

LEE COUNTY ORDINANCE NO. 18-12

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, REPEALING AND REPLACING IN THE ENTIRETY LEE COUNTY ORDINANCE NOS. 90-56, 01-01, 02-12, 06-26, 10-41, 11-02 AND 11-09; PROVIDING FOR RESTATEMENT AND REPEALER; PROVIDING FOR DEFINITIONS; PROVIDING FOR PARK RULES AND OPERATING POLICY, PROVIDING FOR RESOURCE PROTECTION; PROVIDING FOR VISITOR SAFETY AND CONDUCT; REGULATING CERTAIN ACTIVITIES IN AND USAGE OF COUNTY PUBLIC PARKS AND PARK LITTORAL WATERS WITHIN LEE COUNTY; PROVIDING FOR RECREATIONAL REGULATIONS AND USE OF COUNTY RECREATION CENTERS AND COMMUNITY BUILDINGS; PROVIDING FOR ENFORCEMENT, PENALTY AND RESTITUTION; PROVIDING FOR CONFLICTS OF LAW; SEVERABILITY; CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND AN EFFECTIVE DATE.

WHEREAS, the recreational use of the public parks is a treasured asset of this County which is afforded to the public at large, including residents of and visitors to the County; and

WHEREAS, the manner, mode, type and degree of public uses of park resources sometimes conflict and must be reasonably reconciled to ensure the maximum enjoyment of park resources by all persons; and

WHEREAS, park resources, both natural and man-made, should be preserved for future generations of park visitors; and

WHEREAS, it is in the interest of the public health, safety and welfare that certain controls and regulations be placed on persons using public park resources to ensure maximum enjoyment of such resources by the general public, protect and preserve natural and man-made park resources, and reduce the risk of injury to those using the parks.

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Lee County, Florida that in order to promote the public health, safety and welfare of the citizens of Lee County, Florida the following Ordinance is hereby enacted:

SECTION I: TITLES AND RECITALS

1.1 TITLE This Ordinance will be known and cited as the “Lee County Parks and Recreation Ordinance.”

1.2 RECITALS The above recitals are hereby incorporated by reference as if set for the herein at length.

SECTION II: PURPOSE, APPLICATION AND ENFORCMENT

2.1 PURPOSE The purpose of this Ordinance is to efficiently utilize County parks for recreation purposes, preserve park resources, and provide for the protection and safety of lives and property on and within the parks and recreation facilities under the jurisdiction and control of the Board of County Commissioners of Lee County, Florida.

2.2 APPLICATION These rules and regulations shall apply to all persons on any part of the property comprising the parks.

2.3 ENFORCEMENT

A. The Lee County Park Ranger Program is hereby established. It shall employ persons invested with full and complete authority to enforce the provisions, requirements and regulations set forth herein and to discharge the duties of the office. Those persons

designated as Park Rangers of Lee County shall have the authority to issue citations to enforce any civil infraction of this Ordinance.

- B.** Whenever a Park Ranger has probable cause to believe that a violation of this Ordinance has occurred, the Park Ranger may issue a citation or summons and complaint to the violator, stating the nature of the violation with sufficient particularity to give due notice of said charge or of the violation by using the citation criteria set forth in Chapter § 162.21, Florida Statutes, as amended from time to time.
- C.** It is unlawful for any person to willfully refuse to sign and accept a citation issued by a Park Ranger. Violation of this section is a misdemeanor of the second degree, punishable as provided for in §162.21(6), Florida Statutes, as amended from time to time.
- D.** This Ordinance conveys authority to local law enforcement agencies to enforce violations of this Ordinance and to issue citations or summons for those violations.

2.4 OPPOSING A PARK RANGER It shall be unlawful for any person to knowingly interfere with, oppose, resist, obstruct, hinder or in any manner prevent a Park Ranger, who is attempting to discharge or is in the course of discharging an official duty or fail to obey the lawful order of a Park Ranger. Violation of this section is a civil infraction punishable by fine up to \$500.00.

SECTION III: DEFINITIONS

The following terms when used in this Chapter shall have the meanings ascribed to them in this section:

3.1 PARKS Parks operated and maintained by the Lee County Department of Parks and Recreation are defined to mean, parks, wayside parks, parkways, preserves and open spaces, playgrounds, recreation facilities and fields, museums, auditoriums, stadiums, ranges and buildings, lakes, streams, canals, lagoons, waterways, pools, causeways, bridges, roadways, marinas, boat ramps, beaches, piers, and abutting lands and adjacent littoral waters, which are used for recreational purposes, or as parks. Parks shall also include the pertinent rights-of-way presently under or hereinafter acquired and placed under the jurisdiction, control and administration of the Board of County Commissioners of Lee County, Florida, and all public service facilities located on grounds, buildings, and structures in Lee County which are under the control of or assigned for upkeep, maintenance or operation by Lee County. The term “parks” expressly includes the Sanibel Causeway facilities.

3.2 PARK PROPERTY All property, real or personal, in or on parks.

3.3 PARK RANGER Any person employed or appointed by Lee County who is authorized to investigate, pursuant to law, civil infractions relating to Lee County public parks or beaches and to issue citations as provided in this Ordinance, and to file charges based on such investigation.

3.4 DEPARTMENT The Department of Parks and Recreation. The Department is charged with the duty of administering, protecting, controlling and governing the parks and park property of Lee County.

3.5 PERSON Natural persons, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, including any trustee, receiver, assignee, or similar representative thereof, corporations and all other groups and combinations.

3.6 DIRECTOR The Director of the Lee County Department of Parks and Recreation or his/her designee.

3.7 VEHICLE Any wheeled conveyance, whether motor powered, animal-drawn, or self propelled. The term shall include any trailer in tow, of any size, kind or description. An exception is made for baby carriages, assistive vehicles for people with disabilities, and vehicles in the service of the County parks.

3.8 VESSEL Any motorized, wind driven, or paddle-propelled means of water related transportation within a County park or upon park littoral waters. The term specifically includes, but is not limited to, personal watercraft, commonly known as jet skis. The term shall not include rafts, floats or flotation devices, whether of canvas, rubber, styrofoam, or other substances intended or capable of assisting in the flotation of a person on or in the water.

