

ORDINANCE \_\_\_\_\_

**ORDINANCE REPEALING SECTION 96.29 OF THE ERLANGER CODE OF ORDINANCES AND ORDINANCE NUMBER 2343 RELATED TO RESTRICTIONS OF USE OF ORGANIZED ATHLETIC TEAMS AT FLAGSHIP PARK**

**WHEREAS**, in June of 2010, the Erlanger City Council wanted to restrict the use of Flagship Park and passed Ordinance No. 2343 disallowing organized athletic teams from using the park due to concerns about parking; and

**WHEREAS**, the City Council of Erlanger wishes to remove this restriction; and

**WHEREAS**, all organized athletic teams shall be required to receive a permit from the City of Erlanger; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ERLANGER, KENTUCKY, AS FOLLOWS:**

*Underlined portions are to be added and portions stricken are to be removed.*

**SECTION I**

**§ 96.29 PROHIBITING THE USE OF FLAGSHIP PARK BY ORGANIZED ATHLETIC TEAMS.**

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ATHLETIC TEAM.** A group of persons recognized as a team by any league or any other group of athletic teams organized to compete among themselves.

**EVERYBODY.** Every human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated association or otherwise.

**NOBODY.** No human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated association or otherwise.

(B) *Prohibitions.* Nobody shall, by act or omission, conspire, cause, permit, promote, allow, assist, encourage or engage in the use of Flagship Park in the city for:

(1) Organized practices by any members of any athletic team, excluding running groups; and

(2) Games, competitions, scrimmages, and meets of any kind between or among organizations or athletic teams.

**SECTION II**

That if any section, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remainder of the Ordinance.

**SECTION III**

This Ordinance shall be in effect when read, passed, and published according to law. This Ordinance may be published in abbreviated form.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

1<sup>st</sup> Reading: \_\_\_\_\_, 2023.

2<sup>nd</sup> Reading: \_\_\_\_\_, 2023.      Vote: \_\_\_ Yes, \_\_\_ No.

**APPROVED:**

\_\_\_\_\_  
By: Jessica Fette, Mayor  
City of Erlanger

**ATTEST:**

\_\_\_\_\_  
Sherry Hoffman, City Clerk