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## Sec. 46-1. City facility rules.

- (a) *Prohibited conduct.* The following conduct is prohibited at all buildings, parks, amenities, and grounds thereof, and any other properties owned or managed by the city for the purpose of conducting the operations of the city ("facilities") (excluding public sidewalks and rights-of-way):
- (1) Engaging in any activity prohibited by law.
  - (2) Littering.
  - (3) Activities or behaviors which present an unreasonable risk of injury or harm to oneself or others, including visitors or employees.
  - (4) Activities or behaviors which present an unreasonable risk of damage, harm, degradation, or removal of any city property, including plants, flowers, trees, grass, or soil.
  - (5) Activities or behaviors which present an unreasonable risk of damage, harm, harassment, or removal of any animals, birds, other wildlife, or their habitat on city property.
  - (6) Tampering with or unauthorized use of interior or exterior facility systems, grounds, or devices, including, but not limited to, electrical, plumbing, locks, doors, cameras, plants, and other infrastructure.
  - (7) Possession of weapons, with the exception of firearms as defined in F.S. ch. 790 or as allowed pursuant to local, state, or federal authority.
  - (8) Unauthorized leaving or storing of personal property.
  - (9) Use of insulting or fighting words which by their very utterance inflict injury or tend to incite a breach of the peace.
  - (10) Disruptive or unsafe behavior, including conduct which intentionally interferes with employees or contractors in the performance of their duties or intentionally interferes with the proper use of a facility by others.
  - (11) Being under the influence of any controlled substance or intoxicating liquor or beverage.
  - (12) Possessing, selling, distributing, or consuming any alcoholic beverage, except as allowed by a city permit, at an event approved by the city, or otherwise allowed by this Code.
  - (13) Blocking access to a building, park, or amenity, including doorways, walkways, ramps, parking access, or steps.
  - (14) Remaining in a building, park, or amenity, or remaining in its attached covered areas, doorways, ramps, or steps after posted hours of operation or after the conclusion of an "after hours" public meeting or city-hosted event.
- (b) *Additional rules.* Additional rules related to the specific functions or use of a facility may be created and implemented by the city manager's office or designee. All additional rules must be clearly posted with or near the facilities rules established herein.
- (c) *Posting of rules.* Facilities rules must be posted conspicuously, both inside and outside, at all facilities open to the public.
- (d) *Unlawfully stored property.* Unlawfully stored property will be removed pursuant to section 46-3 of this Code.
- (e) *Warning required.* Except where an activity is prohibited by law, a verbal warning by any city employee must first be issued to the offender, who then has an opportunity to correct their violation prior to any

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enforcement. If an individual fails to comply with these rules after a verbal warning, a city employee may instruct the offender to immediately leave the premises. If an offender fails to leave the premises immediately, a law enforcement officer can issue the offender a trespass warning.

- (f) *Exceptions.* The following are exempt from the prohibitions of this section, unless any exemption creates and/or causes a hazardous condition or threatens public health or safety:
- (1) *Medical emergency.* Items stored or activities conducted pursuant to a medical emergency until the medical emergency is addressed.
  - (2) *Permitted event.* Items stored or activities conducted pursuant to and as allowed under a city-permitted event, including, but not limited to, parades, festivals, assemblies, or concerts for the duration of the permitted event, at the discretion of the city manager or designee.
  - (3) *Permitted property.* Items stored pursuant to a city-issued permit or express permission from the city manager or designee.
  - (4) *Government property or activity.* Items stored or activities conducted by a government entity or pursuant to direction from a government entity, at the discretion of the city manager.

( Ord. No. 2021-01 , § 2.01, 2-9-2021)