3.9 IDLE SPEED The lowest speed at which a vessel can operate and maintain steering control. The actual speed will depend upon the design of the vessel and of the vessel's load, wind direction and speed, and sea conditions. Generally, it will

be between 1 and 3 miles per hour for outboard and inboard/outboard vessel, between 2 and 5 miles per hour for fixed shaft/rudder water craft, and the minimum speed merely necessary to effectively traverse breaking water for personal water craft (jet skis).

3.10 PARKING AREA Any designated part of a park road or area contiguous thereto set apart for the standing or stationing of any vehicle.

3.11 PARK ROADS All surfaced areas designated for vehicular traffic. All other surfaced or cleared areas are classified as a form of trail or path.

3.12 BATHING BEACH, BATHING AREA, OR SWIMMING AREA Any beach or pool designated as such in any park, including the actual sand beach, if any, and the adjoining land and littoral waters used for bathing and swimming.

3.13 POLICIES AND PROCEDURES Lee County Parks and Recreation maintains an Operations Manual. Unless otherwise specified in this Ordinance, all policies and procedures shall be followed as written in the Operations Manual, which is incorporated herein as part of this ordinance and is on file with the Department.

SECTION IV: PARK RULES AND OPERATING POLICY

All persons having entered on or into any part of any park within Lee County shall be governed by this Ordinance, the reasonable rules and regulations approved by the Board of County Commissioners and issued and published by the Department and by orders, directions and instructions of the Department implementing this Ordinance or the approved rules. No person in a park shall fail to abide by the instructions of any Lee County park personnel.

4.1 HOURS Except for unusual and unforeseen emergencies and designated holidays, parks shall be open to the public every day of the year. The opening and closing hours for each individual park shall be posted therein for public information. No person shall remain in any closed park or section thereof, unless authorized by the Director or designee.

4.2 CLOSED AREAS Any section or part of any park may be declared closed to the public by the Director or designee at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise). Parks may be closed entirely or for certain uses, as the Director or designee shall find reasonably necessary to protect the environment or public health, welfare and safety. No person shall remain in any closed park or section thereof, unless authorized by the Director or designee.

4.3 PERMIT A permit shall be obtained from the Director or designee before participating in any activity within a park for which a permit is required hereunder or by the Lee County Parks and Recreation Operations Manual, or for any special event.

A. STANDARDS FOR ISSUANCE The Director or designee may issue a permit unless there is reasonable probability:

1. That the proposed activity or use of the park will restrict or prohibit the general public's use of the park;
2. That the proposed activity and use will interfere with or detract from the promotion of public health, welfare, safety and recreation;
3. That the proposed activity or use is an expression of obscenity, incitement and/or fighting words;

4. That the facilities desired have been reserved for other use at the day and hour required in the application.

The Director or designee may place reasonable conditions on permits issued. If the permit is denied, the denial may be appealed through the following process:

1. An appeal of the decision of the Director or designee not to issue a permit may be filed, in writing, within ten days of the rejection of the permit request, and shall include the Requestor's name, address and phone number, if any. The appeal shall be filed with the Director or designee. No fee shall be charged for filing the appeal. An appeal may be submitted by a representative, parent or guardian of the Requestor.
2. Appeals will be heard by a Hearing Committee consisting of a Department Director, one supervisory and one non-supervisory employee not from the Parks and Recreation Department.
3. Within seven days following the filing of the appeal, the Hearing Committee will schedule a hearing. Notice of the hearing shall be provided to the Requestor's address listed on the notice of appeal through regular U.S. Mail, via certified letter.
4. The Hearing Committee will hold a hearing as soon as possible. In no event will the hearing be held more than 30 days from the filing of the appeal.
5. Requestor is entitled to copies of any document that the Requestor intends to rely upon during the hearing upon request as provided by F.S. Ch. 119.
6. The Requestor has the right to attend the hearing, the right to testify, and to call witnesses and present evidence relevant to the rejected permit request.
7. The Hearing Committee may consider the testimony, reports or other documentary evidence, and any other relevant evidence presented at the hearing. Formal rules of evidence

will not apply, but fundamental due process governs the proceedings.

8. The Requestor shall bear the burden of proof by a preponderance of the evidence that the permit was improperly denied pursuant to the criteria of this section.
9. If the Requestor fails to appear at the hearing, the determination of the Hearing Committee will be final.
10. Within three business days of the hearing, the Hearing Committee will issue a written recommendation on the appeal and send it to the Assistant County Manager assigned to the Department for final decision.
11. Thereafter, within seven business days after receipt of the Hearing Committee's written recommendation, the Assistant County Manager's decision will be mailed to Requestor by the Department.
12. The decision of the Assistant County Manager is final and the Requestor shall be deemed to have exhausted all administrative remedies.

B. EFFECT OF PERMIT A permittee shall be bound by all park rules and regulations and all applicable Ordinances fully as if it were inserted in said permits.

C. LIABILITY OF PERMITTEE The person or persons to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. Proof of insurance shall be required for events when the Director or designee decides it is necessary.

D. **REVOCATION** The Director or designee shall have the authority to revoke a permit upon determining that an Ordinance or a rule was violated or for good cause shown.

4.4 **EXHIBIT PERMITS** Upon request by County staff, no person shall fail to produce and exhibit any park permit for inspection.

4.5 **INTERFERENCE WITH PERMITTEES** No person shall disturb or interfere with any person or party, who have a park permit, from occupying any area, or participating in any activity.

4.6 **USE OF COUNTY RECREATION CENTERS AND COMMUNITY BUILDINGS** Buildings located in County parks shall not be used unless permission has been granted by the Department pursuant to the rules and regulations adopted by the Board of County Commissioners and the Department. Buildings are to be used for the purpose of recreational activities, civic meetings, social gatherings and public functions. Buildings may be rented for a fee as established by the Department in the Administrative Code to cover cost of maintenance and administration. Such rental use is subject to the Department reservation policy and procedures and rental use criteria as uniformly applied and articulated in the Lee County Parks and Recreation Operations Manual.

