

**ORDINANCE NO. 1579**

**AN ORDINANCE OF THE CITY OF PANAMA CITY BEACH, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES; UPDATING AND REVISING THE CITY'S RULES AND REGULATIONS FOR TRAIL AND PARK USE, CONFIRMING THE RULES OF CONDUCT FOR PERSONS IN CITY PARKS GENERALLY; CONFIRMING RULES OF CONDUCT SPECIFIC TO GAYLE'S TRAILS, THE CONSERVATION PARK AND FISHING AREAS; ESTABLISHING A PENALTY FOR VIOLATIONS AND PROVIDING FOR ENFORCEMENT; AUTHORIZING THE CITY MANAGER TO COLLECT USER FEES IN ALL CITY PARKS AND RECREATIONAL FACILITIES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH:

SECTION 1. From and after the effective date of this ordinance, Article III, Chapter 4 of the Code of Ordinances of the City of Panama City Beach, related to Rules and Regulations for Park Use is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

**ARTICLE III. - RULES AND REGULATIONS FOR TRAIL AND PARK USE**

**Sec. 4-50. - Purpose.**

It is the intent and purpose of this article to protect and promote the health, safety, and welfare of the public at large, including residents and visitors to the City, by providing reasonable regulation of the public's use of and conduct on **the City's Parks and Gayle's Trails** and ~~within the Panama City Beach Conservation Park in the City~~ during the hours **in which they are open to the public** ~~between sunrise and sunset.~~

**Sec. 4-51. - Definitions.**

As used in this section:

**City Beaches shall mean and include the City's public beach access easements, and the sandy Gulf beach lying 400 feet east and west of the City's Russell-Fields Pier.**

**City Parks shall mean and include Frank Brown Park, Aaron Bessant Park, Maggi Still Park, Scott Field, Popeye Park, Conservation Park, Gayle's Trails, City Beaches and the Lyndell Conference Center.**

**Gayle's Trails or trails shall mean and include the recreational trails throughout the City and within Frank Brown Park and Panama City Beach Conservation Park, as well as those recreational trails proximate to those parks and leading to the Florida Greenways and Trails System, which are maintained for pedestrians by the City.**

**Fishing Areas shall mean and include the City's Russell-Fields Pier, and Frank Brown Park Youth Fishing Pond.**

~~**Non-motorized vehicle shall mean any human muscular powered bicycle, tricycle, wheelchair, electric personal assistive mobility device, in-line skates, roller skates or baby carriages.**~~

**Pet Friendly Areas shall mean those parks or portions of parks designated by Ordinance or Resolution1 of the City Council for use by specified animals.**

**Sec. 4-52. – Rules of conduct for members of the public in City parks, generally. Permitted uses.**

~~Gayle's Trails are for use by pedestrians and non-motorized vehicles only, provided however, that certain motorized vehicles authorized by the City Manager shall be entitled to access any part of Gayle's Trails for construction, maintenance, security and/or emergency purposes. No horses or equestrian activity of any kind is permitted on the trails. Up to two (2) dogs per person are permitted on the trails, provided each dog is leashed and controlled at all times.~~

- (a) No glass. Possession or use of any glass container is prohibited.**
- (b) No alcohol. Consumption of alcohol is prohibited unless permitted by the City Manager as part of a Special Event.**
- (c) No hand controlled flying objects, including but not limited to drones and radio- or remote- controlled flying toys, except in designated areas.**
- (d) Pets.**
  - i. Except in enclosed areas designated for the unrestrained running of dogs or official training classes, pets must be kept on a leash at all times. This section shall not apply to service animals, while such animal is providing service to its owner.**
  - ii. No more than two pets per person.**
  - iii. All pets must wear tags indicating current shots and ID.**

