

ORDINANCE NO: 316

AN ORDINANCE OF THE CITY OF SPRINGFIELD, FLORIDA, DECLARING CERTAIN DETRIMENTAL FACTORS AND DANGERS WITHIN RIGHTS-OF-WAYS WITHIN THE CITY OF SPRINGFIELD; MAKING CERTAIN FINDINGS OF FACT; PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS OR RIGHTS-OF-WAYS WITHIN THE LIMITS OF THE CITY OF SPRINGFIELD; PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN ANY PUBLIC PARKING LOT OR IN ANY PUBLIC PARK WITHIN THE CITY LIMITS OF THE CITY OF SPRINGFIELD; AUTHORIZING CODIFICATION; REPEALING ORDINANCES IN CONFLICT; AND RECITING AN EFFECTIVE DATE.

WHEREAS, there exists within the City of Springfield, Florida, ways or rights-of-ways for streets and highways for the purpose of travel and access to public and private property within the City of Springfield, by its citizens and the public generally, and for installation and maintenance of utilities as such rights-of-way are customarily used, and

WHEREAS, these rights-of-way from time to time, and sometimes unexpectedly, become congested so that free and uniform passage of persons and vehicles is substantially hindered and, at times, totally obstructed, and

WHEREAS, the safety, the convenience and the welfare of the citizens of the City of Springfield and of the public generally require that said vehicular traffic move in a steady and orderly fashion, and

WHEREAS, congregation of persons, the loitering of persons, and the occupancy of rights-of-ways by persons for social purposes inconsistent with the proper use and function of the rights-of-way are detrimental to the steady and orderly flow of travel, and demonstrably interfere with such passage, including without limitation the passage of emergency vehicles, such as fire, ambulance, police and utility repair crews, as well as those of the City, and

Whereas, there are numerous and ample public parks, and areas within the City for the gathering of persons for social purposes not connected with the usual function or purposes of rights-of-ways, and

WHEREAS, the consumption of alcoholic beverages within public highways, streets, or other such rights-of-way significantly and directly contributes to the congregation, or loitering or occupancy of said rights-of-way by persons for social purposes as hereinafter mentioned, and

WHEREAS, such congregation or occupancy is dangerous to the safety of the persons of both those so occupying for social purposes as well as being dangerous to the safety of the traveling public, and this ordinance is enacted to protect the safety of the person and property of both classes, and

WHEREAS, the express conclusion of the people of the City of Springfield is that the danger and impairment of the health, safety and welfare of the citizens of the City of Springfield and the public generally caused by the consumption of alcohol within said rights-of-ways substantially and conclusively outweighs the benefit of enjoyment by those engaging in the consumption of alcohol in the rights-of-way, and

WHEREAS, there exists within the City of Springfield several public parking lots owned or leased by the public for the convenience of those using nearby public facilities, including public parks, piers and shores, and

WHEREAS, these public parking lots are not a part of, or ancillary to, a private business with a vested interest in maintaining order and decorum therein, and

WHEREAS, the City has found that the consumption of alcoholic beverages in such public parking lots directly encourages or promotes disorderly conduct and violence,

and

WHEREAS, there exists within the City several public parks which are used by the citizens of the City of Springfield and the general public for the gathering of persons for social purposes, and

WHEREAS the City has found that the consumption of alcoholic beverages in such public parks directly encourages or promotes disorderly conduct and violence.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF SPRINGFIELD:

SECTION 1: From and after the effective date of this ordinance, no person shall drink or otherwise consume any alcoholic beverage or substance on any street or within the rights-of-way of any streets, highways, avenues or other similar ways, including any public parking lot located within the City. "Public parking lot" shall mean a parking lot owned or leased, and maintained by a public body or governmental agency.

SECTION 2: It shall be unlawful for any person to drink or otherwise consume any alcoholic beverage or substance within the confines of any public park located within the City of Springfield.

SECTION 3: Upon conviction, persons guilty of violating this ordinance shall be punished as provided by law.

SECTION 4: This ordinance shall take effect as provided by law.

PASSED in regular Session of the City Commission of

the City of Springfield in Bay County, Florida, this
_____ day of _____, 19____.



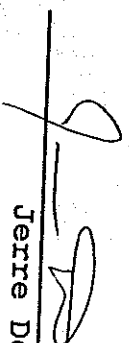
Jerre Deason, Mayor

Attest:



Charles A. Yantz, City Clerk

EXAMINED AND APPROVED by me this 2 day of MARCH
_____, 1994.



Jerre Deason, Mayor

First Reading: 2/7/94

Second Reading: 3/7/94

Published: 2/21/94