

**CITY OF PALMETTO
CITY COMMISSION WORKSHOP MEETING
February 25, 2019
4:30 PM**

PLEDGE OF PUBLIC CONDUCT

We may disagree, but we will be respectful to one another.

We will direct all comments to issues.

We will avoid personal attacks.

516 8th Avenue West
Palmetto, Florida 34221

(941) 723-4570
<http://www.palmettofl.org>

SHIRLEY GROOVER BRYANT, MAYOR

COMMISSION MEMBERS

TAMARA CORNWELL, VICE MAYOR, COMMISSIONER-AT-LARGE 2

JONATHAN DAVIS, COMMISSIONER-AT-LARGE 1

BRIAN WILLIAMS, COMMISSIONER, WARD 3

HAROLD SMITH, COMMISSIONER, WARD 1

TAMBRA VARNADORE, COMMISSIONER, WARD 2

1. ORDINANCE 2019-01 PARADE (M. Barnebey)

(TAB 1)

If any person desires to appeal any decision of the City Commission, CRA Board, or of any other Board of the City, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (FS §286.0105). The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services on forty-eight hours' notice (FS §286.26). Anyone requiring reasonable accommodation for this meeting as provided for in the American with Disabilities Act should contact the City Clerk by telephone at 941-723-4570, fax 941-723-4576 or e-mail jfreeman@palmettofl.org or alarowe@palmettofl.org.

POSTED: February 21, 2019

ORDINANCE 2019-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, REGULATING THE CONDUCT OF PERSONS PARTICIPATING IN AND ATTENDING PARADES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and,

WHEREAS, pursuant to the referenced provision of the Florida Constitution, a city may exercise any power for municipal purposes except as otherwise provided by law; and,

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

WHEREAS, there are dangers to the spectators of a parade from the possibility of getting struck by vehicles if they enter the path of the parade; and

WHEREAS, the City Commission finds that casting or throwing of candy, beads, or other objects by persons riding in or upon vehicles or on animals creates a public safety issue and a public hazard; and

WHEREAS, the City Commission has held at least one workshop and one public hearing on the conduct of persons participating in and attending parades; and

WHEREAS, the City Commission has considered revised provisions related to rejecting and handling of certain claims; and

WHEREAS, consistent with the findings stated above, the City Commission has determined that adoption of this ordinance is in the best interest of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PALMETTO, FLORIDA, as follows:

Section 1. Findings of Fact. The above "WHEREAS" clauses are adopted herein as findings of fact.

Section 2. A new section 19-181 of the Palmetto Code of Ordinances is hereby created to read as follows:

Sec 19-181 - Parades.

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

Parade means any march or procession consisting of person, units of persons, animals and vehicles processing or promenading on a public street, alley or right-of-way within the City.

Vehicle means any automobile, truck, motorcycle, motor scooter, tricycle, moped, float, or other object riding on wheels, whether self-propelled, or drawn or pushed by animals or people.

- B. Requirements and prohibited activities.

1) It shall be unlawful for any person to stage, present, or conduct any parade or public assembly without first having obtained a Special Function Permit as herein in the Chapter.

2) It shall be unlawful for any person to ride, drive, or cause to be ridden or driven any animal or any animal-drawn vehicle upon any public street, unless specifically authorized by the permit.

3) The use of any float, trailer or other conveyance that includes outrigger style or protruding wheels is prohibited.

4) No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or public assembly or with any person, vehicle or animal participating or used in a parade or public assembly.

5) No vendors shall be in the public right-of-way along any parade route for the purpose of selling products or goods to persons along the route.

6) No person shall throw or propel candy or other objects from a parade or while participating in a parade.

7) The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a parade or public assembly. The Chief of Police shall post signs to that effect at least 8 hours in advance of such restriction taking effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. The Chief of Police shall have the authority to tow such vehicles, if such vehicles are parked in violation of any such directive.

Section 3. Codification. The City Clerk shall ensure that this Ordinance shall be submitted for codification upon taking effect.

Section 4. Repeal of Inconsistent Ordinances. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 6. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14, upon execution by the Mayor or, if disapproval occurs, upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

FIRST READING	
PUBLICATION DATE	
SECOND READING	

PASSED AND DULY ADOPTED, BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, with a quorum present and voting, in regular session assembled, this _____, day of _____, 2019.

By: _____
Shirley Groover Bryant, Mayor

ATTEST:

By: _____
James R. Freeman, City Clerk