4.7 **FEES AND CHARGES** The Board of County Commissioners may by Resolution establish reasonable fees and charges for the use of any park facility or service as set forth in the Lee County Administrative External Fees and Charges Manual.

4.8 RESERVATION OF FACILITIES No person shall occupy any seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof, which may be reserved and designated by the Director or designee for the use of specific persons or groups of persons. Nor shall any person occupy an area designated and set aside for the use of individuals with disabilities, except for those persons attending to said individuals with disabilities.

4.9 CONCESSIONS, VENDING, AND PEDDLING No person shall operate a concession, or expose or offer for sale any service, article or thing; nor shall any person station or place on park property any stand, cart, or vehicle or vessel for the transportation, sale or display of any such article or thing. Exception is hereby made as to any regularly licensed concessionaire or other person engaging in such activities as authorized by the Board of County Commissioners and/or the Director or designee. All properly authorized activities under this section are subject to reasonable regulation by the Director or designee and require a written permit.

4.10 ADVERTISING AND COMMERCIAL SIGNS No person shall announce, advertise, or call the public attention in any way to any article or service for sale or hire; paste, glue, tack or otherwise post any commercial sign, placard, advertisement, or inscription whatever; erect or cause to be erected any commercial sign whatever on any public lands or highways or roads adjacent to a park, distribute any handbills or circulars, except by special permission from the Director or designee.

Pursuant to Lee County Administrative Code AC-1-19, as amended from time to time, no person shall place any political sign on any public lands or highways or roads adjacent to a park.

SECTION V: RESOURCE PROTECTION

5.1 REMOVAL OF NATURAL OBJECTS No person or agent or employee of such person shall dig or move with the intent to remove, or remove from any park area, any beach sand, whether submerged or not, or any soil, rocks, stones, trees, shrubs, plants, live shells or downed timber or other wood or materials or make any excavation by tools, equipment, blasting or other means or agency, or construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit issued hereunder by the Director or designee.

5.2 PROTECTION OF VEGETATION No person or agent or employee of such person shall cut, carve or injure the bark, limbs or branches or mutilate trees in any way, or pick the flowers or seeds of any tree, plant or shrub, nor shall any person dig in or otherwise disturb grass areas, or any other way injure or impair the natural beauty or usefulness of any area, nor shall any person pile debris or material of any kind on or about any tree or plant, or attach any rope, wire or other contrivance thereto, whether permanent or temporary in character or in use. No person shall transplant or remove any tree or plant or part thereof, or collect or remove flowers, except in areas designated for that use such as gardens, or with special permission by the Director or designee. The Director or designee shall control invasive exotic plants where

appropriate for the restoration, maintenance and preservation of native plant communities.

5.3 FIRE CONTROL No person shall ignite or attempt to ignite any fire against or on any vegetation or park structures, except in designated fireplaces or grills. No person shall dispose of burning matches, smoking materials or other inflammable items within any park except in designated receptacles. Prescribed burning shall be conducted only by the Department where and when appropriate for the restoration, maintenance and preservation of certain plant communities.

5.4 PROTECTION AND PRESERVATION OF WILDLIFE No person shall take, molest, harm, frighten, kill, trap, hunt, chase, tease, shoot, or throw missiles at any animal, nor shall any person remove or cause to be removed or have in their possession the eggs, nests or young of any animal. No person shall lure or call-in wildlife, by any means, including the use of vocalizations and digital means to attract any wildlife, except as authorized by the Director or designee. No person shall take live shellfish from park property without proper authorization from the State of Florida. No person shall give or offer, or attempt to give to any wild animal any food item, tobacco, alcohol, foreign object or other known noxious substances or attempt to pet any wild animal. No person shall transplant or remove any animal, except in areas designated for that use, or with special permission by the Director or designee. The Director or designee is authorized to control nuisance wildlife where and when appropriate for the restoration, maintenance, and preservation of both native plant and wildlife communities.

5.5 INTRODUCTION OF SPECIES No person shall introduce into any park any plant or animal species by willful abandonment, negligence or for any other reason without written authorization from the Director or designee.

5.6 LITTERING/DUMPING

- A. POLLUTION OF WATERS** No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, marsh, swamp, stream, bay, gulf or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid.
- B. REFUSE AND TRASH** No person shall bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash such as debris from beach raking. No such materials shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such materials shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

SECTION VI: VISITOR SAFETY

6.1 FIREWORKS AND EXPLOSIVES No person shall bring, possess, set off, or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rocket, or

other fireworks or explosives of inflammable material, or discharge them or throw them into any park area from land or highways adjacent thereto, except as permitted by Director or designee. This prohibition includes any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints.

6.2 BATHING AND SWIMMING Bathing and swimming is done at the risk of the park user. No person, regardless of age or manner of dress, shall swim, bathe or wade in any park waters or waterways designated as “no swimming areas.” Swimming activities shall comply with such regulations as to the hours of the day and safety limitations or such use as set by the Director or designee and/or posted in the area. Areas where swimming is permitted will be designated by official signs and markings.

6.3 SURF OR SKI No person shall surf or ski at any public beach not designated specifically for that purpose. Body surfing is permitted. No person shall surf, ski, or use any other type of recreational watercraft or board that may pose a hazard to the health and welfare of other beach users within a buoyed designated swim area.

6.4 GLASS CONTAINERS No person shall bring glass containers to any beach, pool, or public bathing area.

SECTION VII: FISHING

7.1 AUTHORIZATION. Fishing is authorized in park waters in accordance with Florida law and Federal law, and provisions of local Ordinance except as stated in subsections 7.2 and 7.3 below.

7.2 SPECIFIC PROHIBITIONS No person shall fish off-shore from any type of vessel or from the beach within 200 feet of any “swimming only” exclusion area. Nor shall any person fish in any area where bathing or swimming is permitted or where such area is specifically designated as a “no fishing” area except fishing is allowed from the pier at Lynn Hall Park subject to the restrictions set forth on the attached “Exhibit A”. Fishing with nets, spears, bow and arrow, snatch hooks and gigs is prohibited at all times. Cast netting is prohibited from the fishing piers. Fishing is prohibited from shore at the recreational beach designated as “Dog Beach” in order to ensure the safety and welfare of park visitors and their dogs.

