member Ed Montanari

Alternate: Council Member Brandi Gabbard

Support Staff: Linnie Randolph – City Council Legislative Aide

1) Call to Order

2) Approval of Agenda

3) Approval of May 11, 2023 Minutes

4) New Business – June 8, 2023

a) Proposed changes to the Vehicles for Hire Ordinance

Heather Judd, Assistant City Attorney

Attachments:

- 1) History of Program
- 2) PVC Chart
- 3) Draft Ordinance

b) Pickleball Update

Michael Jefferis, Community Enrichment Administrator and Bryan Eichler, Parks and Field Operations Superintendent

Attachments:

- 1) Presentation: Pickleball Update

c) Potential amendments to the City Code to clarify the criteria for a substantial change of use of park property

Michael Jefferis, Community Enrichment Administrator, Bryan Eichler, Parks and Field Operations Superintendent and Heather Judd, Assistant City Attorney

Attachments:

- 1) 2022-05-26 PSI Meeting Minutes
- 2) 1991 Ordinance - 2022-F 1991
- 3) 2004 Ordinance - 694-G 2004

Upcoming Meeting Dates & Tentative Agenda Items

July 13, 2023

- a) Special Elections and Potential Changes to the City Charter

	Public Services & Infrastructure Committee Pending & Continuing Referral List					June 8, 2023	
	Topic	Return Date	Referral Date	Prior Meeting	Referred by	Staff	Notes
1	A discussion on proposed changes to the Vehicles for Hire Ordinance	6/8/2023	3/23/2023	_____	Figgs-Sanders	Heather Judd Chief Kovacsev Evan Mory Glenn MacKinnon	Needed Priority Time sensitive business tax renewal schedule and the need to order vehicle certificate stickers or not
2	A discussion of possible amendments to the City Code to clarify the criteria for a substantial change of use of park property.	6/8/2023	5/5/2022	5/26/2022	Montanari Hanewicz (Staff Request)	Heather Judd Mike Jefferis Bryan Eichler	5/26/2022 – Committee requested item be deferred and return to the committee with more information. Staff agreed to follow up with Council with one-on-ones.
3	Update of the Parks & Recs department regarding Pickle Ball throughout the City	6/8/2023	1/19/2023	_____	Figgs-Sanders	Mike Jefferies	
4	A discussion concerning potential changes to the Charter including elimination of the appointment process so that all City Council vacancies are filled through special election	7/13/2023	10/20/2022	_____	Gabbard Hanewicz	Jackie Kovilaritch Brett Pettigrew	
5	A discussion on potential requirements for the undergrounding of power lines in certain circumstances and providing for exeptions.	TBD	10/20/2022	_____	Driscoll	Liz Abernethy, Heather Judd	
6	Update regarding the funding of a large item pickup software system.	TBD	3/2/2023	_____	Figgs-Sanders	Amy Foster Willie Joseph	
7	discussion on updating the City Code related to domestic equipment	TBD	3/2/2023	_____	Driscoll	Heather Judd Joe Waugh	
8	A presentation on the findings of the Private Laterals Pilot Study. Discussion to include consideration of potential financing programs for residents to be administered by SELF (Solar Loan Energy Fund)	10/12/2023	3/23/2023	_____	Gabbard	Claude Tankersley John Palenchar Kira Barrera	
9	A discussion on the enforcement of driving without a license and potential diversion options.	TBD	5/18/2003	_____	Floyd	Legal TBD	
10	A discussion on the potential revisions to Section 4-9 of the City Code to regulate the sale of rabbits.	TBD	6/1/2023	_____	Hanewicz	Legal Michael Dema	

11	Review of the conceptual future metered reclaimed water fee structure	TBD	3/2/2023 (PSI) 4/8/2021(HERS)	7/29/2021 (HERS) 4/13/2023 (PSI)	Driscoll	Angela Miller John Palenchar	3/2/2023 - Moved from HERS Per NBI 4/13/2023 - Remaining on PSI Referral Sheet for follow up discussion
12	A discussion regarding the renovation and future use of the Sunshine Center	TBD	5/6/2021	_____	Montanari	Mike Jefferis	
13	Update on Albert Whitted Airport Master Plan	TBD	5/17/2018	8/9/2018 2/13/2020 7/15/2021 1/27/2022	Staff Request Montanari	Chris Ballestra R. Lesniak, D. DiCarlo- (Environmental Services Associates (ESA)	7/15/2021 – Update on master plan progress, review of working papers submitted to the FAA 1/27/2022 – Update on master plan progress, overview of most recent submittals to the FAA and next steps
14	Update on the Citywide Capital Asset Management Program (“CAMP”) (Previously the “City’s Facility Maintenance Plan”)	11/9/2023	6/7/2018	5/9/2019, 11/4/2021 12/8/2022	Montanari, Administration	Claude Tankerlsey	9/12/2019 – T. Greene indicated staff would like return to PS&I for a check-in once the plan became fully staffed 9/24/2020 – Brief update from C. Tankersley on the name change (“CAMP”) & plan overview 11/4/2021 – Comprehensive update of CAMP, including the new asset management administrative policy and status of cloud-based software for city-wide asset management. 12/8/2022 – Brief update from C. Tankersley and Brief update from A. Miller on Strategic Asset Management
15	Quarterly Report on Grow Smarter Sites a) Port Site b) Innovation District Site c) 800 Block Site d) GasPlant/Tropicana Field Site e) Commerce Park Site f) 22nd Street Sites g) Tangerine Plaza Site	8/10/2023	2/15/2018 3/8/2018 7/8/2021	3/8/2018 5/31/2018 9/13/2018 6/13/2019 11/7/2019 1/12/2023	Driscoll, Montanari	James Corbett Brian Caper	6/13/2019 – Update on Innovation District, Former Police Station Site, & Tangerine Plaza 11/7/2019 – Updates: Commerce Park, 22nd St., Tangerine Plaza, Innovation District, Former PD, & Port Site 4/8/2021 – A. DeLisle to provide written updates on the Port Site, Innovation District Site, 800 Block Site, & Tangerine Plaza Site 7/8/2021 – Chair Montanari requested an update on the Port Site
16	Capital Improvement Assessment (Maintenance & Hurricane/Tropical Storm Preparedness) a) Bridges b) Reclaimed Water c) Sidewalks d) Seawalls e) Stormwater f) Potable Water g) Wastewater (if needed) h) Buildings (See “CAMP”)	TBD Sidewalks Seawalls Paving	2/2/2017	a) 9/24/2020 b) 8/24/2017 c) 9/24/2020 d) 9/24/2020 e) 7/12/2018 f) 7/26/2018 (COW) h) 9/24/2020	Montanari	a) Tankersley b) Palenchar c) Tankersley d) Tankersley e) M.Hampton f) Palenchar g) Tankersley h) Tankersley	9/24/2020 – C. Tankersley provided update on sidewalks, seawalls, bridges & their respective investment gaps. As well as introduced “CAMP” Committee asked staff to return with more info on funding for sidewalks & seawalls, as well as further guidance on the conflict between Sec. 25-191 & Resolution 96-55 related to property owner responsibilities 9/6/2022 – Item was deferred by Committee Chair Montanari
2023 PS&I Dates: 1/12, 2/09, 3/09, 4/13, 5/11, 6/08, 7/13, 8/10, 9/14, 10/12, 11/09 - No December Meeting							Updated: 6/02/2023

City of St. Petersburg
Public Services & Infrastructure Committee
May 11, 2023 Meeting Minutes
City Hall, Room 100

Present: Committee Chair Deborah Figgs-Sanders, Committee Vice-Chair Lisset Hanewicz, Council Member Copley Gerdes, Council Member Ed Montanari, Council Chair Brandi Gabbard, Council Member Gina Driscoll, and Council Member Richie Floyd

Absent: None

Also Present: City Administrator Rob Gerdes, City Attorney Jacqueline Kovilaritch, Assistant City Attorney Bret Pettigrew, City Clerk Assistant Jordan Wilson, City Clerk Assistant Maggie Hayes, St. Petersburg Police Legal Advisor Manager Laura Roe, and St. Petersburg Police Lieutenant Kenneth Miller

Support Staff: Linnie Randolph— City Council Legislative Aide

1. Call to Order – 9:33 AM

2. Approval of Agenda – Council Member Ed Montanari motioned for approval. All voted in favor.

3. Approval of April 13, 2023, Minutes – Council Chair Brandi Gabbard motioned for approval. All voted in favor.

4. New Business – May 11, 2023

- a. Further discussion regarding potential expansion of the downtown boundaries for the sidewalk table ordinance.**

Brett Pettigrew, Assistant City Attorney
Laura Roe, Police Legal Advisor Manager

Committee Chair Deborah Figgs-Sanders welcomes all to the committee meeting, introduces *St. Petersburg Police Legal Advisor Manager Laura Roe and St. Petersburg Police Lieutenant Kenneth Miller*, she reads a brief description of the new business item on the agenda for discussion then turns the meeting over to *Council Member Gina Driscoll* for the introduction of the discussion item.

Council Member Gina Driscoll explains the reasoning behind her new business item as to create a safer space for our heavily traveled pedestrian areas downtown. *CM Driscoll* explained that this is a follow up to the table ordinance passed in 2019 before the new Pier and an increase in foot traffic throughout the city. She feels it is time for the city to revisit and perhaps expand the existing ordinance boundaries.

St. Petersburg Police Legal Advisor Manager Laura Roe prepared a brief presentation to share some background information and to review some of the changes they are anticipating with an updated ordinance. *Legal Advisor Roe*, walked through her presentation stating that the expansion of Ordinance 25-228 would include the St. Pete Pier, Edge District and Grand Central District. This ordinance will not allow tables as well as table like objects used to display items and to include rolling display stands and carts that can be used as a table in a pedestrian right of way. Items not being utilized for the purpose of display, exhibition, presentation or distribution including suitcases, bags, carts, and other items used to transport rather than display or tables outside of the right of way in greenspaces, parks, private or public property. Ms. Roe went on to explain aspects of the ordinance that would not change with this amendment. They are seeking committee approval for the amendment to full council.

At the conclusion of the presentation Committee Chair Figgs-Sanders opens the floor for committee member comments

Council Member Copley Gerdes thanked both staff and Council Member Driscoll for bringing this topic back for review and amendments and is happy to see the inclusion zones extended. He is in full support of the amendments.

Council Member Richie Floyd asked how this ordinance is different from selling things on the sidewalk which is already considered against the law. **Legal Advisor Roe** explained that this is basically the same conduct, but people will skirt around the law offering things for a donation and other types of trades. **CM Floyd** then asked why this wasn't an amendment to that ordinance instead of creating a new one. **Ms. Roe** stated that one of the biggest intents of this ordinance was to keep tables and table-like objects from blocking the right of way and blocking access to the right of way which creates unsafe conditions. It doesn't matter if you're engaged in the sale of goods. **CM Floyd** followed up by stating there was already an ordinance that says no blocking the sidewalk and right of way and wanted to know the difference and why a new ordinance was needed. **Ms. Roe** explained that enforcement would have to ask the crowd to move and have a reason as to why you're asking them to move. The problem isn't the crowd it's the table drawing the crowd. We don't want to cite the people when it's the table creating the issue. **CM Floyd's** final question was how this would affect people feeding the homeless at Williams Park. **Ms. Roe** stated that this will not affect them at all. There is plenty of green space and area within the park to accommodate.

Council Member Ed Montanari thanked CM Driscoll, Ms. Roe and Assistant City Attorney Bret Pettigrew for their work on identifying the changes we needed to improve the ordinance. He did not have any additional questions and is fully supportive of the amendment.

Council Member Gina Driscoll wanted to emphasize that her reasoning behind bringing this forward and establishing it in the first place was not about what activity is happening with the tables, but to the safety issues that are presented by the tables. This ordinance will allow activity to take place in areas where it is appropriate and safe to do so while keeping pedestrian areas safe and clear.

Committee Chair Figgs-Sanders thanked the team and added that most of her initial questions were answered in an earlier one-on-one. She had concerns that this ordinance may displace services offered to the homeless. Mrs. Figgs-Sanders noted that this version of the ordinance has intentionally tried to dispel a lot of concerns of intent against a certain segment of the community. She asked Ms. Roe if there were any other changes added to help clarify the intent of the ordinance?

Legal Advisor Manager Laura Roe stated that they removed things from this ordinance rather than add so that this is a streamline, slimmed down version of the amendment that only accomplishes what they talked about in the meeting.

Council Member Copley Gerdes moved for approval and all committee members voted all in favor.

Committee Chair Figgs-Sanders provided a brief review of the June 8, 2023 agenda featuring a discussion on Park usage and a Pickle Ball update.

With this final update and no others requesting to be heard Committee Chair Figgs-Sanders
Adjourned the meeting at 9:53 AM

CITY COUNCIL AGENDA

NEW BUSINESS ITEM

TO: Members of City Council

DATE: March 16, 2023

COUNCIL DATE: March 23, 2023

RE: Referral to the Public Services and Infrastructure Committee, or other relevant committees, for a discussion on proposed changes to the Vehicles for Hire Ordinance.

ACTION DESIRED:

Respectfully requesting a referral to the Public Services and Infrastructure Committee, or other relevant committees, for a discussion on proposed changes to the Vehicles for Hire Ordinance.

The Vehicles for Hire Ordinance was originally written when taxi cabs, limos, and shuttle services were the dominant providers of vehicle for hire services. With the growing popularity of ride-share services as well as technology changes that have occurred, Chapter 28 of City Code requires consideration of modifications.

This referral is a staff request, and I am formally submitting this new business item as a method of informing City Council.

