

**Agenda**  
**City of Dunnellon**  
**Special City Council Workshop**  
**20750 River Drive, Dunnellon, FL 34431**  
**October 6, 2021**  
**3:30 p.m.**  
Join Zoom

<https://dunnellon.zoom.us/j/86904819858?pwd=Q1hIOEIBZnVCTW40bjVCNndUMElqZz09>

Webinar ID: 869 0481 9858

**Dunnellon Special City Council Workshop will be held on October 6, 2021, at 3:30 p.m. at Dunnellon City Hall.**

**Public Comment** - Anyone who wishes to provide public comment will be able to do so by participating in the City Council meeting in person, or via the Zoom "**AUDIO ONLY**" platform and/or telephone, by speaking during public comment portions of the meeting when recognized per the instructions below or by submitting written comments, evidence and/or written testimony in advance of the meeting via email to the City Clerk [mroberts@dunnellon.org](mailto:mroberts@dunnellon.org)

Members of the public who would like to participate are encouraged to register in advance by Noon on Wednesday, October 6, 2021. Please see instructions below on how to register.

**Instructions on How to Listen and/or Participate in the Meeting**

Attachment: [Meeting Instructions \(PDF\)](#)

**Call to Order**

**Pledge of Allegiance**

**Opening Prayer/Moment of Silence** (suggested time limit: 1 minute. Mayor to request if any invitee is present to open with prayer; if no invitee is present, Mayor will ask if a Dunnellon citizen will volunteer. If no volunteers, a moment of silence will be offered. If a citizen outside of Dunnellon requests to open with prayer, (s)he may do so if no invitees/citizens volunteer.)

**Roll Call**

**Proof of Publication** - The agenda was posted on Wednesday, September 29, 2021 to the City's website and City Hall bulletin board.

**1. Blue Run Park - Proposed Ordinance #ORD2021-02 Blue Run Park Rules and Regulations**

Documents:

[Ordinance ORD2021-02 Blue Run Park Draft 9-28-2021.pdf](#)

**2. Council Comments**

### **3. Department Head Comments**

### **4. City Attorney Comments**

### **5. Public Comments**

Any Person Requiring a Special Accommodation at This Hearing Because of a Disability or Physical Impairment Should Contact the City Clerk at (352) 465-8500 at Least 48 Hours Prior to the Proceeding. If a Person Desires to Appeal Any Decision with Respect to Any Matter Considered at the Above Meeting or Hearing, He or She Will Need a Record of the Proceeding, and for Such Purpose, He or She May Need to Ensure That a Verbatim Record of the Proceedings Is Made, Which Includes the Testimony and Evidence Upon Which the Appeal Is to Be Based. The City Is Not Responsible for Any Mechanical Failure of Recording Equipment.



37           **WHEREAS**, the overall goal of the Management Plan is to provide visitors with a safe  
38 experience in one Florida's natural treasures, while ensuring that the park's natural resources are  
39 protected for future generations; and

40           **WHEREAS**, the Management Plan recognizes Marion County as the City of Dunnellon's  
41 principal partner regarding protection of Blue Run Park and the park's management; and

42           **WHEREAS**, Marion County has historically operated its K.P. Hole shuttle service as  
43 contemplated by the Blue Run Park Management Plan and as authorized per the Plan's  
44 requirements; and

45           **WHEREAS**, Blue Run Park is intended to be managed for the conservation,  
46 protection, and enhancement of natural resources and for public outdoor passive recreation  
47 that is compatible with the conservation, protection, and enhancement of the park; and  
48

49           **WHEREAS**, the City Council of the City of Dunnellon recognizes that the Blue Run  
50 of Dunnellon Park Management Plan requires that regulations for Park use be set by  
51 ordinance; and  
52

53           **WHEREAS**, the City Council wishes to codify certain regulations previously set by  
54 resolution as well as to expand regulation of Blue Run Park ensure compliance through a fine  
55 system; and  
56

57           **WHEREAS**, the City is committed to compliance with Americans with Disabilities  
58 Act and making needed accessibility accommodations; and  
59

60           **WHEREAS**, the City of Dunnellon recognizes the preemption of firearm regulation by  
61 the State legislature; and  
62

