

First Read: December 17, 2018
Second Read: January 28, 2019

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF MOUNTAIN PARK, GEORGIA, AMENDING ARTICLE I OF CHAPTER 42 OF THE CODE OF THE CITY OF MOUNTAIN PARK, GEORGIA, PERTAINING GENERALLY TO PARKS AND RECREATION, PROVIDING FOR THE PROHIBITION OF BOATING AND FISHING AT NIGHT; AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 28th DAY OF JANUARY, 2019.

WHEREAS, the Mayor and City Council wish to amend Article I of Chapter 42 of the Code of the City of Mountain Park, Georgia, pertaining generally to the City's parks and recreation, to prohibit boating and fishing in Lake Cherful and Lake Garrett after dark; and

WHEREAS, the Mayor and City Council find that such amendments will better protect the public welfare; and that therefore these provisions are necessary to protect the health, safety, and public welfare of the city and its citizens.

NOW THEREFORE, the Council of the City of Mountain Park hereby ordains that Article I of Chapter 42 of the Code of the City of Mountain Park, Georgia, shall be amended as follows:

SECTION ONE

A. Article I of Chapter 42 of the Code of the City of Mountain Park, Georgia, is hereby amended to repeal and replace Section 42-10 currently adopted thereunder, and shall hereafter state as follows:

Sec. 42-10. - Park hours.

- (a) All city parks, lakes, and property shall be closed at night. For purposes of this section, at night shall mean the time between 30 minutes after sundown and 30 minutes before sunrise.
- (b) No person shall be permitted to be on the premises or property of any city park or property at night, except authorized city employees or persons engaged in activities authorized by the mayor and council.
- (c) No person shall be permitted to boat on Lake Cherful or Lake Garrett at night, except authorized city employees or persons engaged in activities authorized by the mayor and council.

(d) No person shall be permitted to fish in Lake Cherful or Lake Garrett at night, except from private property with the authorization of the owner or occupant of said private property.

SECTION TWO

- A. All other Ordinances and Resolutions, or parts of said Ordinances or Resolutions, in conflict herewith are hereby repealed, except to the extent said Ordinances are more restrictive than this Ordinance.**
- B. This Ordinance amendment shall take effect immediately upon adoption, the public welfare demanding.**
- C. The provisions of this Ordinance are severable; in the event that a court of competent jurisdiction finds that any provision of this Ordinance is unlawful or unconstitutional, it is the express intent of the City Council that such provision be severed and the remaining provisions of this Ordinance remain in force as if adopted separately from the severed portion.**

SO ORDAINED AND ADOPTED BY THE CITY COUNCIL THIS THE 28TH DAY OF JANUARY, 2019.

MOUNTAIN PARK, GEORGIA

Jim Still, Mayor

ATTEST:

Karen Segars, City Clerk