

1 EXHIBIT 1

2  
3 ORDINANCE NO. 2016 -

4  
5 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF  
6 THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING  
7 CHAPTER 16 PARKS AND RECREATION, ARTICLE II,  
8 CONDUCTY, BY AMENDING SECTION 16-8 PROHIBITED  
9 ACTIVITES, TO ALLOW FOR PENNY-ANTE GAMES OF  
10 CHANCE AS ENUMERATED IN FLORIDA STATUTE SECTION  
11 849.085 IN CITY PARKS, PROVIDING FOR CONFLICT;  
12 PROVIDING FOR SEVERABILITY; PROVIDING FOR  
13 CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.  
14

15 WHEREAS, the Mayor and City Commission have previously adopted a comprehensive  
16 Parks and Recreation Ordinance which prohibits all forms of gambling in city parks; and  
17

18 WHEREAS, the Florida Legislature has decriminalized certain games of chance  
19 declaring that under specific conditions they are not illegal; and  
20

21 WHEREAS, the Mayor and City Commission desire to allow for the penny-ante games  
22 of chance enumerated by the State of Florida legislature to be played in the city parks,  
23 especially the city's Cultural Center; and  
24

25 WHEREAS, the Mayor and the City Commission have determined that amending  
26 Section 16-8 to be consistent with the State Statutes and specifically stating which penny-ante  
27 games of chance will be permitted in the city parks would be in the best interest of the City and  
28 its residents.  
29

30 NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF  
31 HALLANDALE BEACH, FLORIDA:  
32

33 \*\*\*\*\*

34 **SECTION 1.** Chapter 23 Procurement of the Code of Ordinances of the City of  
35 Hallandale Beach, Florida is hereby amended to read as follows:  
36

37 \*\*\*\*\*

38 **Sec. 16-8. - Prohibited activities.**

39  
40 To ensure the enjoyment and safety of all users, the following activities are prohibited in city  
41 parks:

42 \*\*\*\*\*

43 (3) Conduct any games of chance such as raffles, bingo games, dice, or card games for money;  
44 or hold drawings for prizes; or participate in any other forms of gambling, with the exception of  
45 those penny-ante games of chance specifically enumerated in Section 849.085 of the Florida  
46 Statutes under the conditions specified.

47  
48 \*\*\*\*\*

49 **SECTION 3. Conflict.** All ordinances or portions of the Code of Ordinances of the City  
50 of Hallandale Beach in conflict with the provisions of this ordinance shall be repealed to the  
51 extent of such conflict.

52  
53 **SECTION 4. Severability.** Should any provision of this ordinance be declared by a court  
54 of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a  
55 whole, or any part thereof, other than the part declared to be invalid.

56  
57 **SECTION 5. Codification.** It is the intention of the Mayor and City Commission that  
58 the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such  
59 intention the words "ordinance" or "section" may be changed to other appropriate words.

60  
61 **SECTION 6. Effective date.** This Ordinance shall take effect immediately upon  
62 adoption.

63  
64 PASSED AND ADOPTED on 1<sup>st</sup> reading on September 21, 2016.

65 PASSED AND ADOPTED on 2<sup>nd</sup> reading on \_\_\_\_\_, 2016.

66  
67 \_\_\_\_\_  
68 JOY F. COOPER  
69 MAYOR  
70

71 SPONSORED BY: CITY ADMINISTRATION

72 ATTEST:

73

74

75

76

77 \_\_\_\_\_  
MARIO BATAILLE, CMC

78 CITY CLERK

79

80 APPROVED AS TO LEGAL SUFFICIENCY

81 FORM

82

83

84

85

86 \_\_\_\_\_  
V. LYNN WHITFIELD

87 CITY ATTORNEY