7.3 COMMERCE PROHIBITED No person on park property shall engage in commercial fishing, or the buying or selling of finfish or shellfish caught in any waters. Public boat ramps may be used to launch and/or retrieve commercial vessels.

SECTION VIII: VESSEL CONTROL

8.1 VESSEL OPERATION Any person operating a vessel shall be governed and comply with the by rules and regulations in the Lee County Vessel Control and Water Safety Ordinance, as amended from time to time. In addition, the following specific regulations shall apply to parks.

8.2 OPERATION IN “SWIMMING ONLY” VESSEL EXCLUSION AREAS No person shall operate any vessel within 500 feet of a park designated by posting as “Swimming Only.” Official patrol rescue craft, other official craft, and craft operating under emergency conditions shall be exempted from the provisions of this article while performing their official duties or operating in an emergency.

8.3 OPERATION OF VESSELS OUTSIDE “SWIMMING ONLY” VESSEL AREAS For areas not posted as “Swimming Only” exclusion area, no person shall operate a vessel at a speed in excess of idle speed in any waters within 500 feet of a park.

8.4 LAKES PARK The use of boats powered by internal combustion engines are prohibited in the Lakes Park system. County staff may operate power boats, for safety and security reasons, at minimal power, approximately 40 horsepower and additional rescue boats for emergencies. Additionally, the Director or designee may, from time to time, permit other boats to operate for construction purposes and vegetation removal. Electric boats necessary for the operation of this park will be permitted.

8.5 LAUNCHING/RETRIEVAL OF VESSELS No person shall launch or retrieve a motorized or wind driven vessel from any park property, which is not designated specifically for that purpose.

8.6 PUBLIC DOCKS No person shall use public docks for any purpose other than those as specified in the Parks and Recreation Operations Manual.

8.7 PROHIBITION DURING CLOSED HOURS No person shall launch, retrieve, dock or operate any vessel within a park or littoral waters after the park is closed. Overnight mooring, anchoring or tying up to any dock or any other object or park structure is prohibited unless permitted by the Director or designee.

8.8 POWER UP ON LAUNCH PAD No person shall accelerate a vessel engine while at any Lee County public boat ramp.

SECTION IX: RECREATIONAL REGULATIONS

9.1 PICNICKING

- A. PICNIC AREAS** Authorized park staff shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.
- B. AVAILABILITY** Individual fireplaces together with tables and benches, generally follow the rule of “first come, first served.” This does not apply to rented or reserved facilities.
- C. NON-EXCLUSIVE** No person shall use any portion of the picnic area or of any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded. This prohibition does not apply to rented or reserved facilities.
- D. DUTY OF PICNICKER** No person shall leave a picnic area before the grill or fireplace, if any, is completely extinguished and before all trash and refuse is placed in the disposal receptacles, where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

9.2 CAMPING No person shall set up tents, shacks, or any other temporary shelter for the purpose of overnight camping, except in designated camping areas, nor shall any person leave in a park, after closing hours, any movable structure or vehicle to be used or that could be used for such purpose, except by special written permit granted by the Director or designee. Failure to observe and comply with park rules and the campground rules as set forth in the Parks and Recreation Operations Manual may result in forfeiture of camping privileges.

9.3 GAMES/ACTIVITIES No person shall take part in or abet the playing of any games involving thrown or otherwise propelled objects except in areas set apart for such forms of recreation.

9.4 EQUESTRIAN RIDING No equestrian riding except in areas specifically designated for such activity or in the case of special events, as designated by the Director or designee. Equestrian riding may be allowed by the Director or designee for authorized law enforcement purposes. Where permitted, equestrian riding animals shall be thoroughly trained and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree or shrub.

9.5 SERVICE ANIMALS Lee County abides by Titles II and III of the Americans with Disabilities Act.

9.6 DOMESTICATED ANIMALS Dogs are allowed in certain designated parks. The Parks and Recreation Department shall maintain a list of parks that are dog

friendly in the Parks Operation Manual. The Director or designee may amend the list of dog friendly parks at any time. Parks permitting dogs have the following regulations:

- A.** Dogs must be and remain in direct and continuous physical control on a leash that does not exceed 8 feet in length and of sufficient strength to restrain the dog.
- B.** The leash must be held by the owner at all times, unless in an off lead dog park.
- C.** Dogs must wear a collar with a valid county license attached.
- D.** Puppies under 4 months and female dogs in heat are prohibited.
- E.** Children under 12 years of age with a dog must be accompanied by an adult. Children under 5 years of age are not permitted in fenced off-lead dog parks.
- F.** Dogs that have been declared dangerous by Lee County Domestic Animal Services or a Court of law or dogs whose owner was adjudicated guilty or plead no contest to threatening and menacing charges involving the dogs, are not permitted at Lee County park properties.
- G.** Dogs behaving in a threatening/menacing manner either in an on-lead or off-lead area, will not be permitted to remain on park property. Dogs causing a nuisance by barking in on-lead areas in a manner that disturbs the peace and tranquility of the park will not be permitted to remain on park property. Any owner allowing a dog

to act in a threatening and menacing manner can be subject to citations and fines imposed by Lee County Domestic Animal Services.

- H.** Dogs must not be allowed to destroy park property, hunt or disturb wildlife.
- I.** Dog owner/handler must not tie or hitch a dog to any vegetation, park structure, vehicle, or any other type of structure or object within park property.
- J.** Dogs may not be left unattended or abandoned on park property.
- K.** Dog owner/handler and individuals accompanying dogs at Lee County parks and facilities are required to immediately pick up and remove all dog waste and is to be disposed of in appropriate waste containers. Failure to remove dog waste creates unsanitary conditions and may result in citation and/or fine.
- L.** Failure to promptly remove any dog from a Lee County park or facility after being directed by Lee County staff may result in a citation and/or fine.
- M.** Dogs must not enter the following Park areas: (Service Animals are exempt from area restriction in accordance with federal and state law.)
 - 1. Playgrounds
 - 2. Ball-fields

3. Tennis, pickle ball, hand ball courts, bocce ball, shuffleboard courts, archery range or other areas designated for a specific game or sport
4. Dugouts
5. Bleachers
6. Restrooms
7. Lakes, ponds or bodies of fresh water
8. Swimming pools
9. On Lee County Parks and Recreation Beaches other than the Causeway Islands, Turner Beach and Dog Beach and within the water at Lee County Parks and Recreation Beaches other than Dog Beach
10. Water Parks
11. Buildings or facilities (Except pavilions)
12. Areas of food service
13. Skateboard and BMX areas
14. Basketball courts
15. Community centers and recreation centers
16. Sensitive wildlife areas as designated by department Director or designee
17. Any area where dogs are expressly prohibited by park sign or ordinance

N. Dog owner/handler/agent must comply with the provisions set forth within Lee County Domestic Animal Services Animal Control Ordinance, as amended from time to time. Lee County Domestic Animal Services may issue citation(s) for violation(s) observed or

submitted by means of a sworn affidavit at any time within Lee County park properties.