Vice-Chair Deborah Figgs-Sanders
District 5

History of Vehicle for Hire Program

- 1993 - Ordinance 107-G public vehicle certificates and drivers permits system undergoes codification
 - A quota system was established making a hard cap on the #s issued every year and a lottery system for new entrants as a settlement of lawsuits then pending; this cap was subsequently abandoned.
- 2002 - Non-motorized vehicles were added to the chapter
- 2011 - Pedal buses were defined in Ord. 1-H
- c. 2014 – Uber and Lyft enter market and citations are issued for violations of operating without required vehicle certificates or drivers permits; the companies subsequently challenge the constitutionality of the ordinance; these cases were won by the City and approx. 80 individual drivers were prosecuted in 2015
- 2014 – 2017 – Discussions on amending City Code to accommodate what becomes known as Transportation Network Companies; 27 draft versions of ordinances created during this time
 - 2016 - Low Speed Vehicles were defined in Ord. 213-H; some items which came up in the litigation were also amended to moot those issues
 - 2017 – F.S. 627.748 created which preempts regulation of Transportation Network Companies and business tax collection from TNCs to the State
 - 2017 – Council passes Ord. 295-H to acknowledge the preemption; in order to “level the playing field” regulations on taxicabs (including livery requirements and mechanic certifications) were relaxed; the requirement to obtain a Public Vehicle Driver’s permit from PD was eliminated and the fee for vehicle certificates was reduced from \$200 to \$95
- Post 2014 the numbers of participants in the program has drastically declined (see attached chart prepared by the Business Tax Division)
- 2020 – Accident involving two taxicabs one registered and one unregistered; re-evaluation of the program with prior Administration
- 2022 – Post pandemic working group from PD, Legal, Business Tax, and Transportation agree that the proposed best path forward is to present an ordinance to remove the Vehicle for Hire Certificate program

Brief Explanation of the Program's Parts

Originally the program consisted of three main parts: Business Tax, Public Vehicle Certificate, and Public Vehicle Driver's Permit.

Business Tax:

Per City Code Chapter 17, business taxes on vehicles for hire are classified as taxable by unit, in this case, "per vehicle". The price per vehicle is \$65. In 2017 during the discussion surrounding potential amendments to the program the City sought an Attorney General's Opinion on whether we could amend our business tax to change the per vehicle model or lower the amount charged. The AGO opinion responded that pursuant to Chapter 205 of Florida Statutes we are basically locked into the Business Tax schedule we created in 1994. We cannot remove the requirement to pay a tax as this would create an exemption which state law does not allow. Thus, even if the draft ordinance is approved and Chapter 28 goes away, this taxing requirement will remain.

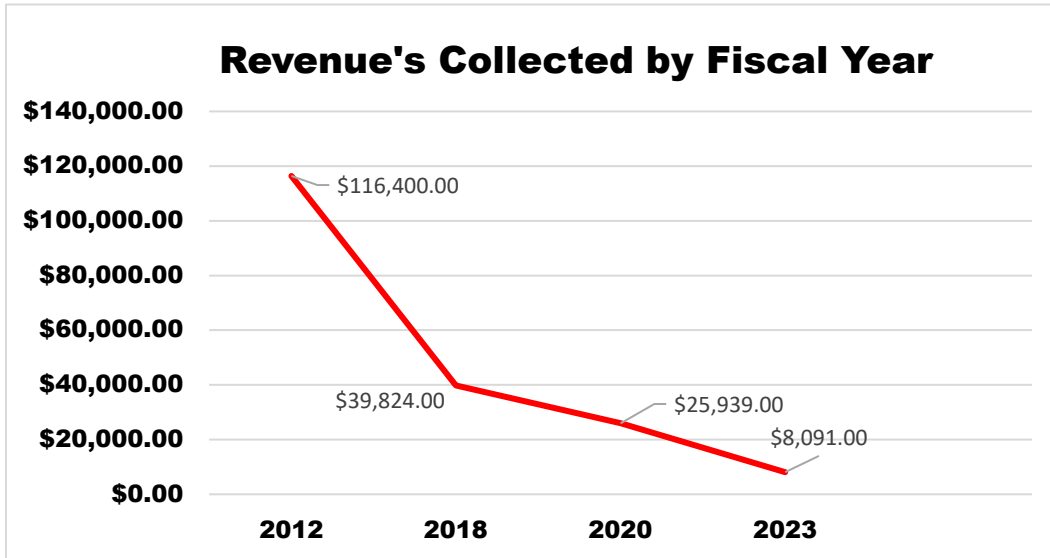
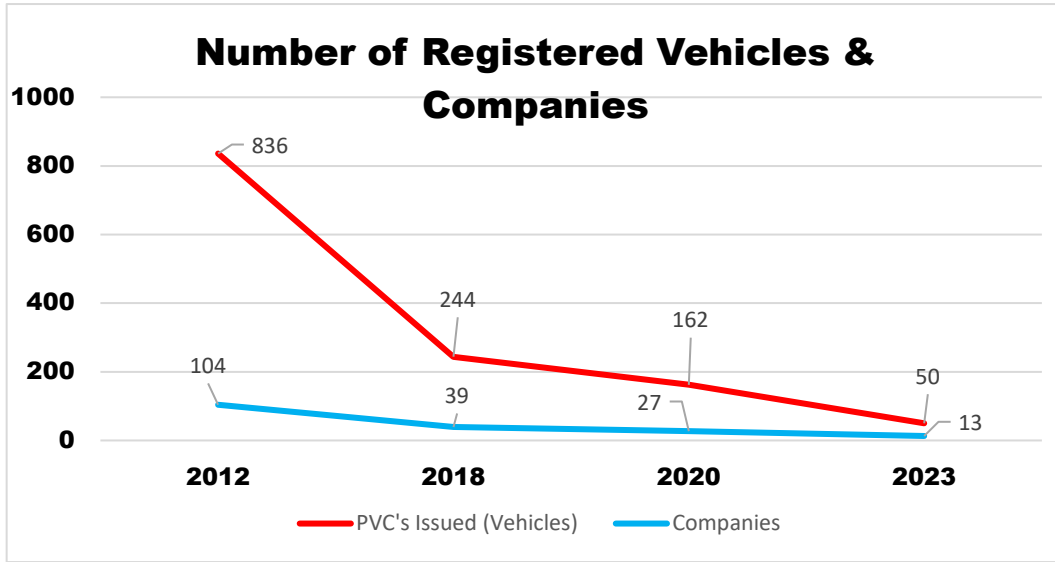
Public Vehicle Certificate:

These must be obtained for all public for hire vehicles as defined in Code. These were held by the owners of the vehicles. Several of our license agreements with public vehicle companies (like pedal pubs and horse and carriage companies) require the certificate be obtained as a condition of the agreement. The current cost of a certificate is \$95. The Certificate is given to the holder as a sticker which is required to be displayed on the outside, rear of the vehicle. The certificate follows the City's fiscal year for renewals. The most important part of the current certificate requirements is the proof of insurance requirements and the requirement that the City be named as an additional insured on all the policies and receive all notices.

Public Vehicle Driver's Permit (requirement removed in 2017)

These were photo IDs required for all drivers of public vehicles in the City. A person did not have to own a vehicle to obtain a driver's permit. The requirements for obtaining the permit were a Level II background check (with fingerprints sent to FDLE). PD could refuse to issue permits if the applicant had repeated violations of motor vehicle laws, felony within the last five years or misdemeanors within last three; under 18; sexual predators; or provided false information on the application.

PVC CHART BY FISCAL YEAR				
<u>Total:</u>	<u>2012</u>	<u>2018</u>	<u>2020</u>	<u>2023</u>
PVC's Issued (Vehicles)	836	244	162	50
Companies	104	39	27	13
BTX/ PVC Revenue's	\$116,400.00	\$39,824.00	\$25,939.00	\$8,091.00



ORDINANCE NO. ____

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE TO REMOVE CHAPTER 28, VEHICLES FOR HIRE IN ITS ENTIRETY; CREATING A NEW ARTICLE IX. NON-MOTORIZED AND LOW SPEED VEHICLES IN CHAPTER 26; AMENDING CHAPTER 12 RELATED TO FEES CHARGED FOR PUBLIC VEHICLES, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION ONE. The St. Petersburg City Code is hereby amended by removing Chapter 28 – Vehicles for Hire in its entirety. Chapter 28 shall be marked as reserved.

SECTION TWO. The St. Petersburg City Code Chapter 26 – Traffic and Vehicles is hereby amended to add a new Article IX. – Non-Motorized and Low Speed Vehicles to read as follows:

ARTICLE IX. Non-Motorized and Low Speed Vehicles

26-501. Definitions.

As used in this article the following terms shall have the meanings ascribed to them:

Driver means an individual who operates or is in actual physical control of a vehicle.

Low speed vehicle means a low speed vehicle as defined under Florida Statutes, as amended, governing motor vehicle licenses.

Non-motorized vehicle means a for-hire vehicle designed to be propelled by humans or animals and which may or may not also have helper engines or motors installed so long as the helper engines or motors do not exceed the non-motorized vehicle speed of over 20 miles per hour on level ground.

Operator means any person owning, leasing or controlling a non-motorized or low speed vehicle. An operator may or may not be a driver.

Pedal bus means a non-motorized for-hire vehicle with a seating configuration similar to that of a dinner table, seating on each side, and solely powered by humans using pedals.

For-hire vehicle means a for-hire vehicle as defined in Florida Statutes, currently F.S. 320.01(15).

Sec. 26-502. Penalty for violation.

Every officer, agent, or employee of any corporation, and every other person who violates or fails to comply with or who procures, aids, or abets in the violation of any provision of this

article shall be guilty of a municipal ordinance violation and may have a penalty enforced upon said person as provided in section 1-7.

Sec. 26-503. Regulations and standards for Non-Motorized vehicles; generally

- (a) Non-motorized vehicle operators shall enter into a license agreement with the City and pay any applicable application fees or business tax due prior to transporting passengers;
- (b) Non-motorized vehicles shall be equipped with:
 - 1. All safety equipment required for vehicles including horn or bell, lights, reflectors and seatbelts, where applicable;
 - 2. A signaling device, which may be human powered such as a whistle;
 - 3. A clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
 - 4. Doors which operate easily and close securely and door hinges and latches in good mechanical working order, if the vehicle is designed to have doors; and
 - 5. Tires of the size appropriate for the vehicle, with no mismatched "sized" tires.
- (c) Non-motorized vehicles may not be operated or parked on any City sidewalk, bulb out, or any other curb area;
- (d) Non-motorized vehicles shall comply with posted regulations for stopping and standing. Non-motorized vehicles may not stop or stand in on-street spaces reserved for bus stops and trolley stops;
- (e) Non-motorized vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and meter charges and are subject to ticketing for failure to comply with such requirement; however, the use of public parking spaces for the advertisement of the rental or sale of non-motorized vehicles is prohibited regardless of compliance with posted time and meter charges;
- (f) There shall be a place provided in the vehicle for the driver's license to be displayed;
- (g) Non-motorized vehicles with passengers, except for pedal buses and horse carriages, may only operate between 9th Avenue South and 9th Avenue North and between 32nd Street and Tampa Bay;
- (h) A non-motorized vehicle shall have no more than one sign on each side of the vehicle, each not more than two square feet and one sign on the rear of the vehicle not more than four square feet;

Sec. 26-504. Regulations and standards for Pedal Buses

In addition to the general requirements for non-motorized vehicles in this article, for pedal buses, the following requirements shall be met:

- (a) No alcoholic beverages other than beer, wine, hard cider or malt based beverages below 19 percent alcohol may be consumed by passengers on the pedal bus. No persons under the

age of 21 are allowed on the pedal bus during a ride where alcohol is or is planned on being consumed.

- (b) All pedal buses shall require passengers to execute a waiver, approved by the City, prior to boarding the pedal bus. Operator shall make available for inspection such executed waivers upon the City's request.
- (c) A pedal bus shall require all passengers under age 16 to wear helmets and offer helmets for all other passengers, regardless of age, at no cost.
- (d) All pedal buses may only be used on public streets designated with a speed limit of 35 miles per hour or less subject to the following exceptions:
 - 1. *Special events.* Pedal buses shall not operate within half a mile of any boundary of any event declared to be a special event by a resolution adopted by the City Council during the event and for two hours prior to and two hours after the event. The resolution shall delineate the boundaries within which the special event declaration is to be effective.
 - 2. The pedal bus shall not operate on December 31 and July 4 between and including 5th Avenue North to 5th Avenue South from Tampa Bay to Interstate I-275 after 5:00 p.m. The POD may increase or decrease the distance and time limitations as determined necessary to have unobstructed pedestrian and vehicular access.
 - 3. *Tropicana Field Events.* Pedal buses shall not operate between and including 6th Street and 20th Street and Central Avenue to 5th Avenue South for 1.0 hour prior to and 1.0 hour after an event held at Tropicana Field.
 - 4. *Crossing streets.* Pedal buses are allowed on streets designated with a speed limit of over 35 miles per hour for the sole purpose of crossing such portion where a 35 miles per hour or less speed zone is designated on both sides of the street. The pedal bus shall obey all State laws with regards to road crossings and travelling upon State and county roads.
 - 5. *Street closures.* Pedal buses are not allowed on streets which have been closed except that if such closure is in association with a parade permit and the pedal bus is an authorized participant in such parade.
- (e) A pedal bus shall carry the following insurance at its own expense:
 - 1. Commercial general liability insurance in an amount of at least \$1,000,000.00 per occurrence, with \$2,000,000.00 aggregate, and \$5,000.00 medical payments coverage. This policy shall include coverage for (i) personal injury or death or property damage or destruction; (ii) participant and passenger liability; (iii) contractual liability under this agreement, and (iv) customers who bring alcohol on the pedal bus.
 - 2. Automobile liability insurance of \$1,000,000.00 combined single limit.
 - 3. Workers' compensation insurance as required by Florida law and employers' liability insurance in an amount of at least \$100,000.00 each accident, \$100,000.00 per employee, and \$500,000.00 for all diseases.
- (f) Pedal buses shall obey all traffic laws and shall not obstruct pedestrian traffic.

- (g) No glassware of any kind shall be allowed on the serving area of a pedal bus including but not limited to bottles, receptacles or drinking glasses. Glassware may be allowed to be stored on a pedal bus as long as the glassware is empty, securely stored so as to be inaccessible while the vehicle is in motion, and wrapped in paper, padding, or some other covering to prevent breakage,

Sec. 26-505. Regulations and standards for Low Speed vehicles.

Low speed vehicles are required to comply with the following:

- (a) Low speed vehicles shall conform to all Federal and State regulations (currently Title CFR Part 571.500 and F.S. ch. 316).
- (b) Low speed vehicles shall have a clean, sanitary interior, free from torn upholstery or floor covering and from damaged or broken seats;
- (c) Low speed vehicles shall have the exterior parts free from cracks, breaks and dents;
- (d) Low speed vehicles shall be structurally sound and operate with a minimum of noise and vibration;
- (e) Low speed vehicles shall comply with posted regulations for stopping and standing and shall not stop or stand in on-street spaces reserved for, or marked as, bus stops and trolley stops, but may use on-street spaces reserved for taxicabs;
- (f) Low speed vehicles may use available public parking spaces for stopping or standing but shall comply with posted time requirements and meter charges and are subject to ticketing for failure to comply with such requirements; however, the use of public parking spaces for the advertisement of the rental or sale of low speed vehicles is prohibited regardless of compliance with posted time and meter charges;
- (g) There shall be a place provided in the vehicle for the driver's picture to be displayed which shall be readily visible to occupants;
- (h) Low speed vehicles shall comply with all traffic regulations and shall not be allowed on any sidewalk, bulb out, or any other curb area;
- (i) Low speed vehicles which may charge a fee shall not be required to have a taxicab meter.
- (j) Notwithstanding the foregoing, City employees shall be allowed to operate low speed vehicles on any sidewalk or in any park provided such operation is necessary in carrying out their official duties.