- iv. Female dogs in heat, or dogs younger than 4 months old, are not permitted in City Parks.
  - v. Pets must be supervised and attended to at all times.
  - vi. Owners must immediately clean up after their pets by placing waste in the proper disposal stations.
- (e) Use of facilities. No person shall enter or remain in any area of the park which is designated by the City as being closed to the public, nor shall any person use or abet the use of any area in violation of posted notices.
- (f) Reservation of facilities. Except as provided below or as may be specifically permitted by Resolution of the City Council from time to time, park facilities are non-exclusive and available on a first-come, first served basis.
- i. The following facilities must be reserved in advance: Frank Brown Park Festival Site for Special Events, Aaron Bessant Park Amphitheater for Special Events, Athletic Fields for Tournament Play, Aquatic Center for Swim Meets or Special Events, Lyndell Meeting Room and/or Ballroom, Philip Griffiths Community Center Classroom and/or Gymnasium, and Beach Volleyball courts for Tournament play.
  - ii. The following facilities may be reserved in advance: Frank Brown Park Pavilions, Conservation Park Pavilion, Conservation Park Outdoor Classroom.
- (g) Parking.
- i. Overnight parking is prohibited.
  - ii. Roadside parking is prohibited. Vehicles shall be parked in designated parking areas only.
- (h) No tents without prior approval of Park staff. Any tent larger than 10x10 will need a permit issued by the City's Building Department, and an inspection by the City's Fire Department.
- (i) No sale of goods or services, unless pursuant to permit issued by the City. Permitted vendors must set up only in the location approved by their permit, and timely comply with the City's business licensing requirements.
- (j) It shall be unlawful to litter in City Parks.
- (k) Playing golf, practicing golf strokes or striking a golf ball with a golf club is prohibited except in areas designated for these purposes.
- (l) It shall be unlawful to mark, deface, disfigure, injure, tamper with or in any way damage or cause damage to park turf, trails, facilities or improvements.

**Sec. 4-53. - Rules of conduct specific to ~~for~~ Gayle's Trails.**

**(a) Gayle's Trails are for use by pedestrians and non-motorized vehicles only, provided however, that certain motorized vehicles authorized by the City Manager**

**shall be entitled to access any part of Gayle's Trails for construction, maintenance, security and/or emergency purposes. For purposes of this section, Non-motorized vehicle shall mean an electric personal assistive mobility device, or any human muscular powered skateboard, scooter, bicycle, tricycle, wheelchair, in-line skates, roller skates, or baby carriage.**

**(b) In addition to the Rules of Conduct set forth in Section 4-52, the following rules shall also apply on Gayle's Trails, and it shall be unlawful for any person on or near Gayle's Trails to:**

- i. Utilize the trails in any manner other than as permitted by law, this Code and posted regulations.
- ii. ~~Mark, deface, disfigure, injure, tamper with or in any way damage or cause damage to the trail or its surrounding area and improvements.~~
- iii. Destroy, deface, or remove any tree, shrub, plant or wildflower.
- iv. Utilize the trail without regard to the safety of others.
- v. Place signs of any kind on or along the trail, unless authorized by the City Manager pursuant to the regulations of this Code.
- vi. Utilize or remain on any trail between the hours of sunset and sunrise.
- vii. Operate or use any public address system **or amplified sound source**, whether fixed, portable, or vehicle mounted, except when such operation has been approved by the director of parks and recreation.
- viii. Make any commercial **use** of the trail, including but not limited to, the sale, or the display for sale of any merchandise; the solicitation for the sale of goods, property or services; and the display of advertising of any sort.
- ix. Loiter.
- x. Enter upon or remain in any property other than obvious right-of-way designated as Gayle's Trails for any purpose.
- xi. Operate or use an unauthorized motorized vehicle on Gayle's Trails.
- xii. **Walk or ride horses, or permit or abet equestrian activity of any kind, on Gayle's trails.**

**Sec. 4-54. - Rules of conduct specific to ~~for~~ PCB Conservation Park.**

**(a)** In addition to the Rules of Conduct set forth in **Section 4-52 and** Section 4-53, the following rules shall also apply within the PCB Conservation Park, and it shall be unlawful for any person in the Park to:

- (i) Take wildlife from the Park, or introduce or release any animal into the Park.
- (ii) **Harass or harm any wildlife within the Park.**
- (iii) Except in designated areas, fires, incendiary devices, open flame or any source of open flame, ~~or smoking~~ is strictly forbidden.