- O. Failure to comply with the regulation within this section may result in a citation, fine and/or expulsion from park property.

9.7 ROLLER BLADES, ROLLER SKATES, SCOOTERS, SKATEBOARDS

No person shall use roller blades, roller skates, scooters or skateboards on any Park property other than a paved vehicular road or in an area or on a path specifically designated for that purpose.

9.8 AVIATION, UNMANNED AIR CRAFT, AERIAL DEVICES, AERIAL WATERCRAFT The use of aviation, unmanned air craft, aerial devices and aerial watercraft must be in compliance with any and all Federal and Florida State Law.

9.9 PARACHUTE, GLIDER AIRCRAFT, KITEBOARD The use of parachutes, hang gliders, paragliders, kiteboards or other glider aircraft is prohibited within the boundaries of any park, preserve, beach or littoral waters, including beach or littoral waters adjacent to park property. Exceptions to this prohibition are as follows: (1) kiteboarding is allowed at Causeway Island A, and (2) the Director or designee may allow these activities as part of the permit process in Section 4.3 herein.

SECTION X: CONDUCT

10.1 SLEEPING Except for authorized campers in designated camping areas, no person shall sleep overnight in any area of a County park, including beaches, lawns, fields and wooded areas. No person shall sleep on park benches or picnic tables at any time.

10.2 PANHANDLING No person shall solicit alms or panhandle contributions for any purpose, whether public or private, without first obtaining a permit under Section 4.3 herein.

10.3 SMOKING Pursuant to Florida Statutes 386, "Florida Clean Indoor Air Act", as amended from time to time, no person shall smoke within the confines of any school property or indoor park facility. No e-cigarette or vaping use is permitted on school property or indoor park facility.

10.4 GAMES OF CHANCE No person shall gamble, or participate in or abet any game of chance except as authorized by the Director or designee.

10.5 SIGNS No person shall carry on or engage in any activity which is expressly prohibited by a posted sign except as permitted by law.

10.6 CONGREGATE No person or group of persons shall congregate in the vicinity of a public restroom, facility entrance or near an area designated for vehicle parking or other public use area so as to interfere with its use or accessibility by other persons.

10.7 NUDITY IN PARKS OR BEACHES In every area on park property, including beaches and outdoor shower facilities, all persons must be covered with clothing or a bathing suit so as to prevent nudity. Persons are permitted to dress and undress in bathing houses, restrooms or structures as may be provided and maintained by the park for that purpose.

Nudity is defined as the showing of the human male or female genitals, or pubic area with less than a fully opaque covering; or the showing of the female breast with

less than a fully opaque covering of any portion thereof below the top of the areola or the depiction of covered male genitals in a discernibly turgid state. A mother's breastfeeding of her baby does not under any circumstance constitute "nudity".

10.8 (Reserved)

10.9 INTOXICATING BEVERAGES/ILLEGAL SUBSTANCES

A. GENERAL PROHIBITION Except as herein provided, no person may:

1. Possess, consume, use, sell or distribute alcoholic or intoxicating beverages, or illegal substances in any park.
2. Enter or remain in any park under the influence of alcohol, other intoxicants, or illegal substances.

B. EXCEPTION The sale, service and consumption of alcoholic beverages may be permitted on County park property only in accord with the following:

1. **BOCC APPROVAL**
 - a. The Board may permit the sale, service and consumption of alcoholic beverages on county park property pursuant to a written agreement, contract, lease or license, specifically permitting the activity. The agreement, contract, lease, or license must be formally approved by the Board, signed by the Chairman, and may include conditions on the sale of alcoholic beverages intended to protect the public health, safety and welfare.
 - b. Board approval does not eliminate the need for the entity to obtain the necessary state and local permits allowing the sale, service and consumption of alcoholic beverages.
 - c. The Board's approval will be obtained by scheduling

consideration of the contract or agreement during a regularly scheduled Board meeting.

2. COUNTY MANAGER APPROVAL The County Manager may permit the sale, service and consumption of alcoholic beverages on county park property for a specific event, if:
 - a. The event coordinator/entity obtains a permit to sell, serve and consume alcohol on County property in accordance with LCO 14-15; and
 - b. The event coordinator/entity obtains a permit to use county property in accordance Administrative Code 8-1; and
 - c. The event coordinator/entity obtains a special event permit in accordance with LCO 14-15, if required.
3. No more than two event permits allowing the sale, service or consumption of alcoholic beverages may be issued for a single park location in any calendar year, unless otherwise specifically approved in writing by the Director or designee prior to the event.
4. COMPLIANCE WITH APPLICABLE REGULATIONS Any sale, service or consumption of alcoholic beverages on county property must be conducted in accord with all applicable state, federal and local regulations. The Board or the County Manager may place conditions on the approval to sell, serve and consume alcoholic beverages in a county park designed to protect the public health, safety and welfare.
5. Approval to sell, serve or consume alcoholic beverages on county park property is a privilege and not a right. Therefore, the Board and County Manager have the right and full discretion to deny a request for permission to sell, serve or consume alcoholic beverages on County property for any reason or no reason at all.
6. Decisions by the Board and County Manager under section 10.9 regarding a request to sell, serve or consume alcoholic beverages on County park property are not subject to appeal.