63           **WHEREAS**, per the Blue Run Park Management Plan, commercial use of the park is  
64 prohibited except by written agreement approved by the City of Dunnellon and Florida  
65 Communities Trust; and  
66

67           **WHEREAS**, unapproved commercial uses within the park have caused and can cause  
68 park and parking lot congestion, damage to park resources, diminished enjoyment by park  
69 visitors, and frustrate the intent and requirement that the park's operation provide passive  
70 recreation only; and  
71

72 **WHEREAS**, the City recognizes that prearranged taxicabs and individual ride share trips  
73 provide a nondisruptive alternative to individuals driving a single personal vehicle to and from  
74 the park and are unrelated to park operations; and

75 **WHEREAS**, the rules, regulations, and provisions of this Ordinance have been developed  
76 by the City Council of Dunnellon to ensure consistency between the regulations of appropriate  
77 State Agencies and the Blue Run Park Management Plan.

78 **WHEREAS**, the Planning Commission, sitting as the local planning agency, has found  
79 this ordinance to be consistent with the City’s Comprehensive Development Plan and  
80 recommended approval.

81 **WHEREAS**, City Council of the City Dunnellon finds that the rules, regulations, and  
82 provisions of this Ordinance are consistent with the Blue Run Park Management Plan.

83 **WHEREAS**, the City Council of the City of Dunnellon determines that it is in the best  
84 interest of the health, safety, and welfare of its residents to adopt the rules, regulations, and  
85 provisions of this Ordinance as stated herein.

86 **LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of  
87 Dunnellon Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks  
88 (\*\*\*) indicate an omission from the existing text which is intended to remain unchanged.

89 **NOW THEREFORE BE IT ORDAINED BY THE CITY OF DUNNELLO, FLORIDA**  
90 **AS FOLLOWS:**

91 **SECTION 1:** The “whereas” clauses cited herein are the legislative findings of the City  
92 Council.

93 **SECTION 2:** Chapter 46 – Parks and Recreation, Article I – IN GENERAL is hereby amended  
94 as follows:

95 **Article I – In General.**

96 **46-1. – Authority of Chief of Police; Authorized Representative.**

97 At any time when a condition exists that presents a hazard or danger to a city park, park property,  
98 and/or the public's health, safety or welfare, the Chief of Police or an authorized representative  
99 shall have the authority to:

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- 101
- 102
- 103
- 104
- 105
- 106
- 107
- 108 a) close the park to the public;
- 109
- 110 b) close any section or area within the park to the public; and
- 111

112 c) suspend any and all activities within the park.

113

114

115 **SECTION 3:** Chapter 46 – Parks and Recreation, Article III – BLUE RUN PARK is hereby  
116 created as follows:

117

118 **Article III – Blue Run Park.**

119 46-75. - Authority to establish additional regulations.

120 The City Council authorizes the establishment of additional rules and regulations beyond those  
121 specified within this Article in order to regulate the safe use and protection of Blue Run Park, its  
122 users and its adjoining areas, to include, but not be limited to, special rules and regulations for  
123 parking, emergency access, reasonable limitations on use of the park, and encouraging  
124 nonvehicular traffic to and from the park. Such additional rules and regulations may be presented  
125 to and passed by resolution of the City Council.

126

127 46-76. – Authority of Chief of Police; Authorized Representative.

128

129 Prior to taking any official action contemplated within Sec. 46-1 of this Chapter as to Blue Run  
130 Park, the Chief of Police or authorized representative should, if reasonably possible, make best  
131 efforts to coordinate such official action with both the Marion County Sheriff's Office and Marion  
132 County Parks and Recreation Department in consideration of the safety of those individuals who  
133 may access the river at Marion County's K.P. Hole facility as well as to avoid infringement of any  
134 and all rights guaranteed to Marion County via Interlocal Agreement 2007-14 (entered into  
135 between the City and Marion County on May 14, 2007) and that perpetual conservation easement  
136 recorded in Marion County Official Records Book 05050, Pages 1980 through 1986 (granted to  
137 Marion County by the City on or about May 18, 2008).

138

139 Sec. 46-77. - Blue Run Park User Rules and Regulations. The following rules and regulations  
140 for use of Blue Run Park shall apply.