- ~~(iv) — Drink or consume any alcoholic beverage or substance.~~
  - ii. Camp or remain in the park overnight.
  - iii. Knowingly introduce non-native plant species, non-native plant parts, or dispose of landscaping debris within the Park or within 500 feet of the Park boundary.
  - iv. Remove any cultural or archaeological artifacts or native vegetation from the Park.
- (b) Conservation Park trails are for use by pedestrians and non-motorized vehicles only, provided however, that certain motorized vehicles authorized by the City Manager shall be entitled to access any part of trails for construction, maintenance, security and/or emergency purposes. For purposes of this section, *Non-motorized vehicle* shall mean an electric personal assistive mobility device, or any human muscular powered skateboard, scooter, bicycle, tricycle, wheelchair, in-line skates, roller skates, or baby carriage.

**Secs. 4-55 Rules of conduct specific to Fishing Areas.**

In addition to the Rules of Conduct set forth in Section 4-52 4-53 the following rules shall also apply within Park Fishing Areas:

- (a) No pets are permitted.
- (b) No commercial fishing.
- (c) At the Frank Brown Park Youth Fishing Area:
  - i. Fishing in this pond is limited to youths 16 years of age or younger. Youths fishing in this pond must be accompanied by a supervising adult.
- (d) At the Russell Fields Pier:
  - i. No shark fishing, shark fishing rigs or reels.
  - ii. No chumming.
  - iii. No more than 3 poles per person. Only one rod per fisherman at rail.
  - iv. No sitting or standing on rails.
  - v. No running.
  - vi. No cots or lounge chairs.
  - vii. No skateboards, rollerblades, scooters or bicycles.
  - viii. Shoes required.
  - ix. No bagging out baits.
  - x. No casting toward swimmers, surfers, boats or vessels.
  - xi. No cast nets past the first "T".

**Sec 4-56. Penalty.**

- (a) Any violation of this Article shall constitute a civil offense punishable by a

**civil penalty in the amount specified below:**

**First violation: \$100**

**Second violation: \$250**

**Third and all subsequent violations: \$500. The financial penalty for the third and subsequent violations shall be cumulative to any other penalty which may be provided by law.**

**The City Clerk is authorized to collect payment for uncontested civil penalties at a mitigated rate of 50%.**

**(b) In addition to other remedies, the City Manager, through the City Attorney, may institute any appropriate action in a court of competent jurisdiction seeking injunctive relief or other remedies to bring about compliance with any of the provisions of this Chapter.**

**Secs. 4-57—4-74. - Reserved.**

SECTION 2. From and after the effective date of this ordinance, Article III, Chapter 4 of the Code of Ordinances of the City of Panama City Beach, related to Rules and Regulations for Park Use is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

#### **ARTICLE I. - IN GENERAL**

**Sec. 4-1. - User Fees for City Parks and Recreational Facilities ~~Dan-Russell Pier and Bessant Park~~**

The City Manager is authorized to collect from the users thereof fees for the use and enjoyment of **City Parks and recreational facilities** ~~the Dan-Russell Pier and Bessant Park~~ in such amounts and for such uses as may from time to time be established and amended by the resolution of the City Council.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. The appropriate officers and agents of the City are



authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Panama City Beach Code, and unless a contrary ordinance is adopted within ninety (90) days following such publication, the codification of this Ordinance shall become the final and official record of the matters herein ordained. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 5. If any clause or portion of this ordinance is held invalid or unenforceable, the remainder of this ordinance shall continue in full force and effect.

SECTION 6. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Panama City Beach, Florida, this 10<sup>th</sup> day of March, 2022.

  
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MARK SHELDON, MAYOR

ATTEST:

  
\_\_\_\_\_  
LYNNE FASONE, MMC  
CITY CLERK

EXAMINED AND APPROVED by me this 10<sup>th</sup> day of  
March, 2022.



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MARK SHELDON, MAYOR

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