SECTION THREE. Section 12-6(9) of the St. Petersburg City Code shall be amended to remove the fee for public vehicle certificates as follows:

(9) *Other service fees.*

~~Public vehicle certificate~~~~95.00~~

SECTION FOUR. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

SECTION FIVE. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION SIX. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

Assistant City Attorney

CITY COUNCIL AGENDA

NEW BUSINESS ITEM

TO: Members of City Council

DATE: January 12, 2023

COUNCIL DATE: January 19, 2023

RE: Referral to the Public Services and Infrastructure Committee to provide an update of the Parks & Recs department regarding Pickle Ball throughout the City.

ACTION DESIRED:

Respectfully requesting a referral to Public Safety & Infrastructure (PS&I) Committee for an update of the Parks & Recs department regarding Pickle Ball throughout the City.

Council Vice-Chair Figgs-Sanders
District 5



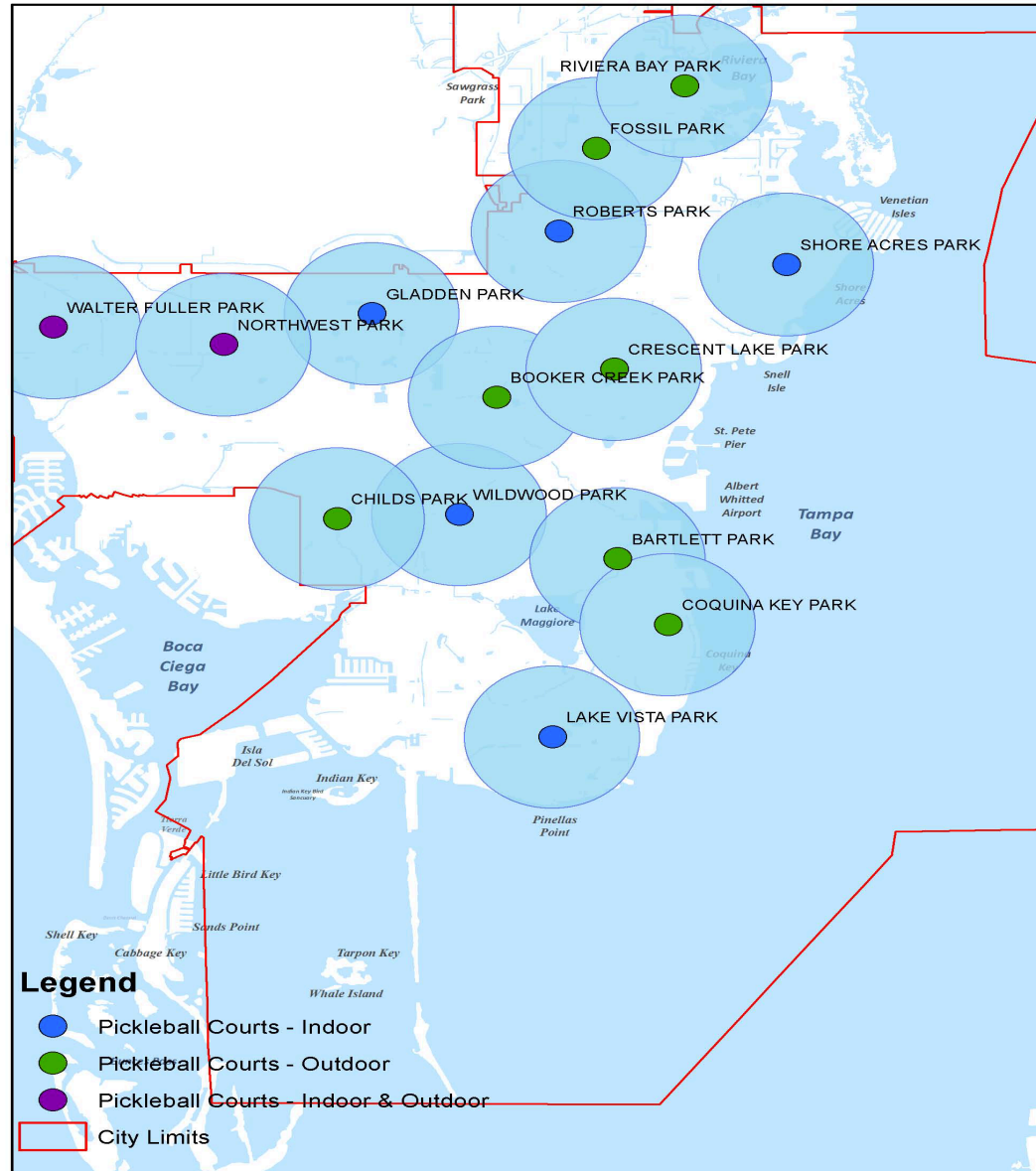
City of St. Petersburg Pickleball Update



Pickleball Locations

Location	Pickleball (Outdoor)	Pickleball (Indoor)	
Bartlett Park	6	0	
Booker Creek	1	0	
Child's Park	2	0	
Coquina Key	6	0	
Crescent Lake	6	0	
Denver Park	6	0	
Gladden Park	0	2	
Fossil Park	6	0	
Lake Vista	0	2	
Northwest Park	6	3	
Riviera Bay Park	2	0	
Roberts	0	3	
Shore Acres	0	3	
Walter Fuller	6	3	
Wildwood	0	2	
Woodlawn	0	0	
TOTAL	47	18	65

Service Areas



Pickleball Service Area - 1 Mile Radius

Date: 3/31/2023



Surrounding Area Information

City of St. Petersburg

- 17 Facilities
- 65 Courts

City of Tampa

- 13 Facilities
- 62 Courts (6 multi-purpose)

Hillsborough County

- 12 Facilities
- 32 Courts (14 dedicated)

City of Clearwater

- 8 Facilities
- 11 Courts (4 dedicated)

Sarasota County

- 13 Facilities
- 36 Courts

Manatee County

- 5 Facilities
- 32 Courts

City of Pinellas Park

- 3 Facilities
- 7 Courts (multi-purpose)

City of Largo

- 1 Facility
- 4 Courts (multi-purpose)

City of Sarasota

- 2 Facilities
- 2 Courts

City of Bradenton

- 1 facility
- 2 courts

City of Gulfport

- 1 Facility
- 2 Courts

A background image of a basketball game in progress on an outdoor court. A black arrow points from the left towards the right, passing behind the text. The scene is slightly blurred, capturing the motion of the players.

Future Strategies

- Balancing Recreational Amenities within Communities
- Looking for Public/Private Partnership Opportunities
- Encouraging Local Businesses
- Working with Local municipalities on Expansion Strategies

CITY COUNCIL AGENDA

NEW BUSINESS ITEM

TO: Members of City Council

DATE: April 29, 2022

COUNCIL DATE: May 5, 2022

RE: Substantial Change of Use of Park Property (Staff Request)

ACTION DESIRED:

Respectfully requesting a referral to PS&I to be held May 26, 2022 for a discussion of possible amendments to the City Code to clarify the criteria for a substantial change of use of park property.

This referral is a staff request, and I am formally submitting this new business item as a method of informing the City Council.

Ed Montanari, Council Member
District 3

City of St. Petersburg
Public Services & Infrastructure Committee
May 26, 2022 Meeting Minutes
City Hall, Room 100

Present: Committee Chair Ed Montanari, Committee Vice-Chair Deborah Figgs-Sanders, Council Member Copley Gerdes, and Council Member Lisset Hanewicz

Absent: None

Also Present: Council Chair Gina Driscoll, City Administrator Rob Gerdes, Managing Assistant City Attorney Michael Dema, Assistant City Attorney Christina Boussias, Assistant City Attorney Heather Judd, Leisure Services Administrator Mike Jefferis, Parks and Fields Operations Superintendent Bryan Eichler, and Deputy City Clerk Patricia Beliveau

Support Staff: Daphney Ivory – City Council Legislative Aide

1. Call to Order – 9:37 AM

2. Approval of Agenda – CM Figgs-Sanders motioned for approval. All voted in favor.

3. New Business – May 26, 2022

A Discussion to proposed revisions to City Council's Quasi-Judicial Procedures and the potential establishment of new procedures for disclosing ex-parte` communications and permitting site visits to apply all City board, commission and City Council members who take quasi-judicial action. – *Managing Assistant City Attorney, Michael Dema, and Assistant City Attorney, Christina Boussias*

Assistant City Attorney Christina Boussias provided Background information regarding quasi-judicial proceedings, a summary of the changes the City Attorney's Office is proposing to Chapter 18 of the City Council Policies & Procedures Manual, and a brief overview of the City Council's current policy regarding ex-parte communications and the state of the law regarding ex-parte communications.

Ms. Boussias noted that some common quasi-judicial matters such as site plan reviews, special exceptions, historic destination certificates of appropriateness (COAs), and small-scale re-zonings clarify the proposed modifications to Chapter 18 Paragraph IA, IG, and IH. Ms. Boussias also explained that the current policy is the best practice and the only recommended change to ex-parte communications is to provide a definition.

Council Member Figgs-Sanders asked if Council would recuse themselves when asked to make a site visit for a prior quasi-judicial case. In response, Mr. Dema explained that a disclosure would be required before any site visit.

Council Chair Driscoll asked if not physically being on a property is considered a site visit and if this should be mentioned at the opening of the hearing. Ms. Boussias responded any visit to real property that is the subject of a pending quasi-judicial matter occurring before the public hearing and going there to make visual observations is considered a site visit. Mr. Dema recommended a visit be conducted from the sidewalk to avoid any trespassing issues whether you're on the property or not you've viewed the subject property and this information should be mentioned before the hearing.

In reference to Ms. Boussias' statement, any visit to any real property that is the subject of a pending quasi-judicial matter occurring before the public hearing, CM Figgs-Sanders and Mr. Dema both agreed the word pending should be italicized.

Committee Chair Montanari asked about a memo being sent to the clerk, but is not required, should the memo consist of one sentence and if there are ramifications if not done. Mr. Dema and Ms. Boussias responded that one sentence will suffice and if not disclosed before the site visit this will not prejudice the case or jeopardize the outcome. An opportunity to disclose at the commencement of the hearing will be granted. CM Montanari also asked that the language for driving by a site be clarified and Mr. Dema agreed.

CM Figgs-Sanders asked for clarification of the verbiage, the best solution to remove the potential bias, or prejudice created may be abstention. Mr. Dema confirmed that Council can abstain from the situation of ex-parte communication.

CM Montanari asked about the order of cross-examination and rebuttal being completed by the City Administration before the Opponent. Mr. Dema explained that the most affected party will have the last say in a quasi-judicial proceeding. CM Montanari made a motion to approve the changes to Attachment A, the red lines of Chapter 18 quasi-judicial section of the policy and procedures manual, italicizing the word pending along with the committee chair's suggested changes. Motion carries and all members voted in favor.

A discussion of possible amendments to the City Code to clarify the criteria for a substantial change of use of park property. – Assistant City Attorney, Heather Judd, Leisure Services Administrator, Mike Jefferis, and Parks and Field Operations Superintendent, Bryan Eichler

Leisure Services Administrator, Michael Jefferis explained the possibility of amending City Codes to clarify the change of use of park property and amenities with one example being converting tennis courts to pickleball. Mr. Jefferis expressed the goal is to clarify the language in the code that currently is interpreted as not needing a substantial change of use in a passive park if there is an active-to-active change in amenities.

Assistant City Attorney Heather Judd provided background and history of some of the changes that have been affected within City Charter Section 1.02 that have been similar for about 30 years.

Council Member Hanewicz asked how Section (a) one and Section (b) three do not apply to the scenario of changing a tennis court to pickleball courts in a Passive park because both would apply. She explained that the changing of categories is contradictory and would have preferred having a one-on-one before the meeting. Ms. Judd shared that the categories were separated to make them easier to understand. Mr. Dema expounded on the explanation that if a Passive park goes to an Active park use it is considered a 100% substantial change of use. If it's an already established active use and staying within the same category an administrative discretion to make those changes without the more cumbersome, substantial change in the use process. CM Hanewicz gave a further explanation as to why she feels there is a conflict.

City Administrator Rob Gerdes expressed that the administration would return to the committee to discuss further. In response, Mr. Jefferis shared that the only mission is to add clarity and to make the information as clear as possible, also agreeing to defer the item.

CM Montanari and CM Gerdes both agreed to the deferment. CM Figgs-Sanders voiced understanding of what was presented and asked if deferring would mean having one-on-ones. Mr. Gerdes responded yes, but it was up to the committee to vote, but if deferred there would be continued conversation and once the item comes back to the committee, those discussions would be walked

through and every change that is proposed will be explained in the sunshine to all the committee members. In response, CM Figgs-Sanders stated, that she did not want us to set a precedent and say that because one person doesn't agree with something, we table everything and agreed to move forward to defer.

CM Driscoll asked what a Charter park is and what percentage of our parks are Charter parks. Ms. Judd responded, that in this section of the Charter there is no definition of Charter park but is a larger definition section at the beginning of the parks chapter 21, which defines Charter parks and non-Charter parks, but for the applicability of this section, substantial change of use only applies to Charter parks. She recommended looking not in the definitions, but a few sections after in the purpose section at the beginning of chapter 21 explains park use from the early 90s. Ms. Judd also explained that Charter parks have their section listings and most of them were tied to the 1984 parks and waterfronts map with non-chronological numbers and those numbers correspond to the parks and waterfronts maps list. As parks are added, it is the City Council's decision whether they want to make those a Park and add them to the list in a separate section. Discussions may be in the future to unify these lists and would require a charter amendment to tinker with the maps and those numbers.

CM Driscoll asked if Crescent Lake's Passive park that an Active park section has become subject to the Active park rules or is it still subject to the passive park rules. Sharing the concern that there are two definitions for the same park. Mr. Dema agreed that clarification is needed and asked if there is feedback from the committee that suggests they're on the right track and they like the way this has been set up. Ms. Judd also asked if the categories are something everybody hates or wants to keep? In response, CM Driscoll agreed that this was acceptable.