10.10 OBSTRUCTION OF WALKWAYS/BENCHES/PUBLIC AREAS No person shall obstruct walkways so as to interfere with its use by other persons.

10.11 CLIMBING UPON PARK PROPERTY No person shall climb any tree or walk, or stand or sit upon monuments, vases, fountains, railings, fences or upon any other property not designated or customarily used for such purposes.

10.12 DEFACING OF BUILDINGS AND OTHER PARK PROPERTY No person shall willfully mark, soil, deface, or injure in any way, or displace, remove or tamper with, any park building, bridge, public restroom and washroom facility, table, bench, fireplace or other cooking facility, railing, paving or paving material, water line or other public utility or parts or appurtenances thereof or equipment thereon, park sign, notice or placard, whether temporary or permanent, monument, stake, post, or other boundary marker, or other structure or equipment, facility or park property or appurtenance whatsoever, either real or personal.

10.13 METAL DETECTORS No person shall use a metal detector (to locate coins, jewelry or other lost objects) on an athletic field or in an environmentally sensitive area or in an area that may pose a safety hazard unless authorized by the Director or designee.

10.14 ENCROACHMENT No encroachment on parks' property will be permitted unless prior approval is obtained from the Director or designee.

10.15 PIER DIVING AND/OR JUMPING In order to preserve the safety and welfare of the public, no person shall dive or jump from a Lee County park pier or other structure unless specifically designed for that purpose.

SECTION XI: TRAFFIC VIOLATIONS

11.1 PARKING Fees for parking may apply in certain parks as established by the Lee County Administrative Code. Failure to pay the established parking fees at timed parking spaces may result in a written citation and/or fine.

11.2 NIGHT PARKING No person shall leave a vehicle standing or parked at night without lights clearly visible for at least 500 feet from both front and rear on any driveway or road area except when properly parked in a clearly designated parking area. Vehicles shall not be parked on park property after designated closing hours unless as designated by the Director or designee.

11.3 UNAUTHORIZED PARKING No person shall double-park any vehicle on any road or parkway unless so authorized by County staff and/or law enforcement. No person shall park any vehicle in any place other than that provided for by the Department nor shall any person park in any area posted with a NO PARKING sign.

11.4 ACCESSIBLE PARKING In accordance with local, State and Federal law, no person shall stop, stand, or park any vehicle within or to obstruct, any such specially designated and marked parking space provided for individuals with disabilities unless such vehicle displays a Disabled Parking Permit or license plate issued pursuant to Florida Statutes.

11.5 UNAUTHORIZED MOTORIZED VEHICLE No vehicle shall be operated on park property or on any area other than that area specifically designated for the use of such vehicle. Motor vehicles are prohibited on all beaches in Lee County. Violations of any of the provisions in this section shall submit the offending vehicle to removal at

owner's risk and expense and to other penalties as provided by law. No person shall drive any vehicle on any road except the paved or graded park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Director or designee.

11.6 STATE MOTOR VEHICLE LAWS APPLY All applicable provisions of the State Motor Vehicle Traffic Laws as well as regulations in this Ordinance and in any other County Ordinance shall apply when operating equipment and/or vehicles on park property.

11.7 ENFORCEMENT OF TRAFFIC REGULATIONS No person shall fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets, or roads immediately adjacent thereto in accordance with the provisions of these or other applicable regulations as set forth under the Parks and Recreation Operations Manual.

11.8 OBEY TRAFFIC SIGNS No person shall fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking, and all others posted for proper control of vehicles. No person shall operate a vehicle within park property in a manner that will endanger human life or cause damage to park property.

11.9 SPEED OF VEHICLES No person shall ride or drive a vehicle within a park at a rate of speed exceeding a posted speed limit.

11.10 REPAIRS OR WASH VEHICLES No person shall repair or wash vehicles, except to make minor repairs in the event of a breakdown.

11.11 BICYCLES

- A. CONFINED TO ROADS** No person shall ride a bicycle, recreational scooter, recreational segway or use skateboards or roller blades/skates on other than a paved vehicular road or a path designated for that purpose. Other power driven mobility devices for use by persons with disabilities are exempt from this section. Mobility devices are allowed to go anywhere pedestrian use is permitted. Entering into undeveloped natural areas is not advised and is solely at the discretion of the individual.
- B. OPERATION** All persons shall ride a bicycle in a safe manner as directed by the Florida Statutes Chapter 316, as amended from time to time.
- C. DESIGNATED RACKS** No person shall leave a bicycle in a place other than a bicycle rack when such is provided and there is a space available.

11.12 MOUNTAIN BIKING This activity shall be limited to areas specifically designated for this sport.

SECTION XII: PENALTY AND EXPULSION

12.1 PENALTY Violation of the provisions of this Ordinance or failure to comply with any of the requirements herein shall constitute a civil infraction unless otherwise stated herein and shall be prosecuted in accordance with Section 125.69, Florida Statutes, as amended from time to time. Any person who violates this

Ordinance or fails to comply with any provisions shall, upon conviction thereof, be punished by a fine not to exceed \$500.00. Further, any person who violates Section 2.3(C), by willfully refusing to sign and accept a citation issued by a Park Ranger, shall, upon conviction thereof, be punished by a fine not to exceed \$500.00 fine and/or 60 days in county jail as provided for in §162.21(6), Florida Statutes, as amended from time to time. In addition, any person who violates this Ordinance or fails to comply with the provisions herein shall pay all costs and expenses incurred by the County in prosecuting the case. In certain cases, restitution may be sought in addition to a fine and/or imprisonment. The Schedule of Fines for violations of this Ordinance is attached hereto as and incorporated herein as Exhibit "B".

When determining the amount of a fine or restitution to be imposed for a violation, the following factors should be considered:

- A. The value of the products removed from the County's land and/or destroyed.
- B. The cost to remove dumped debris.
- C. The diminished value of County land or products, or the cost of restoring the affected land or products.
- D. The need to deter future violations.

12.2 EXPULSION Any person violating any of the provisions of this Ordinance shall be subject to expulsion from the park. Any person expelled from a park can use the appeals process outlined in Administrative Code 1-8, Lee County Trespass Policy and Procedure, as amended from time to time.

