

ORDINANCE 2010-01

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES CHAPTER 18, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES BY REQUIRING THE PRESENCE OF A CITY EMPLOYEE TO SUPERVISE THE AUSTIN COMMUNITY CENTER AND THE TOURIST CLUB WHEN RENTED FOR AN EVENT OUTSIDE OF NORMAL OPERATING HOURS, REQUIRING PAYMENT OF CITY COSTS FOR SUCH SUPERVISORY EMPLOYEE, AND PROVIDING FOR EXCEPTIONS; PROHIBITING THE SERVING OF ALCOHOLIC BEVERAGES AT AN EVENT IN THE AUSTIN COMMUNITY CENTER WHEN MINOR CHILDREN ARE PRESENT AND PROVIDING FOR EXCEPTIONS; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1. Lake Wales Code of Ordinances Chapter 18, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, Article 5, PARKS, RECREATION AND OTHER COMMUNITY FACILITIES, is hereby amended as follows:

**Sec. 18-167. General rules and regulations for reserved use of community facilities.**

(a) *Reservations/Application.*

(6) ~~At the discretion of the City Manager or his designee, use of the James P. Austin Community Center and the Tourist Club outside of normal operating hours for each facility may shall~~ require the presence of at least one (1) city employee to supervise the use of building. At the discretion of the City Manager or his designee, use of the Tourist Club may require the presence of at least one (1) supervisory employee.

A. The cost of the employee shall be paid by the person or group reserving the facility, and the hourly rate to be charged shall be calculated as follows: the employee's current hourly rate multiplied by 1.5 (time-and-one-half) plus the cost of the city's FICA and pension contribution.

B. The city manager is authorized to waive the requirement for a supervisory employee when the applicant for a use permit is a regular user of the facility or an established not-for-profit group with no history of misuse of the facility.

(b) *Alcoholic beverages.* Alcoholic beverages are prohibited in all community facilities except the James P. Austin Community Center. Consumption of alcoholic beverages in the community center will be permitted only with the following conditions:

(1) Fees shall be paid to the city for provision of a minimum of two (2) law enforcement officers for the duration of the event except as follows:

A. The following uses are exempt from the requirement for law enforcement officers when alcoholic beverages are consumed during an event:

- i. Dinners, lunches, brunches, etc.
- ii. Repasts following a funeral or memorial service

B. The following uses are required to provide one (1) law enforcement officer when alcoholic beverages are consumed during an event:

- i. Wedding receptions
- ii. School reunions
- iii. Family reunions
- iv. Annual barbeques, get-togethers, etc

The city manager is authorized to waive the requirement for a law enforcement officer when the applicant for a use permit is a regular user of the facility or an established not-for-profit group with no history of misuse of the facility.

- C. For uses not included in paragraph A. and B. of this section, the city manager may require more than two (2) law enforcement officers when alcohol will be consumed if, in his sole discretion, the event warrants additional security measures.
- D. In lieu of paying fees to the city for the provision of law enforcement officers, the sponsor of the event may, with the prior approval of the city manager and the police chief, provide private security for the event.


(2) Consumption of alcoholic beverages shall be prohibited at events where minor children are present except as provided in sub-paragraph (1) A. of this paragraph or at a wedding reception where a champagne toast is served. Violations shall result in closure of the event and loss of deposit.

[existing sub-paragraph numeration within paragraph (b) shall be adjusted as necessary.]

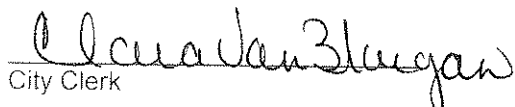
**SECTION 2.** If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

**SECTION 3.** This ordinance shall become effective immediately upon passage by the City Commission.

CERTIFIED AS TO PASSAGE this 19<sup>th</sup> day of January, ~~2009~~ 2010

  
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Mayor/Commissioner  
City of Lake Wales, Polk County, Florida

ATTEST:

  
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City Clerk