141 a) Regular park hours are from dawn to dusk.

142

143 b) Possession and use of alcoholic beverages is prohibited.

144

145 c) Fires are prohibited, however prescribed fires for the purpose of resource management  
146 for which the appropriate permit(s) has been obtained are allowed.

147

148 d) Motorized vehicles are prohibited beyond the parking area, except for those necessary for  
149 accessibility by persons with disabilities and those utilized for administrative purposes.

150

151 e) Overnight use or camping is prohibited.

152

- 153 f) Pets must be on a leash and controlled at all times, and owner must clean up after.  
154  
155 g) Removal or cutting of vegetation is prohibited except for maintenance purposes.  
156  
157 h) Collecting or harassing wildlife in any stage of life or form is prohibited.  
158  
159 i) Catch and release fishing is permitted in the interior pond. Any other fishing is  
160 prohibited.  
161  
162 j) Possession and/or discharge of an air gun, slingshot, bow and arrow, or spear gun is  
163 prohibited.  
164  
165 k) Trash must be placed in designated containers.  
166  
167 l) Disposal of personal trash from off-site is prohibited.  
168  
169 m) Damaging or defacing any park facility or sign is prohibited.  
170  
171 n) Metal detectors are prohibited.  
172  
173 o) Engaging in violent or disruptive behavior or refusal to follow directions of official staff  
174 is prohibited.  
175  
176 p) Use of facilities is on a first come, first served basis.  
177  
178 q) Cyclists and other individuals utilizing any other form of conveyance shall yield to  
179 pedestrians.  
180  
181 r) Equestrian use is prohibited except for official use.  
182  
183 s) Individuals shall comply with the City's noise regulations as codified in Sec. 42-3, in the  
184 Code of Ordinances of the City of Dunnellon.  
185  
186 t) Use of any device or vehicle that disturbs the natural soundscape of the park is prohibited. As  
187 used herein "natural soundscape" shall mean all the natural sounds that occur in Blue Run  
188 Park, including the physical capacity for transmitting those natural sounds and the  
189 interrelationships among park natural sounds of different frequencies and volumes.  
190  
191 u) Groups of more than 25 people shall contact the City's Clerk's office at least five days in  
192 advance in order to make a reservation.  
193

194 Sec. 46-78. – River Access Ramp Rules and Regulations.

195  
196 a) Individuals utilizing the river access ramp to enter or exit the river without equipment  
197 shall yield to individuals entering or exiting the river with equipment (e.g. kayakers,  
198 paddlers, and tubers).

199  
200 b) Fishing is not allowed from the river access ramp.

201  
202 Sec. 46-79. – Prohibition on Commercial Use.

203 a) Commercial use of the park is prohibited except by written agreement approved by the City  
204 of Dunnellon and Florida Communities Trust.

205  
206 b) For purposes of this section, ‘commercial use’ shall mean:

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208 i. the sale or rental of any item, good, concession, or merchandise within the boundaries  
209 of Blue Run Park; and

210  
211 ii. the provision of any service performed within the boundaries of Blue Run Park  
212 regardless of whether compensation for such service is paid onsite or offsite.

213  
214 c) Per Agreement 2021-XX between the City of Dunnellon and Florida Communities Trust,  
215 temporary entry by taxicabs and prearranged rides, as defined under Section 627.748,  
216 Florida Statutes, is allowed for the sole purpose of picking up or dropping off individual  
217 passengers or groups of passengers, up to a maximum of four (4) passengers per trip, not  
218 including the driver.

Commented [AH1]: For discussion.

219  
220 d) Governmental provision of park services by Marion County for water-based recreation  
221 and/or other passive recreation programs are exempt from this section so long as such  
222 services are authorized both via Interlocal Agreement 2007-14 (entered into between the  
223 City and Marion County on May 14, 2007) and per the requirements of the Blue Run Park  
224 Management Plan. Currently, the K.P. Hole shuttle service provided by Marion County  
225 (or its contractor on behalf of Marion County) is the sole governmental transportation  
226 service authorized per the requirements of the Blue Run Park Management Plan.

227  
228 Sec. 46-80. – Firearms.

229 The City of Dunnellon recognizes the preemption of firearm regulation by the State legislature.  
230 The possession and discharge of firearms in the park is regulated, and shall be enforced, pursuant  
231 to State law.