CM Hanewicz explained her reasons for needing clarification of the ordinance and mentioned that a conversation is needed to discuss categories, noting that City Council should have a voice in the process. Mr. Jefferis responded saying the administration strives to work closely with the Council and if something major is done in a park, it would have to go before the Council with a contract for approval and reiterated that Administration's mission is to clarify and to make everyone comfortable.

CM Montanari concluded by sharing that he trusted Mr. Jefferis' team giving them leeway to make changes in the parks and would like to see changes to the language while working with the attorneys to understand it.

CM Montanari adjourned the meeting at 10:39 AM.

ORDINANCE NO. 2022-F

AN ORDINANCE PROVIDING THAT THE CURRENT PROVISIONS IN CHAPTER 21, (PARKS AND RECREATION) OF THE ST. PETERSBURG CITY CODE BE PLACED IN A NEW ARTICLE I OF SAID CHAPTER; CREATING A NEW ARTICLE II TO CHAPTER 21 OF THE ST. PETERSBURG CITY CODE DEFINING SUBSTANTIAL CHANGE OF USE OF PARK PROPERTY OWNED BY THE CITY AS REQUIRED BY THE CITY CHARTER; PROVIDING DEFINITIONS; PROVIDING SEVERABILITY OF TERMS; PROVIDING THAT DEVELOPMENT IN ACCORDANCE WITH CERTAIN APPROVED PLANS SHALL NOT BE CONSIDERED A SUBSTANTIAL CHANGE IN USE; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. All of the current provisions contained in Chapter 21 of the St. Petersburg City Code shall be placed in a new Article I of said Chapter.

SECTION 2. The new Article I described in Section 1 of this Ordinance shall be entitled: "General".

SECTION 3. Article II of Chapter 21 of the St. Petersburg City Code is hereby created to read as follows:

ARTICLE II
SUBSTANTIAL CHANGE OF USE OF PARK PROPERTY

Sec. 21-100. Notwithstanding anything to the contrary in Article I of this Chapter, for the purposes of this Article, the following terms have these definitions:

a. "Permanent" means not intended or designed to be terminated in less than three (3) months.

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b. "Park Property" means property owned by the City of St. Petersburg considered park property by virtue of the St. Petersburg City Charter.

c. "Passive Park Uses" mean unprogrammed, self-guided recreational uses primarily of a non-vigorous or non-competitive nature. Passive park uses include the following uses:

Passive recreation areas, rest room facilities, hiking and nature trails, picnic areas with shelters, landscaping, bicycle paths, jogging trails, parking facilities, playground apparatus, wooded areas, nature centers, beaches, camping areas, botanical gardens, arboreta, horseshoe courts, shuffleboard courts, lawn bowling courts, and decorative fountains, concession stands, park and recreation offices, facilities or uses accessory to or utilized in connection with the above-described uses; and area or border fencing compatible with the character of the park.

d. "Active Park Uses" means programmed or highly structured recreational uses that are of a vigorous or competitive nature. Active park uses include the following uses:

Swimming pools, tennis and racquetball courts, boating and swimming areas, sports fields, play areas, multi-purpose senior citizens areas, ball fields, recreational buildings, multi-purpose courts, boat ramps and boat jacks, facilities, zoos, outdoor amphitheaters, golf courses, gymnasiums, tennis walls, exercise courts, skating rinks, skateboarding facilities, bicycle competition areas, basketball goals, libraries, museums, and marinas.

e. "Wilderness Area" means heavily wooded park property which is designated as such as in Section 2-105.

f. "Active Park" means a Park designated in Section 21-105 as an Active Park.

g. "Passive Park" means a park designed in Section 21-105 as a Passive Park.

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d. "Active Park Uses" means programmed or highly structured recreational uses that are of a vigorous or competitive nature. Active park uses include the following uses:

Swimming pools, tennis and racquetball courts, boating and swimming areas, sports fields, play areas, multi-purpose senior citizens areas, ball fields, recreational buildings, multi-purpose courts, boat ramps and boating facilities, zoos, outdoor amphitheaters, golf courses, gymnasiums, tennis walls, exercise courts, skating rinks, skateboarding facilities, bicycle competition area, basketball goals, libraries, museums, and marinas.

e. "Wilderness Area" means heavily wooded park property which is designated as such as in Section 2-105.

f. "Active Park" means a Park designated in Section 21-105 as an Active Park.

g. "Passive Park" means a park designed in Section 21-105 as a Passive Park.

Sec. 21-101. A Substantial Change of Use of park property for purposes of Section 1.02 of the St. Petersburg City Charter means:

(a) A permanent change of use in a Passive Park to a use other than in a Passive Park Use except that a permanent change of the use of less than 1/4 of an acre of Passive Park to an Active Park Use shall not be considered a substantial change of use.

(b) A permanent change of use to a use other than an Active Use or a Passive Park Use in an Active Park.

(c) A permanent change which causes the use of more than sixty percent (60%) of a park for Active Park Uses.

(d) Any use of a Wilderness Area excluding minimally intrusive paths, benches, compatible or protective fencing picnic tables and interpretive signage.

(e) Detention, Retention or Treatment Facilities for off-site storm water drainage.

Sec. 21-102. At least twenty-five percent (25%) of each Park Property shall remain open green space. Parks that as of November 29, 1990 have less than twenty-five percent (25%) of open green space shall not be considered in violation of this Article and shall be allowed to maintain the level of development existing on such date without being in violation of this Article.

Sec. 21-103. All current park property is hereby designated as either passive or active as indicated in Section 21-105. Property designated as park property in the future shall be designated as active or passive at the time of designation as park property. The designation of parks as active or passive is neither intended to nor shall it have any effect on uses existing as of November 29, 1990 whether or not such uses are consistent with the park designation delineated in this Ordinance.

Sec. 21-104. Notwithstanding any other provision of this Article, it shall not be a change in park use to develop a park in accordance with the approved Waterfront Master Plan as the same has been modified by park plans contained in the Bay Plaza Master Plan, the Historic and Benoit Museum Plans (Resolution No. 90-760), and the approved Vinoy Development Plan as these plans exist on November 29, 1990. It shall also not be a substantial change in use to develop a park in accordance with plans which have been approved as a substantial change in park use, prior to November 29, 1990, in accordance with the procedure delineated in Section 1.02 of the City Charter.

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Sec. 21-101. A Substantial Change of Use of park property for purposes of Section 1.02 of the St. Petersburg City Charter means:

(a) A permanent change of use in a Passive Park to a use other than in a Passive Park Use except that a permanent change of the use of less than 1/4 of an acre of Passive Park to an Active Park Use shall not be considered a substantial change of use.

(b) A permanent change of use to a use other than an Active Use or a Passive Park Use in an Active Park.

(c) A permanent change which causes the use of more than sixty percent (60%) of a park for Active Park Uses.

(d) Any use of a Wilderness Area excluding minimally intrusive footpaths, benches, compatible or protective fencing picnic tables and interpretive signage.

(e) Detention, Retention or Treatment Facilities for off-site storm water drainage.

Sec. 21-102. At least twenty-five percent (25%) of each Park Property shall remain open green space. Parks that as of November 29, 1990 have less than twenty-five percent (25%) open green space shall not be considered in violation of this Article and shall be allowed to maintain the level of development existing on such date without being in violation of this Article.

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Sec. 21-105. The following list of Park properties delineates Active Parks, Passive Parks and Wilderness Areas. The numbers appearing in front of each park property correspond to the numbers on the City Charter Park and Waterfront Property Map on file with the Clerk of City Council and referenced in Section 1.02 of the City Charter.

(a) ACTIVE PARK PROPERTY

- | | |
|------------------------------|--------------------------|
| 2. Sunlit Boat Ramp | 49. Wildwood Park |
| 6. Fossil Park | 50. Silver Lake Playlot |
| 7. Mangrove Bay Golf Course/ | 51. Playlot No. 3 |
| Northeast Park | 53. Bartlett Park |
| 10. Jack Puryear Park | 54. Auburn St. Playlot |
| 11. Denver Park | 59. Coquina Key Park |
| 13. Roberts Park | 64. Lake Vista Park |
| 14. Shores Acres Park | 66. Bay Vista Park |
| 16. Kivnanis Park | 72. Twin Brooks Golf Cr. |
| 18. Crisp Park | 73. Child's Park |
| 25. North Shore Park | 89. Azalea Park (South |
| 26. Woodlawn Park | of Adult Center) |
| 39. Al Lang Field | 90. Jungle Prada Park |
| 42. Campbell Park | 91. Northwest Park |
| 46. Playlot No. 1 | 94. Walter Fuller Park |
| 48. Playlot No. 2 | 95. Gladden Park |

(b) PASSIVE PARK PROPERTY

- | | |
|----------------------------|--------------------------|
| 1. Sunlit Shores Park | 52. Lassing Park |
| 3. Rio Vista Park | 56. Taylor Park |
| 4. Meadowlawn Park | 57. South Shore Park |
| 5. Lynch Lake Park | 58. Grandview Park |
| 6. Mastry Lake Park | 60. Unnamed Park |
| 12. Shore Acres Mini-Park | 61. Cook Park |
| 15. Kelly Lake Park | 62. Lake Maggiore |
| 17. Allendale Park | 67. Indian Mound Park |
| 19. Collee Pot Park | 69. Maximo Park |
| 20. Blanc Park | 73a. Child's Park Linear |
| 21. Coffee Pot Blvd/Granda | 74. Coconut Park |
| Terr. & Traffic Circles | 75. Pasadena Circle |
| 22. Euclid Lake Park | 76. Sunset Park |
| 23. Crescent Lake Park | 77. Bear Creek Park |
| 24. Flora Wylie Park | 78. Disston Lake Park |
| 27. Baywood Park Indian | 79. Lake Pasadena Park |
| Midden | 80. Seminole Park |
| 28. Vinoy Park and Mole | 81. Eagle Crest Lake Pk |
| 29. Round Lake Park | 82. Jorgenson Lake Park |

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Sec. 21-105. The following list of Park properties delineates Active Parks, Passive Parks and Wilderness Areas. The numbers appearing in front of each park property correspond to the numbers on the City Charter Park and Waterfront Property Map on file with the Clerk of City Council and referenced in Section 1.02 of the City Charter.

(a) ACTIVE PARK PROPERTY

- | | |
|--|--|
| 2. Sunlit Boat Ramp | 49. Wildwood Park |
| 6. Fossil Park | 50. Silver Lake Playlot |
| 7. Mangrove Bay Golf Course/
Northeast Park | 51. Playlot No. 3 |
| 10. Jack Puryear Park | 53. Bartlett Park |
| 11. Denver Park | 54. Auburn St. Playlot |
| 13. Roberts Park | 59. Coquina Key Park |
| 14. Shores Acres Park | 64. Lake Vista Park |
| 16. Kiwanis Park | 66. Bay Vista Park |
| 18. Crisp Park | 72. Twin Brooks Golf Cr. |
| 25. North Shore Park | 73. Child's Park |
| 26. Woodlawn Park | 89. Azalea Park (South
of Adult Center) |
| 39. Al Lang Field | 90. Jungle Prada Park |
| 42. Campbell Park | 91. Northwest Park |
| 46. Playlot No. 1 | 94. Walter Fuller Park |
| 48. Playlot No. 2 | 95. Gladden Park |

(b) PASSIVE PARK PROPERTY

- | | |
|---|--------------------------|
| 1. Sunlit Shores Park | 52. Leasing Park |
| 3. Rio Vista Park | 56. Taylor Park |
| 4. Meadowlawn Park | 57. South Shore Park |
| 5. Lynch Lake Park | 58. Grandview Park |
| 6. Mastry Lake Park | 60. Unnamed Park |
| 12. Shore Acres Mini-Park | 61. Cook Park |
| 15. Kelly Lake Park | 62. Lake Maggioro |
| 17. Allendale Park | 67. Indian Mound Park |
| 19. Collee Pot Park | 69. Maximo Park |
| 20. Blanc Park | 73a. Child's Park Linear |
| 21. Coffee Pot Blvd/Granda
Terr. & Traffic Circles | 74. Coconut Park |
| 22. Euclid Lake Park | 75. Pasadena Circle |
| 23. Crescent Lake Park | 76. Sunset Park |
| 24. Flora Wylie Park | 77. Bear Creek Park |
| 27. Baywood Park Indian
Midden | 78. Disston Lake Park |
| 28. Vinoy Park and Mole | 79. Lake Pasadena Park |
| 29. Round Lake Park | 80. Seminole Park |
| | 81. Eagle Crest Lake Pk |
| | 82. Jorgenson Lake Park |

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30. Spa Beach Park
31a. Edgewater Waterfront Park
32. International Park
33. Jamestown Park
34. Mirror Lake Park
35. Soreno/Straub Park
36. Williams Park
37. Pioneer Park
38. Demons Landing Park
39a. Fountain of Youth
43. Wood Park
44. Roser Park
45. Poynter Park
101. Unnamed Lake

(c) WILDERNESS AREA PROPERTY

63. Little Bayou Park
65. Forrest Bluff Park
66. Pinellas Point Park
70. Broadwaters Park

(d) PASSIVE PARK PROPERTY WITH WILDERNESS AREAS

The wilderness areas for the below listed parks are as designated on drawings kept on file in the Office of the Clerk of City Council. The specific drawings are referenced below as they relate to the parks respectively listed.

62. Lake Maggioro Park
Drawing No.: 1990A
Entitled: Lake Maggioro
Park
Wilderness Areas
Dated: November 19, 1990

69. Maximo Park
Drawing No.: 1990B
Entitled: Maximo
Park
Wilderness
Areas
Dated: November 19,
1990

83. Booker Creek Linear
84. Booker Creek Park
85. Mt. Vernon Park
86. Harshaw Lake No. 1
87. Louise Lake Park
88. Tyrone Park
89. Azalea Park (North
of Adult Center)
92. Sheffield Lake Park
93. Leslee Lake Park
96. Simons Lake Park
97. Sunhaven Lake Park
99. Downtown Waterfront Pk
100. Shell Isle Park
102. Treasure Island Bch

30. Spa Beach Park
 31a. Edgewater Waterfront Park
 32. International Park
 33. Jamestown Park
 34. Mirror Lake Park
 35. Soreno/Straub Park
 36. Williams Park
 37. Pioneer Park
 38. Demens Landing Park
 39a. Fountain of Youth
 43. Wood Park
 44. Roser Park
 49. Poynter Park
 101. Unnamed Lake

(c) WILDERNESS AREA PROPERTY

63. Little Bayou Park
 65. Torrest Bluff Park
 66. Pinellas Point Park
 70. Broadwaters Park

(d) PASSIVE PARK PROPERTY WITH WILDERNESS AREAS

The wilderness areas for the below listed parks are as designated on drawings kept on file in the Office of the Clerk of City Council. The specific Drawings are referenced below as they relate to the parks respectively listed.

