

Riverfront Esplanade Rules of Conduct

PURPOSE AND INTENT:

The Riverfront Esplanade is a place for patrons to walk and view the beauty of the gardens and water features, including views of the Halifax River, but with certain areas designed for more active endeavors such as the dog park and splash pad. While our Esplanade is privately held, it is open to the public during Esplanade hours.

DEFINITIONS:

Esplanade is the real property leased by the City of Daytona Beach to the Brown Riverfront Esplanade Foundation, Inc. dated March 21, 2019, except for those areas designated as a traditional public forum. Fireworks are as defined in Florida Statute Section 791.01, but also includes those items excluded in subsection (c). The definition includes all combustible or flammable material including sparklers, smoke bombs, etc. Loitering is as defined in Florida Statute Section 856.021. Manager shall be the individual retained by the Foundation as either an employee or independent contractor to provide management and supervision of the operations of the Esplanade. Vehicle is any automobile, golf cart, motorcycle, moped or any other machine that is propelled by a combustion engine, electric engine, wind or any other means of propulsion.

RULES OF CONDUCT:

Unless authorized by a permit, the following is prohibited within the Esplanade:

- (1) Enter or remain in the Esplanade when closed.
- (2) Walk, stand or sit in any bushes, shrubs or other foliage which are posted.
- (3) Sleep or recline in a horizontal position on any bench or table.
- (4) Sit in or on any trash receptacle.
- (5) Shave, shower, or bathe in a restroom or otherwise be or remain in any water fountain, reservoir, lake, stream, pond, or other body of water located within the Esplanade.
- (6) Build any hut, shanty, tent, or shelter, or engage in any form of construction or digging, or related camping activity.
- (7) Pick flowers or damage or remove plants, trees, shrubs, grass or any other part of the Esplanade grounds.
- (8) Erect signs, or distribute, display or affix signs, handbills, or flyers on any tree, post, vehicle, or facility or grounds of the Esplanade.
- (9) Place, dump, abandon or leave any mammal, reptile or bird, either wild or domestic, on the grounds of the Esplanade.
- (10) Set or stoke a fire.
- (11) Stop, stand or park any vehicle as defined herein in an area not specifically designated for parking.
- (12) Swim or wade in any waters in any Esplanade or allow a dog to swim or wade in any waters in any Esplanade unless such activity is specifically allowed as indicated by signage in the Esplanade.
- (13) Operate any boat, canoe, raft or watercraft of any kind regardless of the means of propulsion in or upon any body of water in Esplanade or launch from the shoreline of the Esplanade.
- (14) Fishing, including crabbing, placing of traps or throwing a cast net, in any pond or other body of water in any Esplanade or from the shoreline of the Esplanade, except in designated areas.

- (15) Any dog or other fur-bearing animal entering or remaining in any area of the Esplanade unless such animal is properly restrained on a leash on a designated walkway, except in fenced areas specifically designated as areas for dogs to play or exercise off leash. Those in control of the dogs shall remove all dog waste in a sanitary manner.
- (16) Engage in any activity which is dangerous to the health, safety or welfare of others or which interferes with the use and enjoyment by others of the Esplanade.
- (17) Play golf or hit golf balls. Throwing footballs, baseballs, frisbees, etc. are allowed as long as such activity is done in an area and in a manner that does not disturb or risk injury to other patrons.
- (18) Lead or conduct any class for a fee or provide any lessons or instruction, physical or otherwise, for a fee.
- (19) Conduct any solicitation of goods or services including panhandling.
- (20) Discharge or deposit human wastes except in toilet facilities.
- (21) Write on, draw on or otherwise deface, damage, remove or destroy property or facility or any other part of the Esplanade.
- (22) Hunt, kill, injure, harm, trap, capture, chase, pursue, poison, feed or remove any wildlife, animal, bird or egg located above, in, on or under Esplanade grounds.
- (23) Discharge a firearm, air rifle, air gun, slingshot, bow and arrow, spear gun, or instrument of any kind that discharges or is capable of discharging a projectile by explosive means.
- (24) Loiter in or near any structure or facility in a manner not usual for law-abiding individuals under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons in the vicinity.
- (25) Take into, dump or deposit any trash or refuse of any kind except in designated containers. Where such containers are not available, persons responsible for the refuse or trash shall remove it from the Esplanade for proper disposal elsewhere.
- (26) Throw, discharge or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream or other body of water located in or adjacent to the Esplanade, or in any drain flowing into such waters, or on any land inside the Esplanade that drains to such waters any substance, matter or things, either liquid or solid, which may discolor or pollute such waters.
- (27) Smoking, vaping, or the use of any tobacco products.
- (28) Possession, consumption or use of any alcoholic beverages or controlled substances in the Esplanade.
- (29) Possession or discharge of any fireworks.
- (30) Skateboards are prohibited anywhere within the Esplanade.
- (31) The use of any device which amplifies sounds such as a speaker, radio or megaphone.
- (32) Operating in any part of the Esplanade, including the ground, air or water, any remote controlled model aircraft, car, boat, drone, etc. or other motorized flying objects.
- (33) Entering the Esplanade if you are a registered sex offender or sexual predator under the laws of Florida or any other State.
- (34) Driving a motorized vehicle (electric bikes, mopeds, etc) is prohibited.

The Manager is hereby delegated the authority by the Foundation to approve deviations from the above Rules of Conduct based on unique circumstances which shall be evaluated on a case by case basis.



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