

ORDINANCE NO. 583

AN ORDINANCE OF THE TOWN OF BELLEAIR, FLORIDA, AMENDING SECTION 50-21 OF THE TOWN OF BELLEAIR CODE OF ORDINANCES TO ADD A DEFINITION FOR ATHLETIC FIELDS AND TO DELETE THE REFERENCE TO RECREATION FIELDS FROM THE DEFINITION OF PARK; AMENDING SECTION 50-22 OF THE TOWN OF BELLEAIR CODE OF ORDINANCES TO DELETE THE REFERENCE TO HOURS THAT THE RECREATION FIELDS WERE OPEN; CREATING A NEW PROVISION FOR ATHLETIC FIELDS AND OPERATIONAL HOURS AND GUIDELINES THEREFOR THROUGH THE PARKS AND RECREATION DEPARTMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, Town staff has completed a review of the Code of Ordinances for the Town of Belleair and desires to provide guidelines, including the establishment of operational hours, for the management and maintenance of Athletic Fields through the Parks and Recreation Department to improve field conditions, ensure safety, and provide structured usage that benefits the Belleair community; and

WHEREAS, Town staff further wishes to reclassify Brewster and East Fields by removing them from the public parks list and establishing them as Athletic Fields through the Parks and Recreation Department.

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Belleair, Florida, that:

Section 1. Section 50-21 of Division II of Article II (Public Parks) of Chapter 50 (Streets, Sidewalks and Other Public Places) of the Code of Ordinances of the Town of Belleair is hereby amended to read as follows:

Sec. 50-21. Definitions

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

***Athletic Fields* means Brewster and East Fields designated for sports such as flag football, wiffle ball, soccer, and similar activities.**

***Park* means parks, playgrounds, ~~recreation fields~~, buildings, piers, channels, lagoons, waterways, water areas, submerged lands, shorelines and beaches therein and all facilities located on or in grounds, waters, buildings and structures in the town which are under the control or assigned for upkeep, maintenance or operation by the parks and recreation department of the town.**

Park employee means the park attendant, park supervisor, public services manager, director of parks and recreation department, department employees and parks and recreation personnel.

Person means any individual, regardless of age or sex, or any corporation, company, association, firm, partnership, club or society, or any association of persons, or any agent or employee thereof.

Section 2. Section 50-22 of Division II of Article II (Public Parks) of Chapter 50 (Streets, Sidewalks and Other Public Places) of the Code of Ordinances of the Town of Belleair is hereby amended to read as follows:

Sec. 50-22. - Park hours.

- (a) Parks are to be open to the public every day of the year during the hours of 7:00 a.m. to sunset. ~~The Dimmitt Community Center recreation fields shall open at 8:00 a.m. and close at 10:00 p.m. each day.~~ These hours may be varied by the town manager or designee; however, the operating hours for each individual park shall be posted therein for public information.
- (b) Any section or part of any park may be declared closed to the public at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and either entirely or merely as to certain uses, as public interest demands and at the discretion of the town manager or designee. It is unlawful for any person to enter or be in any such closed area.
- (c) No person shall enter upon or be in any part of any park which is an unfinished state or under construction, or which is posted or closed off from general public usage; and the words "no admittance" or "authorized personnel only" or "fields closed for maintenance" shall be sufficient notice of such closing.

Section 3. Sections 50-23, 50-24, and 50-25 of Division II of Article II (Public Parks) of Chapter 50 (Streets, Sidewalks and Other Public Places) of the Code of Ordinances of the Town of Belleair shall be renumbered as Sections 50-24, 50-25 and 50-26, respectively.

Section 4. A new Section 50-23 of Division II of Article II (Public Parks) of Chapter 50 (Streets, Sidewalks and Other Public Places) of the Code of Ordinances of the Town of Belleair is hereby created to read as follows:

Sec. 50-23. - Athletic Fields.

- (a) The Parks and Recreation Department shall establish and enforce operational hours for the use of the Athletic Fields. These hours will be subject to change and coincide with the hours of operation of the Dimmitt Community Center.
- (b) The Parks and Recreation Department shall implement a reservation and permit system for the use of the Athletic Fields. This system will prioritize organized

sports leagues, community events, and recreation activities while allowing for resident and member use during non-reserved hours.

Section 5. Ordinances or parts of ordinances in conflict herewith to the extent that such conflict exists are hereby repealed.

Section 6. For purposes of codification of any existing section of the Code of Ordinances, Town of Belleair, herein amended, words **underlined** represent additions to original text, words **stricken** are deletions from the original text, and words neither underlined nor stricken remain unchanged.

Section 7. If any section, subsection, sentence, clause, provision, or word of this Ordinance is held unconstitutional or otherwise legally invalid, same shall be severable and the remainder of this Ordinance shall not be affected by such invalidity, such that any remainder of the Ordinance shall withstand any severed provision, as the Town Commission would have adopted the Ordinance and its regulatory scheme even absent the invalid part.

Section 8. The Codifier shall codify the substantive amendments to the Code of Ordinances, Town of Belleair, contained in Sections 1 through 4 of this Ordinance as provided for therein, and shall not codify the exordial clauses nor any other sections not designated for codification.

Section 9. This Ordinance shall take effect immediately upon its adoption.

ADOPTED ON FIRST READING by the Town Commission of the Town of Belleair, Florida, at the meeting held on the 10th day of December, 2024.

PUBLISHED on the 25th day of December, 2024.

PASSED AND ADOPTED ON SECOND READING by the Town Commission of the Town of Belleair, Florida, at the meeting held on the 14th day of January, 2025.

Michael Wilkinson, Mayor

ATTEST:

Christine Nicole, CPM, MMC, Town Clerk