62. Lake Maggiore Park
 Drawing No.: 1990A
 Entitled: Lake Maggiore
 Park
 Wilderness Areas
 Dated: November 19, 1990

83. Booker Creek Linear
 84. Booker Creek Park
 85. Mt. Vernon Park
 86. Harshaw Lake No. 1
 87. Louise Lake Park
 88. Tyrone Park
 89. Azalea Park (North
 of Adult Center)
 92. Sheffield Lake Park
 93. Leslie Lake Park
 96. Sirona Lake Park
 97. Sunhaven Lake Park
 99. Downtown Waterfront Park
 100. Snell Isle Park
 102. Treasure Island Beach

71. Clam Bayou
 90. deNarvaez Park
 98. Abercrombie Park

69. Maximo Park
 Drawing No.: 1990B
 Entitled: Maximo
 Park
 Wilderness
 Areas
 Dated: November 19,
 1990

SECTION 4. The provisions of this Ordinance shall be deemed severable and the invalidity of any portion shall not affect the validity of the remaining portions.

SECTION 5. This Ordinance shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council on first reading on the 15th day of November, 1990.

Passed by St. Petersburg City Council on second and final reading, as amended, on the 29th day of November, 1990.

Ruth L. L...
 Mayor-Councilmember
 Chairman of the City Council

ATTEST:

John K. Brown
 Clerk of the City Council

Title Published: Times 1-t 11/19/90

SECTION 4. The provisions of this Ordinance shall be deemed severable and the invalidity of any portion shall not affect the validity of the remaining portions.

SECTION 5. This Ordinance shall become effective immediately upon its adoption.

Passed by St. Petersburg City Council on first reading on the 15th day of November, 1990.

Passed by St. Petersburg City Council on second and final reading, as amended, on the 29th day of November, 1990.

[Signature]
Mayor-Councilmember
Chairman of the City Council

ATTEST:

[Signature]
Clerk of the City Council

Title Published: Times 1-t 11/19/90

ORDINANCE NO. 2023-F

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 2, ARTICLE III OF THE ST. PETERSBURG CITY CODE RELATING TO PURCHASING; PROVIDING A CONSTRUCTION CONTRACT PROGRAM TO ASSURE EQUAL ACCESS TO BLACK, HISPANIC AND WOMEN BUSINESS ENTERPRISES; PROVIDING A DECLARATION OF POLICY; FINDINGS OF PRIOR DISCRIMINATION; ESTABLISHING DEFINITIONS FOR MINORITY BUSINESS ENTERPRISE, BLACK, HISPANIC AND WOMEN BUSINESS ENTERPRISE, SHELTERED MARKET AND OTHER TERMS; PROVIDING FOR THE ESTABLISHMENT OF ANNUAL CITY-WIDE PARTICIPATION PERCENTAGES FOR BLACK, HISPANIC AND WOMEN BUSINESS ANNUAL CITY-WIDE AND ON CONSTRUCTION PROJECTS; PROVIDING FOR THE ESTABLISHMENT OF A CONSTRUCTION COMMITTEE TO ESTABLISH PARTICIPATION PERCENTAGES; PROVIDING THAT PERCENTAGES SHALL BE BASED ON AVAILABILITY OF BLACK, HISPANIC AND WOMEN BUSINESSES; PROVIDING REQUIREMENTS FOR BIDDING ON CONSTRUCTION PROJECTS; PROVIDING A SHELTERED MARKET PROGRAM TO SET ASIDE A PERCENTAGE OF CONSTRUCTION PROJECTS TO BE BID ONLY BY BLACK BUSINESSES ENTERPRISES; PROVIDING THAT COMPETITIVE BIDDING REQUIREMENTS SHALL NOT APPLY TO THE SHELTERED MARKET PROGRAM; PROVIDING FOR CERTIFICATION OF BLACK, HISPANIC AND WOMEN BUSINESSES ENTERPRISES ON AN ANNUAL BASIS; PROVIDING BID REQUIREMENTS ON CONSTRUCTION CONTRACTS INCLUDING REQUIREMENTS TO INCLUDE BLACK, HISPANIC AND WOMEN PARTICIPATION; PROVIDING REQUIREMENTS FOR BID DEPOSITS; PROVIDING FOR AWARD OF CONTRACTS TO LOWEST RESPONSIBLE BIDDER; ESTABLISHING CRITERIA TO DETERMINE LOWEST RESPONSIBLE BIDDER; PROVIDING REQUIREMENTS FOR PERFORMANCE BONDS; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ESTABLISH ADMINISTRATIVE PROCEDURES; PROVIDING FOR THE APPOINTMENT OF MBE

ORDINANCE NO. 694-G

AN ORDINANCE RELATING TO THE USE OF PARK PROPERTY; AMENDING SECTIONS 21-1 THROUGH 21-90 OF THE ST. PETERSBURG CITY CODE; PROVIDING FOR DEFINITIONS; AUTHORIZING THE ESTABLISHMENT AND ENFORCEMENT OF POLICIES AND PROCEDURES; ESTABLISHING REQUIREMENTS AND PROCEDURES FOR PARK PERMITS; PROVIDING FOR ACTIVITIES THAT REQUIRE A PARK PERMIT; PROVIDING FOR EXCEPTIONS; PROVIDING STANDARDS FOR ISSUANCE; PROVIDING FOR NOTICE, APPEALS, CONDITIONS AND REVOCATION OF PARK PERMITS; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR PROHIBITED ACTS; PROVIDING FOR THE SALE, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CERTAIN CITY PARKS AND FACILITIES UNDER CERTAIN CONDITIONS; PROVIDING TIMES FOR CLOSING PARKS; ADDING DOG PARKS, GOLF PRACTICES AREAS, AND BOATING AND SWIMMING AREAS AS PASSIVE PARK USES; PROVIDING FOR TEMPORARY MAINTENANCE ACTIVITIES; PROVIDING FOR PREEXISTING MUNICIPAL USES; PROVIDING FOR CHARTER AND NONCHARTER PARKS; PROVIDING FOR LIMITING THE SALE OF ALCOHOLIC BEVERAGES, WHERE PERMITTED IN CITY PARKS, TO CONSUMPTION ON THE PREMISES IN CERTAIN OF THOSE PARKS; REMOVING OUTDATED SECTIONS OF THE CHAPTER; CORRECTING GRAMMATICAL AND TYPOGRAPHICAL ERRORS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Sections 21-1 through 21-90 of the St. Petersburg City Code are hereby amended to read as follows:

Chapter 21 PARKS

ARTICLE I. IN GENERAL

Sec. 21-1. Definitions.

(a) The following words, terms and phrases, when used in this chapter, shall when capitalized shall have the meanings ascribed to them in this sub-section:

Charter Park means property owned by the City and designated park property on the Park and Waterfront Property Map of the City Charter or specifically designated as charter park property pursuant to Section 21-84.

Non-Charter Park means City owned properties not permanently designated as park property as provided in the Charter, but which are temporarily used for park uses.

Park or Park Property means all Charter Park Property and Non-Charter Park Property; and all water completely surrounded by land owned by the City or by rights-of-way or by a combination thereof, including the public parking lots serving any of the above-referenced property.

(b) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this sub-section, except where the context clearly indicates a different meaning:

Department means the Parks Department of the City or any successor department administering this chapter.

Days means business days and shall not include Saturdays, Sundays or holidays observed by the City, unless this Section specifically refers to calendar days.

Laws means all federal, state and local laws, rules, regulations and ordinances, and City and Department policies and procedures.

Negligence means the failure to use reasonable care. Reasonable care is that degree of care which a reasonably careful person would use under like circumstances. Negligence may consist either in doing something that a reasonably careful person would not do under like circumstances or in failing to do something that a reasonably careful person would do under like circumstances.

Park Permit means any written license issued by the POD authorizing a special event or activity in a Park.

POD shall have that meaning set forth in Chapter 1.

Public issue or political speech or conduct means that noncommercial expression of ideas of public concern related to government, religion, economics, society, culture and matters of a similar nature as determined by the courts of the controlling jurisdiction to be entitled to the greatest protection of the First Amendment of the United States Constitution.

Sec. 21-2. Purposes.

The Parks of the City are for the benefit and pleasure of the public and every person may enjoy the privileges of City Parks subject to compliance with the provisions of this chapter and all other applicable laws. The concept for having designations of Charter and Non Charter Park Property resulted from a City Charter amendment in 1984. A Park and Waterfront Property Map added to the City Charter in 1984 had as its purpose to afford additional protections to certain properties used as park property. Those properties were determined to warrant these protections by a citizen committee, City Council and the citizens of St. Petersburg at referendum. At that time there were also other properties used for park uses which were determined not to warrant these additional protections but which were, and are, operated as parks or for park purposes. Those properties which were not included on the Charter Map, and other properties added since that time which are used for park uses, need to be addressed in this Chapter as Park Property without having them covered by the Provisions of Section 1.02 of the City Charter. Therefore although Non-Charter Park Property is classified as Park Property for the purposes of this Chapter such classification is not intended to and does not classify it as park property for the purposes of Section 1.02 of the City Charter. Only property defined as Charter Park Property shall be considered park property for the purposes of Section 1.02 of the City Charter.

Sec. 21-3. Applicability.

The provisions of Article II shall apply in and upon all Parks. Additionally, Sections 21-59 and 21-60 apply to all City owned land. The Sections of Article III shall apply in and upon the Charter or Non-Charter Park Property or both as is specifically indicated within that Section.

Sec. 21-4. Ordinances not affected by Code.

Nothing in this Code shall affect the designation of park property set forth in the Charter.

Sec. 21-5. Policies and Procedures.

The POD is authorized to establish and enforce policies and procedures that are consistent with this Chapter 21.

Secs. 21-6 - 21-31. Reserved.

ARTICLE II. PARK RULES

Sec. 21-32. Interpretation as to work performed by employees and contractors.

No provision of this article shall make unlawful any act necessarily performed by any employee of the City acting within the scope of his or her employment or by another person pursuant to the proper and necessary execution of the terms of an agreement with the City.

Sec. 21-33. Violations; penalties.

It shall be a violation for any person to violate any provision of this article, or to do or cause to be done an act prohibited by this article, or to aid or assist another in doing or causing to be done, either directly or indirectly, an act prohibited by this article, and any person so convicted of a violation shall be subject to the penalties provided in Section 1-7.

Sec. 21-34. Park Permits.

- (a) Purpose. Park permits are required for certain activities and uses so that the City can regulate and limit or eliminate activities which may create an unreasonable risk of injury or damage to persons or property, which are likely to create an atmosphere which would discourage the use of Parks for their intended purposes, or which, if not limited or eliminated, would allow monopolizing of Parks or some facilities in Parks by one group or individual to the exclusion of other groups or individuals.
- (b) Activities That Require A Park Permit. No person shall engage in any of the following activities in a Park unless a park permit for the activity has been issued by the POD:
 - (1) Sell or offer for sale any goods or services.
 - (2) Conduct or participate in any recreational, athletic, entertainment, cultural or social event, program or activity, or any other public or private gathering, intended for or which can reasonably be expected to draw an attendance of fifty (50) or more individuals. Examples of events, programs, activities and gatherings that require a park permit include picnics, parties, food distribution activities, meetings, football and baseball games, speeches, rallies, demonstrations, and performances, if such events, programs, activities and gatherings are intended for or can reasonably be expected to draw an attendance of fifty (50) or more individuals.
 - (3) Post any sign, banner or advertisement.
 - (4) Use a loudspeaker, public address system or amplifier.
 - (5) Use a generator.
- (c) Exceptions.
 - (1) A park permit shall not be required for an activity authorized to be conducted in a Park pursuant to a valid outdoor public assembly permit. The POD shall determine whether an activity or event requested to be conducted in a Park requires a park permit or an outdoor public assembly permit.

- (2) A park permit shall not be required for activities conducted in Parks pursuant to a valid City lease, City facility use agreement, City concession agreement, or other written agreement with the City.
- (d) Application Process. The park permit application process shall be as follows:
 - (1) Any person seeking the issuance of a park permit shall file an application with the POD on forms provided by the POD.
 - (2) Such application shall be filed no less than fifteen (15) days prior to the date planned or scheduled for the activity and not more than one hundred and eighty (180) calendar days prior to the date planned or scheduled for the activity. A permit application filed less than fifteen (15) days before the activity will be processed if the POD determines that there is sufficient time to complete such processing.
 - (3) Where an applicant intends to engage in public issue or political speech or conduct and the activity has been planned or scheduled by the applicant for less than fifteen (15) days prior to the date on which the activity is to be conducted, the application shall be filed at least five (5) days prior to the activity. If, however, an application is filed in a shorter time frame due to the exigency of the circumstances, the POD shall process such application.
 - (4) The POD will not accept a park permit application that requests more than six (6) consecutive days of Park use. A separate park permit is required for each non-consecutive day of Park use.
- (e) Contents of Application. The application for a park permit shall set forth the following information, and such other information as may be required:
 - (1) The name, place of residence, mailing address and telephone number of the person or entity seeking to conduct the activity;
 - (2) If the activity is proposed to be conducted for, on behalf of, or by any entity, the name, address and telephone number of the headquarters of the entity and of the authorized and responsible officers of such entity;
 - (3) The names, addresses and telephone numbers of any persons or entities sponsoring the activity;
 - (4) The type of activity to be conducted;

- (5) The date when the activity is to be conducted;
- (6) The hours when the activity will start and terminate;
- (7) A description of any and all recording equipment, sound amplification equipment, banners, signs or other attention-getting devices proposed to be utilized in connection with the activity, including dimensions of and description of materials of any such banners, signs or devices;
- (8) The approximate number of participants, including spectators, which are anticipated;
- (9) The proposed location for the activity;
- (10) A description of any requested City facilities or equipment or City services;
- (11) Whether alcoholic beverages will be sold or consumed during the activity (sale or consumption shall only be permitted in accordance with this chapter);
- (12) A statement that the activity will conform to applicable laws;
- (13) Any requested variances from City policies and procedures;
- (14) A statement whether the activity is for the purpose of public issue or political speech or conduct and if so, the specific purpose of the activity and a general description of the public issue or political speech or conduct. Whether the applicant intends to engage in public issue or political speech or conduct and the description of such public issue or political speech or conduct shall be considered by the POD only for the purposes specifically designated in this article, e.g., whether the applicant is permitted to submit the application less than fifteen (15) days prior to the date planned or scheduled for the proposed activity and whether the applicant is entitled to a waiver of required fees and insurance requirements;
- (15) If the activity is for the purpose of public issue or political speech or conduct, whether a claim of indigence is made on behalf of the applicant or the person on whose behalf the application is made and whether the applicant requests a waiver of required fees and insurance requirements; and
- (16) The signature of the applicant under oath (or affirmed).