SECTION XIII: EFFECT

The provisions of this Ordinance, except as set forth herein, shall be deemed cumulative, supplemental and alternative authority for the exercise of the powers provided for herein. This Ordinance shall not be construed as repealing or superseding any other Ordinance or law except as specifically provided herein.

SECTION XIV: SEVERABILITY

The provisions of this Ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any of the provisions of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included therein.

SECTION XV: INCLUSION IN CODE

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lee County Code and that sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions and regardless of whether such inclusion in the Code is accomplished. Sections of this Ordinance may be renumbered or relettered and the correction of typographical errors, which do not affect the intent, may be authorized by the County Manager or his or her designee, without need of Public Hearing, by filing a corrected or recodified copy of same with the Clerk of the Circuit Court.

SECTION XVI: CONFLICTS

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Ordinance or statute, the most restrictive requirements shall apply.

SECTION XVII: REPEALER

It is the intent of this Ordinance to repeal and replace in the entirety Lee County Ordinance Nos. 90-56, 01-01, 02-12, 06-26, 10-41, 11-02 and No. 11-09. Accordingly, upon adoption of this Ordinance Lee County Ordinance Nos. 90-56, 01-01, 02-12, 06-26, 10-41, 11-02 and 11-09 are hereby duly repealed and replaced. Ordinance No. 06-26 is replaced by this legislation; however, any violations previously occurring under Ordinance Nos. 06-26, 10-41, 11-02 and 11-09 and any resulting fine, lien or costs assessed thereunder will remain in full force and effect until fully paid and released.

SECTION XVIII: EFFECTIVE DATE

This Ordinance shall become effective immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that the Ordinance has been filed.

(Balance of Page Intentionally Left Blank)

THE FOREGOING ordinance was offered by Commissioner Manning, who moved who moved its adoption. The motion was seconded by Commissioner Hamman and upon being put to a vote, the vote was as follows:

JOHN MANNING	Aye
CECIL PENDERGRASS	Aye
BRIAN HAMMAN	Aye
LARRY KIKER	Aye
FRANK MANN	Aye

DULY PASSED AND ADOPTED this 20th day of March, 2018.

ATTEST:

LINDA DOGGETT
CLERK OF THE COURT

By: Theresa Kij
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: [Signature]
Cecil Pendergrass, Chair

APPROVED AS TO FORM FOR THE
RELiance OF LEE COUNTY ONLY

By: [Signature]
County Attorney

EXHIBIT “A”

LYNN HALL PARK PIER RULES LEE COUNTY ORDINANCE 18-12, SECTION 7.2

Fishing is allowed on the Lynn Hall Park Pier, subject to the following rules and restrictions:

1. No shark fishing is allowed.
2. No fishing within 200 feet of swimmers or of the bathing area.
3. No baiting or chumming is allowed on or near the area. Baiting or chumming is defined as using cut up or ground up bait to put an attracting scent-line on or below the surface of the water, or to visually attract other fish.
4. Do not use flashers, teasers or drop-lines in combination with live bait.
5. No net, casting, spear, snatch or trap fishing is allowed.
6. No more than one method of fishing in use per person and must be physically attended to at all times. Methods are defined as, but not limited to, a pole or hand line.
7. No live or dead bait larger than 8 inches may be used.
8. No hooks larger than 5/0 may be used.
9. The use of shark lures and rigs is strictly prohibited.
10. All accidental shark catches must be cut loose. No landing or reeling in of sharks.

Violation of this section is punishable as provided for in Section XII above and may result in removal or exclusion from the pier and park.

EXHIBIT “B”

SCHEDULE OF FINES FOR VIOLATION OF LEE COUNTY ORDINANCE 18-12

<u>Section #</u>	<u>Offense</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd or more Offenses</u>
2.3	Refusing to Accept/ Sign Citation	2 nd degree misdemeanor, up to \$500.00 fine and/or 60 days in jail	2 nd degree misdemeanor, up to \$500.00 fine and/or 60 days in jail	2 nd degree misdemeanor, up to \$500.00 fine and/or 60 days in jail
2.4	Opposing/Resisting Ranger	Up to \$500.00 fine	Up to \$500.00 fine	Up to \$500.00 fine
4.1	Hours	\$100.00	\$200.00	\$400.00
4.2	Within Closed Areas	\$100.00	\$300.00	\$500.00
4.3	Permit	\$100.00	\$250.00	\$500.00
4.4	Failure to Produce Exhibit Permits	\$100.00	\$300.00	\$500.00
4.5	Interference with Permit	\$100.00	\$300.00	\$500.00
4.6	Unauthorized Use	\$100.00	\$300.00	\$500.00
4.8	Reservations	\$100.00	\$300.00	\$500.00
4.9	Concession, Vending, Peddling	\$300.00	\$400.00	\$500.00
4.10	Advertising/Commercial Signs	\$150.00	\$300.00	\$500.00
5.1	Removal of Natural Objects	\$300.00 and/or Mandatory Court Appearance/ Restitution	\$400.00 and/or Mandatory Court Appearance/ Restitution	\$500.00 and/or Mandatory Court Appearance/ Restitution
5.2	Protection of Vegetation	\$300.00 and/or Mandatory Court Appearance/ Restitution	\$400.00 and/or Mandatory Court Appearance/ Restitution	\$500.00 and/or Mandatory Court Appearance/ Restitution

