AN ORDINANCE RELATING TO THE RULES AND REGULATIONS OF PUBLIC PARKS; AMENDING SECTION 28-34(11) OF THE CODE OF ORDINANCES, CITY OF NAPLES, FOR THE PURPOSE OF PERMITTING THE SERVING AND USE OF ALCOHOL IN PUBLIC PARKS AND FACILITIES; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, during its November 3, 2008 Workshop, City Council directed staff to prepare an ordinance amendment that would permit the serving and use of alcohol in City parks and public facilities; and

WHEREAS, on October 14, 2008, the Community Services Advisory Board voted to support and recommend approval of an ordinance amendment; and

WHEREAS, facility use often includes requests for bringing alcohol to parks, community centers and public facilities as a part of a rental or special event; and

WHEREAS, types of requests will be limited to:

a) receptions during theatrical performances, concert events and tennis tournaments;
b) special functions at the Hedges Eco Center at the Naples Preserve;
c) private group rentals at parks and community centers;
d) art show exhibits or receptions; and
e) open houses or special recognition functions at City facilities; and

WHEREAS, it is the desire of the City Council to amend the City Code to permit the serving and use of alcohol in City parks and public facilities;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Section 28-34(11) of the Code of Ordinances of the City of Naples is amended to read as follows (with underlining indicating additions and strikeout indicating deletions):

Sec. 28-34. Rules and regulations.

(11) Possess, consume or serve any alcoholic or intoxicating beverages in any park or facility therein, unless there has been specific prior authorization by the city council prior to December 2, 1998, pursuant to a written agreement or resolution.

Section 2. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 3. That all sections or parts of sections of the Code of Ordinances, City of Naples, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall take effect immediately upon adoption at second reading.
Ordinance 08-12306

APPROVED AT FIRST READING THIS 3RD DAY OF DECEMBER, 2008.


Attest:

Tara A. Norman, City Clerk

Bill Barnett, Mayor

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 1-2-09