- (f) Standards for Issuance of Park Permit. The POD shall issue a park permit as provided for under this section when, after review and consideration of the application and from other information as may otherwise be obtained, it appears that:
- (1) The application for the park permit (including any required attachments and submissions) is fully completed and executed;
 - (2) The application for the park permit does not contain a material misrepresentation;
 - (3) No application for the same location and time has been received which has been or will be granted which permits an activity which would not reasonably allow multiple activities at that location;
 - (4) The proposed activity will not conflict with a previously approved program or activity sponsored or co-sponsored by the City and scheduled for the same location and time;
 - (5) The proposed activity will not present an unreasonable danger to the health or safety of the applicant, City employees, agents or representatives, volunteers, or the public and would not present an unreasonable risk of substantial property damage;
 - (6) The proposed activity is consistent with the purpose for which the Park or Park facility has been established or designated;
 - (7) The proposed activity will not unduly disturb the safe and orderly movement of pedestrian and vehicular traffic in the Park or in the area immediately surrounding the Park;
 - (8) The proposed activity will not violate applicable laws;
 - (9) The applicant is at least eighteen (18) years of age;
 - (10) The applicant has obtained all necessary federal, state and local permits to engage in the proposed activity;
 - (11) The applicant has sufficient personnel who will be available to adequately supervise the activity;

- (12) If any additional City services (beyond those customarily provided by the City on a day-to-day basis) are required in connection with the proposed activity, including but not limited to police, fire and sanitation services, the City is able to provide such services and the applicant will pay the fees for such services;
 - (13) The applicant has tendered the fees required to be paid in connection with the proposed activity (payment of estimated fees are acceptable if the final amount of the fees cannot be determined until conclusion of the activity, e.g., fees for City services);
 - (14) Neither the applicant or any other person on whose behalf the application is made has on prior occasions damaged Park property without making payment therefor or owes the City for any fees or other charges; and
 - (15) Neither the applicant nor the person on whose behalf the application is made has on prior occasions made a material misrepresentation regarding the nature or scope of an event or activity previously permitted by the City or has violated the terms of a prior permit.
- (g) **Review of Application.** The POD shall review each application, based upon the facts presented, free from improper or inappropriate considerations and from unlawful discrimination and shall exercise no other discretion over the issuance of a park permit except as provided in this Chapter and other City policies and procedures.
- (h) **Notice of Grant or Denial.** The POD shall act promptly upon a timely filed application for a park permit, but no later than five (5) days prior to the date of the proposed activity. If the applicant intends to engage in public issue or political speech or conduct and has not submitted an application at least fifteen (15) days prior to the proposed activity, the POD shall act as quickly as reasonably practicable. The POD shall inform an applicant in writing of the POD's decision to approve, approve with conditions, or deny a park permit. In the event of a denial, the notification shall include the reason for the denial.
- (i) **Appeal Process.** Upon denial or approval with conditions by the POD of a permit application, the applicant shall have the right to appeal to the City Administrator. Such appeal shall be made by the applicant in writing within ten (10) days after the date of notice of denial from the POD. The City Administrator shall act on the appeal within ten (10) days of receipt of the written appeal. If the City Administrator affirms the denial or the conditions, the applicant may appeal to City Council. Such appeal shall be made by the applicant within ten (10) days after the date of affirmation by the City Administrator.

Appeal to City Council shall be made by serving written notice of appeal on the City Clerk. City Council shall decide within ten (10) days after the receipt of the appeal by the City Clerk, or at its first meeting after filing of the appeal, whichever is later, whether or not to approve the appeal. The decision of the City Council shall be final. The City Administrator and City Council shall follow the standards for issuance of a permit as set forth in this Chapter.

- (j) Conditions. Park permits shall be issued pursuant and subject to the provisions contained in this Chapter and applicable laws. The POD may impose reasonable conditions on the approval of a permit application in an effort to ensure that the standards for issuance of the permit are satisfied and that the permittee otherwise complies with this Chapter and applicable laws. Such conditions may be imposed on a permittee after the permit application has been approved if information is received by the POD that would provide reasonable grounds for the conclusion that further conditions are necessary, including the condition that the location of the proposed activity be changed.
- (k) Revocation. The POD shall have the authority to revoke a permit immediately upon the permittee's failure to satisfy any one or more of the standards set forth in this section or any conditions of approval, or when necessary to prevent an adverse effect upon the welfare or safety of persons or property. Notice of revocation shall be given to the permittee by the most practicable and expeditious means available under the circumstances.
- (l) Fees and Waiver
 - (1) If the application includes the use of City facilities or equipment or if the proposed activity requires additional City services (including police, fire or sanitation), the applicant shall pay the fees associated with such facilities, equipment and services in accordance with the City's schedule of fees. If the amount of such fees is known at the time the application is submitted, the fees shall be paid at that time. For any portion of fees that cannot be finally calculated until conclusion of the activity (e.g., fees for City services), the permittee shall pay the estimated amount of fees no more than five (5) days after the application is approved. If the estimated amount of fees paid is less than the total amount of fees owed, the applicant shall pay the City the difference between the amount previously paid and the total amount owed. This payment shall be made within fifteen (15) days of the date that the City notifies the applicant of the amount due. If the estimated payment of fees paid is more than the total amount of fees owed, the City shall refund the applicant the difference between the amount previously paid and the total amount due.

- (2) An applicant who is indigent and intends to engage in public issue or political speech or conduct may apply for a waiver of a portion or all of the permit application fee, fees for additional City services and/or insurance requirements (if insurance is required pursuant to this section). The Mayor shall appoint three (3) City employees to serve on a committee which shall determine if the applicant fulfills the public issue or political speech or conduct and indigency requirements in order to receive a full or partial waiver of such fee(s) and/or insurance requirements. If the committee determines that the applicant meets the public issue or political speech or conduct and indigency requirements, the committee is authorized to waive, without City Council approval, the permit application fee, insurance requirements, and fees for City services up to seven hundred and fifty dollars (\$750.00). Such waiver may be in whole or in part depending on the extent to which the applicant is indigent. Any waiver of fees for City services in excess of seven hundred and fifty dollars (\$750.00) shall require City Council approval. If the committee determines that the applicant does not meet the public issue or political speech or conduct and/or indigency requirements and denies its application for waiver, or if the committee grants only a partial waiver of the fee(s) and/or insurance requirements, the applicant may appeal to City Council. Such appeal shall be made by the applicant within five (5) days after the date of denial or partial denial by the committee. Appeal to City Council shall be made by serving written notice of appeal on the City Clerk. City Council shall decide within ten (10) days after the receipt of the appeal by the City Clerk, or at its first meeting after filing of the appeal, whichever is later, whether or not to reverse the committee. The decision of the City Council shall be final.
- (3) An applicant is indigent within the meaning of this section when the applicant is unable to pay the fee(s) or insurance premium for which waiver is sought after the payment of basic expenses necessary for the continued operation and existence of the organization including, but not necessarily limited to, rent and utilities. As proof of such indigency, the applicant shall submit an affidavit of indigency together with such other information as is reasonably required in support thereof.

(m) Indemnification and Insurance

- (1) The applicant for a park permit and any other person or entity on whose behalf the application is made, by filing the application, do represent, stipulate, contract and agree to indemnify, save and hold harmless, and defend the City and its employees, agents, elected and appointed officials and volunteers from and against any and all claims, suits, actions, damages, loss and liability of any character, name or description (whether or not a lawsuit is filed), including but not limited to costs, expenses and attorneys' fees at trial and on appeal, for damage to property or bodily or personal injuries, including death at any time resulting therefrom,

sustained by any persons or entities, which damage or injuries are alleged or claimed to have arisen out of, in whole or in part, directly or indirectly, the negligence of the applicant or person or entity on whose behalf the application is made, the negligence of any of their officers, agents, representatives, guests, employees, or invitees, or the negligence of persons contracting with any of them, whether it be sole negligence or joint negligence with others (including but not limited to joint negligence with the City, its employees, agents, elected and appointed officials or volunteers), in connection with the park permit, use of the Park, or activity conducted in the Park, or by or on account of any other act, omission or wrongdoing of the applicant, person or entity on whose behalf the application was made, any of their officers, agents, representatives, guests, employees, or invitees, or persons contracting with any of them, in connection with the park permit, use of the Park, or activity conducted in the Park.

- (2) It shall be the duty of the applicant for a park permit, and any other person or entity on whose behalf the application is made, to inspect the park premises upon which the permitted activity is to occur for any unreasonably dangerous conditions and to provide the POD written notification of any such unreasonably dangerous conditions at least two (2) days prior to the date of the permitted activity. If the applicant (or other person or entity on whose behalf the application is made) discovers any unreasonably dangerous conditions during the aforementioned inspection or subsequently discovers any unreasonably dangerous conditions, the applicant (or other person or entity on whose behalf the application is made) shall have the duty to ensure either that the unreasonably dangerous conditions are corrected prior to the date of the permitted activity or that prominent warnings are posted to notify their officers, agents, representatives, guests, employees, and invitees, as well as all participants in the permitted activity, of any such unreasonably dangerous conditions. The failure of the applicant (or other person or entity on whose behalf the application is made) to comply with this subparagraph (2) shall be an omission or wrongdoing for which the applicant (or other person or entity on whose behalf the application is made) is required to defend and indemnify the City and its employees, agents, elected and appointed officials and volunteers pursuant to subparagraph (1) above.
- (3) When the POD determines that the activity for which a park permit is requested may create a substantial risk of injury or damage, the applicant shall, at its expense, obtain a policy of insurance with terms and conditions acceptable to the POD and provide an insurance certificate to the POD evidencing the required insurance at least two (2) days prior to the date of the permitted activity. All required insurance policies, and the certificates therefor, shall name the City and its employees, agents, elected and appointed officials and volunteers as additional insureds.

- (n) Other Permits. This section shall apply only to park permits for the activities set forth in subsection 21-34(b). Permits otherwise required by this article (e.g., permits for fishing, camping, etc.) shall be governed by other City policies and procedures.

Sec. 21-35. Hindering employees.

Interference with any employee or agent of the City in the performance of any official duty is prohibited.

Sec. 21-36. Fees, charges and permits.

No person shall use any Park or Park facility or engage in any conduct in a Park without paying all required fees and obtaining all required permits.

Sec. 21-37. Prohibited Acts. No person shall commit any of the following acts within a Park, unless such acts are authorized pursuant to a valid permit:

- (a) Obstruct in any manner any roadway, sidewalk, walkway or path;
- (b) Enter any place where the words "No Admittance" or "No Trespassing" are displayed;
- (c) Change or remove any Park property (e.g., Park benches, picnic tables, trash cans, etc.) from the position in which it was placed by City employees or City-authorized contractors;
- (d) Otherwise violate any City policies, rules or procedures; or
- (e) Perform any activity in any Park which is clearly prohibited by signs in that Park.

Sec. 21-38. Alcoholic beverages.

- (a) Sales, service, dispensing, possession, use and/or consumption of alcoholic beverages on Park property is prohibited except in accordance with this section.
- (b) Sales, service, dispensing, possession, use and/or consumption of alcoholic beverages is permissible by the City, a person or entity acting in accordance with the terms of an agreement with the City or a permit from the City, or their duly authorized agents, lessees or concessionaires, in connection with the use or operation, and on the premises of the facilities listed below. Facility as used herein means the actual location together with the abutting property and the public parking areas serving that location.

- (1) Mangrove Bay Golf Course Facility (for on premise consumption only).
 - (2) Mahaffey Theater (for on premise consumption only).
 - (3) Al Lang Field at Progress Energy Park (for on premise consumption only).
 - (4) That portion of Poynter Park leased to the Salvador Dali Museum, Inc. (for off premise consumption of beer and wine only and on premise consumption).
 - (5) Ships Store at Demen's Landing (for off premise consumption of beer and wine only).
- (c) Sales, service, dispensing, possession, use and/or consumption of alcoholic beverages (for on premise consumption only) is permissible at the Azalea Adult Recreational Center, Bay Vista Adult Recreational Center and the Sunshine Multi Service Senior Center if such activity is in accordance with a facility use agreement approved by the POD.
- (d) A permit to sell, serve, dispense, possess, use and/or consume beer or wine (for on premise consumption only) may be issued in connection with City sponsored or co-sponsored events in Straub Park, Spa Beach, Demen's Landing Park, Maximo Park, the Pier approach (east of Bayshore Drive), Poynter Park, Dell Holmes Park, Vinoy Park and Mole, Edgewater Waterfront Park and that portion of North Shore Park lying east of Bayshore Drive to the seawall and north of Seventh Avenue Northeast (extended) to the seawall (excluding the playground area).
- (e) The POD may impose reasonable conditions necessary for the health, safety and welfare of the persons utilizing these facilities and the general public. Such conditions may include but are not limited to requiring private security officers or off duty police officers, requiring general liability insurance and requiring liquor liability insurance.
- (f) Compliance with applicable laws is required for sales, service, dispensing, possession, use and consumption of alcoholic beverages.

Sec. 21-39. Reserved.

Sec. 21-40. Trespassing.