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Sec. 46-81. - Penalties—Fine schedule for civil municipal code violations.

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(a) Violations of the provisions of this Article, or failure to comply with any of the requirements as stated, shall constitute a civil municipal code violation.

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(b) Any person who violates this chapter or fails to comply with any of its provisions shall be issued a civil municipal code violation.

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(c) Contents of civil municipal code violation ticket. The ticket shall specifically describe the following:

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244

(1) Specify the nature of the violation and cite to the applicable section of this Article;

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246

(2) Indicate the amount of the fine;

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(3) Give notice to the violator that he or she must pay the fine within 30 days or appeal the ticket; and

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(4) Describe the procedures to be followed in either paying such fine or electing not to pay such fine and requesting a hearing before a county court official concerning the violation, and the penalty for failure to comply with the directions on the ticket. A sequential numbering system shall be used.

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255  
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(d) Computation of time. If the last day of any time period described in this section falls on a Saturday, Sunday or legal holiday, the time period shall run until the end of the next day which is neither a Saturday, a Sunday nor a legal holiday.

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(e) All civil municipal code fines under this Article, will be \$50.00 per violation.

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261

(f) This section shall not apply to Sec. 46-80.

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263

Sec. 46-82. - Payment of fine; appeals.

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(a) Violations of this division shall be referred to the county court for the county of the Fifth Judicial Circuit.

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(b) An individual receiving a ticket pursuant to this section shall have 30 days from the date of issuance to pay the fine per the instructions on the ticket or request an appeal per subsection (c) below.

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(c) Appeal of civil municipal code fine ticket.

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274

(1) Any individual who receives a civil ticket issued pursuant to the requirements of this chapter may voluntarily elect to appeal the ticket and request a hearing within 30

275 days from issuance of the ticket, by requesting an appeal with the county court for  
276 the county of the Fifth Judicial Circuit per the instructions on the ticket.

277  
278 (2) Any person who elects to appear before a designated official to present evidence  
279 waives his or her right to pay the fine cited on the ticket. The official, after a hearing,  
280 shall make a determination as to whether a violation has been committed and may  
281 impose a civil penalty or the fine amount designated on the ticket, plus court costs.

282  
283 (d) Failure to pay fine. If the fine is not paid within 30 days from issuance, and no appeal is  
284 filed, then the appearance before the county court of persons who fail to comply with the  
285 provisions of this division will be compelled by the issuance of a summons by the deputy  
286 clerk of the court for the county of the Fifth Judicial Circuit. A warrant shall be issued by  
287 the court for the arrest of any person who fails to appear in response to such summons.

288 (e) This section shall not apply to Sec. 46-80.  
289

290 **SECTION 4. CONFLICTS.** In any case where a provision of this Ordinance is found to be in  
291 conflict with a provision of any other ordinance of this City, the provision which establishes the  
292 higher standards for the promotion and protection of the health and safety of the people shall  
293 prevail.

294 **SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this  
295 Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not  
296 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,  
297 word, or portion of this Ordinance not otherwise determined to be invalid, unlawful or  
298 unconstitutional.

299 **SECTION 6. CODIFICATION.** The provisions of this Ordinance shall be codified as and  
300 become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this  
301 Ordinance may be renumbered or re-lettered to accomplish such intention and the word  
302 "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word.  
303 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

304 **SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon  
305 adoption at the second reading/public hearing.

306 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first  
307 reading on the \_\_th day of \_\_\_\_\_, 2021.

308  
309 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon  
310 the second and final reading and public hearing on the \_\_th day of \_\_\_\_\_, 2021.  
311

312 Ordinance Posted on the City's website on \_\_\_\_\_, 2021. Public hearing advertised on  
313 the City's website on \_\_\_\_\_, 2021 and advertised in the Riverland News on \_\_\_\_\_  
314 \_\_\_\_\_, 2021.

315

316 ATTEST: **CITY OF DUNNELLON**

317

318 \_\_\_\_\_

319 Amanda L. Roberts, CMC

320 City Clerk

321

322

323 Approved as to Form:

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325 \_\_\_\_\_

326 Andrew J. Hand, City Attorney