

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: August 15, 2007

Division: Public Works

Bulk Item: Yes X No

Department: Facilities Maintenance

Staff Contact Person: John King, 292-4531

AGENDA ITEM WORDING: Approval to advertise a public hearing for an ordinance amending Sec. 13.5-5 of the Monroe County Code, extending the hours of the Big Coppitt Volunteer Fire Department Park.

ITEM BACKGROUND: The intent of this ordinance is to create greater accessibility to the public park on Lots 3, 4 & 5, Block 4, Coppitt Subdivision, on Big Coppitt Key, in order to (a) allow use of the property for a reasonable period of time after sunset so as to be able to capitalize on the new lighting system; and (b) increase access and flexibility for citizens who choose to use the park for social and recreational activities.

PREVIOUS RELEVANT BOCC ACTION: The property was previously open to the public during the hours of 7:30 a.m. until sunset. At its May 7, 2007 meeting, the Parks and Recreation Advisory Board voted in favor of opening the park on extended hours until 10:00 p.m. on a trial basis.

CONTRACT/AGREEMENT CHANGES: Not applicable.

STAFF RECOMMENDATIONS: Approval to advertise for October 17, 2007 hearing in Key West.

TOTAL COST: N/A

BUDGETED: Yes No

COST TO COUNTY:

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No X

AMOUNT PER MONTH **Year**

APPROVED BY: County Atty X OMB/Purchasing Risk Management

DOCUMENTATION: Included X Not Required

DISPOSITION:

AGENDA ITEM #

ORDINANCE NO. _____ -2007

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, MONROE COUNTY; AMENDING SECTION 13.5-5(d) IN ORDER TO EXTEND BIG COPPITT VOLUNTEER FIRE DEPARTMENT PARK HOURS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 13.5-5(d) of the Monroe County Code of Ordinances currently sets hours in which Big Coppitt Volunteer Fire Department Park will be open to the public at 7:30 a.m. until sunset; and

WHEREAS, the recently-refurbished Big Coppitt Volunteer Fire Department Park now has a lighting system capable of sufficiently lighting the park during the evening and early night time hours; and

WHEREAS, Monroe County would like to provide more access to the Big Coppitt Volunteer Fire Department Park in an effort to better enhance the social well being of the surrounding community and the recreational needs of its citizens, by allowing citizens to capitalize on the new lighting system; and

WHEREAS, the Parks & Recreation Advisory Board has recommended that Big Coppitt Volunteer Fire Department remain open to the public until 10:00 p.m.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AS FOLLOWS:

[PROPOSED TEXT CHANGES are presented in ~~strikethrough~~ to indicate deletions and underline to indicate additions.]

Section 1. Section 13.5-5(d), Monroe County Code, is hereby amended to read as follows:

(d) *Park hours.* The parks and beaches listed above are open to the public, Monday through Sunday, from 7:30 a.m. until sunset with the following exceptions:

Bay Point Park, and Bernstein Park are open everyday from 7:30 a.m. until 10:30 p.m.;

Big Coppitt Volunteer Fire Department is open everyday from 7:30 a.m. until 10:00 p.m.;

Friendship Park is open everyday from 7:30 a.m. until 8:30 p.m.;

Key Largo Community Park is open everyday from 7:00 a.m. to 9:00 p.m.

All persons and their vehicles that enter the parks during the open hours must leave the parks by closing time, unless prior approval has been granted by the Monroe County Parks and Recreation Coordinator by way of a use form for a specific event. Any vehicles in the parks when the parks are closed will be towed away at the vehicle owner's expense.

Section 2. If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances in the County of Monroe, Florida, as additions or amendments thereto, and the Monroe County Code shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the ___ day of August, 2007.

Mayor Mario Di Gennaro _____
Mayor Pro Tem Dixie Spehar _____
Commissioner Charles McCoy _____
Commissioner Sylvia Murphy _____
Commissioner George Neugent _____

(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY
COMMISSIONERS OF MONROE
COUNTY, FLORIDA

By: Deputy Clerk

By: Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Cynthia L. Hall
CYNTHIA L. HALL
ASSISTANT COUNTY ATTORNEY
Date 07-27-2007