- (a) No person shall enter or remain upon Park property at any time during which the Park is closed except pursuant to a permit issued by the POD or unless permission has been given by the POD. The hours during which Park property is closed are as follows:
- (1) The following Parks and/or boat ramps are closed from 11:00 p.m. each night until

TABLE INSET:

Park Name	City Charter Park and Waterfront Property Map Number
Al Lang Field at Progress Energy Park	39
Azalea Park	89
Bartlett Park	53
Bay Vista Park and Boat Ramp	66
Campbell Park	42
Childs Park	73
Childs Park Sports Complex	
Northeast Exchange Club Coffee Pot Park Boat Ramp	19
Coquina Key Park	59
Crescent Lake Park	23
Crisp Park Boat Ramp	18
Demens Landing Park	38
Denver Park	11
Flora Wylie Park	24
Fossil Park	6
Gladden Park	95
Jack Puryear Park	10
Lake Vista Park	64
Lake Maggiore Park and Dell Holmes Park [This applies only to lighted soccer/football fields, the Lake Maggiore Environmental Education Center, the Environmental Studies Area (with permit only) and their related parking areas. All remaining areas of the park are governed by Section 21-40(a)(2).]	62

North Shore Park	25
Northeast Park [This applies only to the lighted golf driving range, lighted baseball fields, and their related parking areas. All remaining areas of the park are governed by Section 21-40(a)(2).]	7
Northwest Park	91
Pioneer Park	37
Roberts Park	13
Seminole Park	80
Shore Acres Park	14
St. Petersburg 31 st Street Sports Complex	
Straub Park	35
Sunlit Cove Boat Ramp	2
Vinoy Park and Mole	28
Walter Fuller Park	94
Wildwood Park	49
Williams Park	36
Woodlawn Park	26

- (2) All other Parks not delineated in (1) above are closed from 30 minutes after sunset until 30 minutes before sunrise the following day.
- (3) The following boat ramps and adjacent parking lots, if any, are open 24 hours per day and are not considered closed at any time even if they are within Parks listed in subsection (1) or Parks included in subsection (2) above:

TABLE INSET:

Demens Landing Park Boat Ramp	38
Grandview Park Boat Ramp	58
Jungle Prada Park Boat Ramp	90
Maximo Park Boat Ramp	69

- (4) The POD shall have the authority to establish later opening hours and earlier closing hours for any Park by posting signs clearly identifying the opening or closing hours.
- (b) No person shall remain upon Park property after a lawful command to leave by any law enforcement officer or by the POD .

Sec. 21-41. Golfing.

Playing golf, practicing golf strokes or striking a golf ball with a golf club is prohibited in any Park except at designated golf courses and golf practice areas designated with signs by the POD.

Sec. 21-42. Discarding of refuse.

- (a) Discarding of refuse except in the containers provided for such purpose is prohibited.
- (b) Discarding of refuse in a container provided on Park property is prohibited except for refuse resulting from the use of Park property.
- (c) Each discard of refuse on Park property not within an appropriate container shall be considered a separate violation of this section .

Sec. 21-43. Firearms.

The possession of any firearms while upon Park property is prohibited. This section shall not apply to any person authorized by law to carry firearms in the discharge of official duties.

Sec. 21-44. Fishing. Fishing in Park waters is prohibited, regardless of the method used, except at such times and places as may be designated with signs by the POD.

Sec. 21-45. Swimming.

Swimming in any Park waters is prohibited, except at such times and places as may be designated with signs by the POD.

Sec. 21-46. Camping.

Camping on Park property is prohibited except at such times and places as may be designated by the POD and except pursuant to a permit issued by the POD. For the purposes of this section, camping shall mean the use of camping facilities (such as tents, RV campers or other temporary shelters), the use of non-City designated cooking facilities (such as fires or portable stoves), or the use of cots, beds or hammocks.

Sec. 21-47. Fires.

Building or causing to be built any fire is prohibited except pursuant to a permit issued by the POD and except within such area as designated for fires. No person shall leave any fire unattended.

Sec. 21-48. Wildlife; domestic animals generally.

- (a) It is unlawful to pursue, catch, molest or kill any animals in any Park, or disturb the nest, den or burrow thereof except to fish as allowed pursuant to this Article .
- (b) No person shall allow or permit any domesticated animal to run at large or create a nuisance or to be in any Park where such animals are prohibited by the POD.
- (c) No owner of an animal, or person in charge of an animal, shall allow or permit the animal to be in the following Park (not including being on a sidewalk abutting a public street):
 - (1) Millennium Youth Playground generally located at 542 - 7th Street North.
- (d) For the purpose of this section, the term "animal(s)" shall be interpreted broadly to include all manner of living organisms except plants and humans.
- (e) Nothing in this Section shall prevent dogs from running at large in Parks, or portions thereof, which are designated as "dog parks" by the City Council. Prior to such designation becoming effective City Council shall hold a public hearing. Dog parks shall be fenced and shall have signs posted at each entrance identifying the Park, or portion thereof, as a dog park in which dogs may run at large. Dogs shall be leashed when entering or exiting the dog park. All dogs shall wear a collar and have a current license displayed thereon.

Dog owners shall be responsible for all damages to persons or property caused by their dogs. Each dog's owner or person responsible for a dog in a dog park shall remain in the dog park at all times the dog is unleashed. The POD may establish other regulations for any dog park, the failure to follow any posted regulation shall be a violation of this subsection.

Sec. 21-49. Boating and boat ramps.

- (a) The operation by any person of any water craft upon Park waters is prohibited, except upon Park waters as may be designated with signs by the POD .
- (b) Hours of operation of boat ramps shall be as provided in this Article .

Sec. 21-50. Horses.

- (a) Horseback riding is prohibited except by permit issued by the POD in an area designated with signs for such purpose; riding a horse in a negligent manner is prohibited.
- (b) Horseback riders have the right-of-way, in designated areas, unless such rider is crossing a federal, State, County or municipal road. It shall be unlawful for any person to fail to yield the right-of-way to a horseback rider who has the right-of-way.

Sec. 21-51. Operation and parking of motor-driven vehicles.

- (a) No person shall cause any vehicle to block or partially block any fire trail, pedestrian walk, campsite, road, boat ramp or horse trail except by designation or permit of the POD.
- (b) The operation by any person of any type of minibike, trail bike, all-terrain vehicles, dune-buggy or other vehicle that is not registered for operation on the public highways is prohibited except in areas designated for such use by the POD or specifically authorized pursuant to the terms of a permit and then only while wearing all required protective safety equipment. Golf carts may be operated at the Mangrove Bay Golf Course as long as they are operated in compliance with the regulations of the POD.
- (c) The operation by any person of any vehicle of a class eligible for registration for operation on public highways except upon roadways or within areas otherwise designated by the POD for the use of such vehicles is prohibited, except in accordance with a park permit.

Sec. 21-52. Roller skating, skateboarding, bicycling, utilization of similar types of wheeled devices and moped utilization.

- (a) Roller skating, skateboarding, bicycling, and utilizing similar types of human powered wheeled devices in a negligent manner is prohibited. Such devices shall only be operated on paved surfaces.
- (b) Operating a moped, segway, wheelchair, and similar types of powered devices in a negligent manner is prohibited. Such devices shall only be operated on paved surfaces.

Sec. 21-53. No negligent activity

Engaging in any activity (regardless of whether the activity is specifically referenced in this article) in a negligent manner is prohibited.

Sec. 21-54. Plant life.

No person shall disturb, trim, replant, plant, relocate, destroy, injure, pick or crush any plant life, including but not limited to any tree, plant, grass, flower, fruit or turf, without permit for such activity issued by the POD.

Sec. 21-55 - 58. Reserved.

Sec. 21-59. Radio-controlled model aircraft.

The following restrictions regulate the flying of radio-controlled model aircraft within the City limits of the City of St. Petersburg:

- (1) Roads, streets and alleys. Radio-controlled model aircraft shall not be flown over any improved roads, streets or alleys within the City.
- (2) Private property. Radio-controlled model aircraft shall not be flown over private property without the written permission of the owner of that property.
- (3) Identification. Radio-controlled model aircraft flown within the City limits shall have the name and address of the owner displayed on the aircraft.
- (4) Operating under the influence. No person shall operate a radio-controlled model aircraft when:
 - a. The person is under the influence of alcoholic beverages, any chemical substance set forth in F.S. § 877.111, or any substance controlled under F.S. Ch. 893 when affected to the extent that his normal faculties are impaired; or

- b. The person has a blood or breath alcohol level of 0.10 percent or higher.
- (5) FCC approved equipment. Radio-controlled model aircraft and all equipment associated therewith shall meet the requirements of the Federal Communication Commission.
- (6) General restrictions; city property. General restrictions with respect to flying radio-controlled model aircraft over City-owned property are as follows:
- a. The flying of radio-controlled model aircraft over City-owned property is prohibited except between 9:00 a.m. and sunset.
 - b. No radio-controlled model aircraft flown over City-owned property shall have an engine which exceeds a noise level of 96 decibels at three meters from the engine. Those radio-controlled model aircraft having a two-cycle engine shall have a muffler attached if they are flown over City-owned property. In testing for the 96 decibels at a distance of three meters, the test shall be conducted for at least one minute at L10 as L10 is defined in Chapter 11 of this Code. The noise restrictions in this section do not take precedence over any other more restrictive noise limits that may exist in this Code or other local or state laws.
 - c. Any radio-controlled model aircraft flown over City-owned property shall weigh no more than 11 pounds.
 - d. Radio-controlled model aircraft shall not be flown at any time over any City-owned property that is posted with a sign prohibiting such flying of radio-controlled model aircraft provided such sign is authorized and directed to be placed on the property by the POD.
 - e. Radio-controlled model aircraft shall not be flown over a recreational facility located on a City Park when the facility is being used for the purpose that the facility was intended. By way of illustration and not limitation, golf courses are intended for the playing of golf, soccer fields are intended for the playing of soccer and baseball fields are intended for the playing of baseball. Notwithstanding the foregoing, if a park permit has been issued for a designated area that includes a recreational facility, and that park permit provides for the flying of radio-controlled model aircraft then the flying of radio-controlled model aircraft shall be allowed in accordance with the permit without regard to any use being made of that recreation facility.

- f. Radio-controlled model aircraft shall not be flown over any City-owned parking lot.

Sec. 21-60. Use of radio-controlled model power boats within the city limits.

The following restrictions regulate the use of radio-controlled model power boats within the City limits of the City of St. Petersburg:

- (1) Privately owned water body. Radio-controlled model power boats shall not be operated in, on, or upon any privately owned water body without the written permission of an owner of the water body or an owner of property abutting the water body.
- (2) Governmentally owned water body. The following restrictions shall apply to the operation of radio-controlled model power boats on governmentally-owned water bodies:
 - a. Radio-controlled model power boats shall not be operated in, on, or upon any governmentally owned water body other than City-owned water bodies as provided in this section.
 - b. The operation of radio-controlled model power boats on City-owned water bodies is prohibited except on the following water bodies on the days and during the hours set forth:
 - 1. Ruby Lake between 11:00 a.m. and 2:00 p.m. only on Fridays and Saturdays.
 - 2. Woodlawn Lake during normal Park hours.

Secs. 21-61--21-80. Reserved.

ARTICLE III. CHANGE OF USE AND DESIGNATIONS OF PARK PROPERTY

Sec. 21-81. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Active park means a Park designated in Section 21-86 or 21-90 as an active park.

Active park uses means programmed or highly structured recreational uses that are of a vigorous or competitive nature. Active park uses may include the following uses: Swimming pools, tennis and racquetball courts, boating and swimming areas, athletic fields, play areas, multi-purpose senior citizens areas, recreational buildings, multi-purpose courts, boat ramps and boating facilities, outdoor amphitheaters, golf courses, tennis walls, exercise courts, skateboarding facilities, bicycle competition areas, basketball goals, libraries, museums and marinas.

Golf practice area means any unlit, unsupervised area designated by the POD with signs for the practice of golf strokes. Golf practice area shall not include any portion of a golf course.

Nature preserve means a Park property or any portion thereof designated in Section 21-86 or 21-90 as a nature preserve. Nature preserves are established to protect and preserve native plants and animals presently found on property that has been identified for its natural significance. Public visitation is encouraged but may be restricted to protect the integrity of the preserve so that it may be passed on to future generations.

Nature preserve uses may include the following: passive recreation areas that are of a noncompetitive nature, parking facilities, rest room facilities, hiking, jogging, nature trails, picnic areas with shelters, landscaping, bicycle paths, playground apparatus, nature centers, beaches, swimming areas, camping areas, botanical gardens, arboretums, interpretive signage, concession areas, parks field offices, and area or border fencing compatible with the character of the park.

Passive park means a Park designated in Section 21-86 or 21-90 as a passive park.

Passive park uses means unprogrammed, self-guided recreational uses primarily of a noncompetitive nature. Passive park uses may include the following uses: Passive recreation areas, rest room facilities, hiking and nature trails, picnic areas with shelters, landscaping, bicycle paths, jogging trails, parking facilities, playground apparatus, wooded areas, nature centers, dog parks, golf practice area, boating and swimming areas, beaches, camping areas, botanical gardens, arboretums, horseshoe courts, shuffleboard courts, lawn bowling courts, decorative fountains, concession stands, park and recreation offices, facilities or uses accessory to or utilized in connection with the above-described uses; and area or border fencing compatible with the character of the park.

Permanent means not intended or designed to be terminated in less than three months. This term does not apply to structures, equipment, and related infrastructure used in connection with maintenance activities which are not intended or designed to be terminated in less than three months but which are for the maintenance of a park or park facility, are intended or designed to be temporary, and which will be removed upon completion of the maintenance activities.

Use means an activity or a structure, but does not include the maintenance of a structure or of a natural feature of a park.

Wilderness area means property or portion thereof which is designated as such as in Section 21-86 or 21-90. Wilderness areas are established to protect wooded Park property that has been identified for its natural significance.

Wilderness area uses may include the following: minimally intrusive footpaths, benches, picnic tables, interpretive signage and area or border fencing compatible with the character of the park.

Sec. 21-82. Substantial change criteria.

This Section applies only to Charter Parks. A substantial change of use of park property for purposes of Section 1.02 of the City Charter means:

- (1) A permanent change of use in a passive park to a use other than in a passive park use except that a permanent change of the use of less than one-fourth of an acre of passive park to an active park use shall not be considered a substantial change of use.
- (2) A permanent change of use to a use other than an active use or a passive park use in an active park.
- (3) A permanent change which causes the use of more than 60 percent of a park for active park uses.
- (4) Any use of a wilderness area other than for wilderness area uses or a nature preserve other than for nature preserve uses.
- (5) Detention, retention or treatment facilities for off-site stormwater drainage.

Sec. 21-83. Minimum green space.

At least 25 percent of each Charter Park property shall remain open green space. For the purposes of this calculation, waterbodies located within a Charter Park shall not be considered in determining the size of the Charter Park and shall not be included as part of the green space. Charter Parks that, as of November 29, 1990, have less than 25 percent open green space shall not be considered in violation of this article and shall be allowed to maintain the level of impervious surface area existing on such date without being in violation of this section .

Sec. 21-84. Purpose; Designation required.

- (a) All Charter Park property existing as of November 29, 1990 is designated as either passive or active park or wilderness area as indicated in Ordinance No. 2022-F as codified in Section 21-86.