<u>Section #</u>	<u>Offense</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd or more Offenses</u>
5.3	Fire Control	\$300.00 and/or Mandatory Court Appearance/ Restitution	\$400.00 and/or Mandatory Court Appearance/ Restitution	\$500.00 and/or Mandatory Court Appearance/ Restitution
5.4	Wildlife Protection	\$300.00 and/or Mandatory Court Appearance	\$400.00 and/or Mandatory Court Appearance	\$500.00 and/or Mandatory Court Appearance
5.5	Introduction of Species	\$300.00	\$400.00	\$500.00
5.6	Littering/Dumping	\$300.00 and/or Mandatory Court Appearance/ Restitution	\$400.00 and/or Mandatory Court Appearance/ Restitution	\$500.00 and/or Mandatory Court Appearance/ Restitution
6.1	Fireworks/Explosives	\$100.00	\$200.00	\$500.00
6.2	Bathe/Swim in Unauthorized Area	\$75.00	\$150.00	\$300.00
6.3	Surf/Ski	\$75.00	\$150.00	\$300.00
6.4	Glass Containers	\$75.00	\$150.00	\$300.00
7.2	Fishing Prohibitions	\$75.00	\$150.00	\$300.00
7.3	Commercial Fishing	\$150.00	\$300.00	\$500.00
8.2	Vessel Operation in Swimming Area	\$350.00	\$400.00	\$500.00
8.3	Vessel Outside Swim Area	\$150.00	\$300.00	\$500.00
8.4	Lakes Park Vessels	\$75.00	\$150.00	\$300.00
8.5	Vessel Launch/Retrieval	\$75.00	\$150.00	\$300.00
8.6	Public Docks	\$75.00	\$150.00	\$300.00
8.7	Vessel Operation During Closed Hours	\$75.00	\$150.00	\$300.00
8.8	Power Up on Launch Area	\$150.00	\$300.00	\$500.00

<u>Section #</u>	<u>Offense</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd or more Offenses</u>
9.1	Picnicking	\$75.00	\$150.00	\$300.00
9.2	Unauthorized Camping	\$75.00	150.00	300.00
9.3	Unauthorized Games/Activities	\$75.00	\$150.00	\$300.00
9.4	Unauthorized Equestrian Riding	\$100.00	\$200.00	\$500.00
9.6	Domesticated Animals	\$100.00	\$200.00	\$500.00
	Leash length	\$75.00	\$150.00	\$300.00
	No Collar with Current License	\$75.00	\$150.00	\$300.00
	Puppies under 4 Months/Dog in Heat	\$75.00	v300.00	\$500.00
	No Adult Supervision	\$50.00	\$100.00	\$200.00
	Dangerous Dog in Park	\$200.00	\$250.00	\$500.00
	Noisy, Disturbing, Intimidating Dog	\$75.00	\$150.00	\$300.00
	Dogs Destroying Park Property or Harassing Wildlife	\$100.00	\$200.00	\$300.00
	Dog Tied in Park	\$75.00	\$150.00	\$300.00
	Unattended Dog	\$75.00	\$150.00	\$300.00
	Failure to Clean Up after Dog	\$100.00	\$200.00	\$300.00
	Failure to Remove Dog after Warning by Staff	\$100.00	\$250.00	\$500.00
	Dog Within Prohibited Area	\$75.00	\$150.00	\$300.00
9.7	Unauthorized Use of Mobility Device	\$75.00	\$150.00	\$300.00
9.9	Parachute, Glider Aircraft, Kiteboard	\$75.00	\$150.00	\$300.00
10.1	Sleeping	\$75.00	\$150.00	\$300.00

<u>Section #</u>	<u>Offense</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd or more Offenses</u>
10.2	Panhandle	\$75.00	\$150.00	\$300.00
10.3	Smoking	\$100.00	\$300.00	\$500.00
10.4	Games of Chance	\$75.00	\$150.00	\$300.00
10.5	Failure to Obey Park Sign	\$150.00	\$300.00	\$500.00
10.6	Congregate	\$75.00	\$150.00	\$300.00
10.7	Nudity in Parks/Beaches	\$150.00	\$300.00	\$500.00
10.9	Intoxicating and/or Illegal Substance	\$100.00	\$200.00	\$500.00
10.10	Obstructing Walkway/Benches/ Public Area	\$75.00	\$150.00	\$300.00
10.11	Climbing Upon Park Property	\$75.00	\$150.00	\$300.00
10.12	Defacing Building/Park Property	\$250.00 Mandatory Court Appearance/ Restitution	\$350.00 Mandatory Court Appearance/ Restitution	\$500.00 Mandatory Court Appearance/ Restitution
10.13	Metal Detecting	\$75.00	\$150.00	\$300.00
10.14	Encroachment	\$150.00	\$300.00	\$500.00
10.15	Pier Diving/Jumping	\$100.00	\$200.00	\$300.00
11.1	Parking	\$18.00	\$18.00	\$18.00
11.2	Night Parking	As designated by Ordinance 91-29, as amended from time to time	As designated by Ordinance 91-29, as amended from time to time	As designated by Ordinance No. 91-29, as amended from time to time
11.3	Unauthorized Parking	As designated by Ordinance No. 91-29, as amended from time to time	As designated by Ordinance No. 91-29, as amended from time to time	As designated by Ordinance No. 91-29, as amended from time to time

Section #	Offense	1st Offense	2nd Offense	3rd or more Offenses
11.4	Accessible Parking Violation	As designated by Fla. Stat. 316.1955 and Ordinance 07-29, as amended from time to time	As designated by Fla. Stat. 316.1955 and Ordinance 07-29, as amended from time to time	As designated by Fla. Stat. 316.1955 and Ordinance 07-29, as amended from time to time
11.5	Unauthorized Motorized Vehicles	\$100.00	\$250.00	\$500.00
11.6	State Motor Vehicle Laws	\$100.00	\$250.00	\$400.00
11.7	Failure to Comply with Traffic Regulations	\$100.00	\$250.00	\$400.00
11.8	Failure to Obey Traffic Signs	\$100.00	\$250.00	\$400.00
11.9	Speed of Vehicles	\$100.00	\$250.00	\$400.00
11.10	Repair/Wash Vehicles	\$75.00	\$150.00	\$300.00
11.11	Bicycles	\$75.00	\$150.00	\$300.00
11.12	Mountain Biking	\$75.00	\$150.00	\$300.00
Exhibit "A"	Shark Fishing	\$500.00 Mandatory Court Appearance/ Restitution	\$500.00 Mandatory Court Appearance/ Restitution	\$500.00 Mandatory Court Appearance/ Restitution



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 26, 2018

Honorable Linda Doggett
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Attention: Ms. Theresa King

Dear Ms. Doggett:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 18-12, which was filed in this office on March 26, 2018.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250

Telephone: (850) 245-6270

www.dos.state.fl.us

RECEIVED

By Missy Flint at 2:02 pm, Mar 26, 2018