- (b) Park Property acquired after September 20, 1984 shall only be considered Charter Park property if the property, and the boundaries thereof, are specifically described and designated as Charter Park property in an ordinance specifically referencing Section 1.02, City Charter.
- (c) Property designated as Charter Park property in the future shall be designated as active or passive park, wilderness area or nature preserve in Section 21-86 at the time of designation as Charter Park property. The designation of Charter Parks as active or passive park, wilderness area or nature preserve is neither intended to nor shall it have any effect on uses existing as of November 29, 1990, (for Charter Park property designated as such at that time) or the uses in place at the time of designation whether or not such uses are consistent with the designation delineated in this article.

Sec. 21-85. Exclusions.

(1) *Existing plans and waterfront master plan.* Notwithstanding any other provision of this article, it shall not be a change in park use to develop a park in accordance with the approved waterfront master plan as the same has been modified by park plans contained in the Bay Plaza Master Plan, the Historic and Benoist Museum Plans (Resolution No. 90-766), and the approved Vinoy Development Plan as these plans exist on November 29, 1990. It shall also not be a substantial change in use to develop a park in accordance with plans which have been approved as a substantial change in park use, prior to November 29, 1990, in accordance with the procedure delineated in Section 1.02 of the City Charter.

(2) *Al Lang Field.* Notwithstanding any other provision of this article, that park designated as No. 39 (Al Lang Field) on the City Charter Park and Waterfront Property Map on file with the City Clerk and referenced in Section 1.02 of the City Charter shall be governed by the following:

- a. It shall not be a substantial change of use to expand or contract the current uses within the park. For purposes of this section, the current uses of the park shall be considered parking and baseball related activities.
- b. Because of the special nature and uses of this park, the minimum green space requirement of 25 percent as contained in Section 21-83 of this article shall not apply.

(3) *Preexisting municipal uses.* It shall not be a substantial change of use of park property to reduce the boundaries of non-park municipal uses, including police dog kennels, firefighter training tower, plant nursery, mulching operation, building material storage, athletic fields, associated parking areas, offices, etc., which were in existence on November 29, 1990 at any active or passive park, wilderness area, or nature preserve. Such uses shall continue to be allowed but shall not be allowed to permanently expand the boundaries of the use. Any other municipal use shall be allowed to exist in those areas so long as the boundaries of the use are not expanded.

Sec. 21-86. Identification of Charter Park properties.

The following list of Charter Park properties delineates active parks, passive parks, nature preserves and wilderness areas. The numbers appearing in front of each park property correspond to the numbers on the City Charter Park and Waterfront Property Map on file with the Clerk of City Council and referenced in Section 1.02 of the City Charter.

Active park property:

2. Sunlit Boat Ramp
6. Fossil Park
7. Mangrove Bay Golf Course/Northeast Park
10. Jack Puryear Park
11. Denver Park
13. Roberts Park
14. Shores Acres Park
16. Kiwanis Park
18. Crisp Park
25. North Shore Park (see Resolution No. 92-87 for a description of that portion of this Park now known as Elva Rouse Park)
26. Woodlawn Park
39. Al Lang Field
42. Campbell Park
46. Playlot No. 1
48. Playlot No. 2
49. Wildwood Park
50. Silver Lake Playlot
51. Playlot No. 3
53. Bartlett Park
54. Auburn St. Playlot
59. Coquina Key Park
64. Lake Vista Park
66. Bay Vista Park
72. Twin Brooks Golf Cr.

- 73. Childs Park
- 89. Azalea Park (South of Adult Center)
- 90. Jungle Prada Park
- 91. Northwest Park
- 94. Walter Fuller Park
- 95. Gladden Park

(2) *Passive park property:*

- 1. George Hedke Park (formerly known as Sunlit Shores Park)
- 3. Rio Vista Park
- 4. Meadowlawn Park
- 5. Lynch Lake Park
- 6. Mastry Lake Park
- 12. Shore Acres Mini-Park
- 15. Kelly Lake Park
- 17. Allendale Park
- 19. Northeast Exchange Club Coffee Pot Park (formerly known as Coffee Pot Park)
- 20. Blanc Park
- 21. Coffee Pot Blvd/Granda Terr. & Traffic Circles
- 22. Euclid Lake Park
- 23. Crescent Lake Park
- 24. Flora Wylie Park
- 27. Baywood Park Indian Midden
- 28. Vinoy Park and Mole
- 29. Historic Round Lake Park (formerly known as Round Lake Park)
- 30. Spa Beach Park
- 31a. Edgewater Waterfront Park
- 32. International Park
- 33. Jamestown Park
- 34. Mirror Lake Park
- 35. Soreno/Straub Park
- 36. Williams Park
- 37. Pioneer Park
- 38. Demens Landing Park
- 39a. Fountain of Youth
- 43. Wood Park
- 44. Roser Park
- 45. Poynter Park
- 52. Lassing Park
- 56. Taylor Park
- 57. South Shore Park

- 58. Grandview Park
- 60. Unnamed Park
- 61. Cook Park
- 62. Lake Maggiore Park (See Section 21-87(5) for a description of that portion of this Park now known as Dell Holmes Park)
- 67. Indian Mound Park
- 69. Maximo Park
- 73a. Childs Park Linear
- 74. Coconut Park
- 75. Pasadena Circle
- 76. Sunset Park
- 77. Bear Creek Park
- 78. Disston Lake Park
- 79. Lake Pasadena Park
- 80. Seminole Park
- 81. Eagle Crest Lake Park
- 82. Jorgenson Lake Park
- 83. Booker Creek Linear
- 84. Booker Creek Park
- 85. Mt. Vernon Park
- 86. Harshaw Lake No. 1
- 87. Louise Lake Park
- 88. Tyrone Park
- 89. Azalea Park (North of Adult Center)
- 92. Sheffield Lake Park
- 93. Leslee Lake Park
- 96. Sirmons Lake Park
- 97. Sunhaven Lake Park
- 99. Downtown Waterfront Park
- 100. Snell Isle Park
- 101. Unnamed Lake
- 102. Treasure Island Beach

(3) *Wilderness area park property:*

- 63. Little Bayou Park
- 65. Forrest Bluff Park
- 66. Pinellas Point Park
- 70. Broadwaters Park
- 90. deNarvaez Park
- 98. Abercrombie Park

- (4) *Park property with wilderness areas.* The wilderness areas in the following parks are as designated on drawings kept on file in the office of the City Clerk . The specific drawings are referenced below as they relate to the parks respectively listed.

69. Maximo Park
Drawing No.: 1990B
Entitled: Maximo Park Wilderness Areas
Dated: November 19, 1990

- (5) *Nature preserve park property.*

(71) Clam Bayou Nature Preserve (formerly known as Clam Bayou)

- e. *Park property with nature preserve.* The nature preserves in the following Parks are as designated on drawings kept on file in the office of the City Clerk. The specific drawings are referenced below as they relate to the specific Parks.

62. Lake Maggiore Park
Drawing No.: 1990A
Entitled: Boyd Hill Nature Preserve
Dated: November 19, 1990

Sec. 21-87. New Charter Parks, renamed or re-designated Charter Parks.

This section contains designations of properties as new Charter Parks and re-designations of old Charter Parks as to name or status where the designations or re-designations have occurred subsequent to November 19, 1990.

- (1) *Jack Puryear Park/Edgemoor Park.*

- a. That a portion of the property designated as Jack Puryear Park in Section 21-86(1)(10) shall be renamed Edgemoor Park as of April 29, 1995. That the portion to be renamed shall be that property which is located between 58th Avenue Northeast and 62nd Avenue Northeast on the east side of Foch Street Northeast.
- b. For purposes of Section 21-83 (minimum green space) Edgemoor Park and the remaining portion of Jack Puryear Park shall be considered to be one Park property when calculating the 25 percent open green space requirement.

- c. Edgemoor Park shall be considered to be an active park property as that term is defined within this article.
- (2) *St. Petersburg 31st Street Sports Complex.*
 - a. The St. Petersburg 31st Street Sports Complex is located on City-owned property generally located west of 31st Street South, extending to Interstate 275, and north of 54th Avenue South extending to Lot 1, Block 1, Ford's Maximo Subdivision.
 - b. The St. Petersburg 31st Street Sports Complex shall be considered to be an active park property as that term is defined within this article.
- (3) *Sylvia C. Boring Park.*
 - a. The Sylvia C. Boring Park is located on City-owned property generally located south of 13th Avenue North at 29th Street.
 - b. The Sylvia C. Boring Park shall be considered to be a passive park property as that term is defined within this article.
- (4) *Northeast Exchange Club Coffee Pot Park.*
 - a. The Northeast Exchange Coffee Pot Club Park is located on City-owned property generally located at the northeast corner of First Street and 30th Avenue Northeast and identified as number 19 on the Parks and Waterfront Property Map.
 - b. The Northeast Exchange Club Coffee Pot Park shall continue to be considered a passive park property as that term is defined within this article.
- (5) *Dell Holmes Park.*
 - a. That a portion of land identified on the City's Park and Waterfront Property Map as part of Lake Maggiore Park, and which has been informally known as Lakeview Park, and generally described as that property bounded by 25th Street South extended, Lake Eli, the drainage canal, Lake Maggiore, 19th Street South extended, Murilla Way and Murilla Way as extended to 19th Street South, shall, as of June 5, 2003, be named Dell Holmes Park in memory of Litdell "Dell" Holmes who was Parks Director for the City from December, 1983 until April, 2003.
 - b. The Dell Holmes Park shall continue to be considered a passive park property as that term is defined within this article.

(6) *Historic Round Lake Park.*

- a. The Historic Round Lake Park is located on City-owned property generally located at the northeast corner of Dartmoor Street and Sixth Avenue North and identified as Number 29 on the Parks and Waterfront Property Map.
- b. The Historic Round Lake Park shall continue to be considered a passive park property as that term is defined within this article.

Sec. 21-88. Factors to be considered in naming or renaming of city Parks and city Park buildings and facilities.

- (a) The naming of a new Park or the renaming of a Park shall be by an Ordinance amending Section 21-87 or 21-90 of this Article. The naming or renaming of a Park building or facility or portion thereof located within a Park shall be by ordinance amending Section 21-89 of this Article.
- (b) In the naming or renaming of a Park or a Park building or facility or portion thereof the following factors shall be considered:
 - (1) All Parks and Park buildings or facilities, whether deeded to the City, acquired through outright purchase, or acquired by other means, may be named by the City Council after receiving a recommendation from the Mayor or a City Councilmember.
 - (2) Designation of such names shall be based upon geographical features, historically significant persons, places or events, waterways, ecological features, existing name at the time of acquisition or lore and legend of the area.
 - (3) No Park or Park building or facility shall be named for a living person, except when the individual has made exceptional contributions for a specific purpose or project, or when the donor of the Park property stipulates a name as being a consideration of the donation.
- (c) The factors in subsection (b) shall be considered in the renaming of a Park or Park building or facility or portion thereof but any one or more of the requirements can be waived by an action receiving an affirmative vote from five or more members of City Council.

Sec. 21-89. Names of Park buildings or facilities.

This section contains the names of Park buildings or facilities, or portions thereof, named or renamed since August 31, 2000.

- (1) The lounge at the Tennis Center located at 650--18th Avenue South is named "The Mildred Harris Lounge."
- (2) The pavilion in the North Central Neighborhood Park generally located north of 9th Avenue North at 35th Street is named "The Howard Myrick Pavilion."
- (3) The building in Lake Maggiore Park located at 1101 County Club Way South is named the "Lake Maggiore Environmental Education Center."

Sec. 21-90. Properties operated and maintained for public use - Non-Charter Parks.

(a) This section contains the descriptions of City owned properties not permanently designated as park property as provided in the Charter, but which are temporarily used for passive park uses as Non-Charter Parks.

- | | | |
|------|---------------------------------------|---|
| (1) | Arrowhead Park | 1922 ½ Arrowhead Dr. NE. |
| (2) | Dartmouth Neighborhood Park | 3962 Dartmouth Ave. N. |
| (3) | Enoch Davis Park | 1111 18th Ave. S. |
| (4) | Franklin Heights Park | 52nd Ave. and Dr. Martin Luther King, Jr.
St. N. |
| (5) | Golf Creek Park | Park St. & Dartmouth Ave. N. |
| (6) | Harbordale Park | 6th St. & 21st Ave. S. |
| (7) | Lakewood Terrace
Neighborhood Park | 38th Ave. & 7th St. S. |
| (8) | Millennium Youth Playground | 6th Ave. & 7th St. N. |
| (9) | North Central Neighborhood Park | 3485 9th Ave. N. |
| (10) | Palmetto Park | 2651 4th Ave. S. |
| (11) | Park on Park | 265 Park St. N. |
| (12) | Sunrise Park | 4400 Sunrise Dr. S. |
| (13) | Trailhead Park | 3800 Fairfield Ave. S. |

(b) This section contains the descriptions of City owned properties not permanently designated as park property as provided in the Charter, but which are temporarily used for active park uses as Non-Charter Parks.

- | | | |
|-----|----------------------------|-----------------------------|
| (1) | Childs Park Sports Complex | 601 45 th St. S. |
| (2) | Dwight Jones Park | 1035 Burlington Ave. N. |

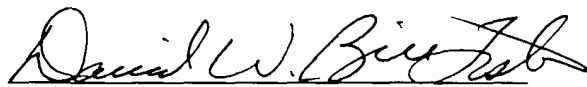
Section 2. Purpose. This ordinance is a comprehensive revision of the Chapter 21 currently in effect. The purpose of this ordinance is to replace the existing Chapter 21, City Code, in its entirety. The adoption of this ordinance and replacement of the existing Chapter 21 shall not affect any offense, arrest or citation, or any approval or permit issued, or any right established prior to the effective date of this ordinance and pursuant to the provisions of the City Code then in effect.

Section 3. Severability. Should any provision of this ordinance be declared invalid, all remaining provisions shall continue in full force and effect to the extent that the remaining provisions may be operative without the invalid provisions, and to that end the provisions of this ordinance are declared severable.

Section 4. Effective Date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

First reading conducted on the 21st day of October, 2004.

Passed by St. Petersburg City Council on second and final reading, as amended, on the 4th day of November, 2004.



Chair-Councilmember
Presiding Officer, City Council

ATTEST: 
City Clerk

Title Published: Times 1-t 10/25/2004



Not vetoed. Effective date Thursday, November 11, 2004 at 5:00 p.m.