

## CHAPTER 704 – PUBLIC PARKS AND RECREATION AREAS

A. **PURPOSE.** Public parks and recreation areas are designed and set aside for the enjoyment of all residents. The purpose of this Chapter is to establish regulations and procedures for parks and recreation areas to provide, as much as possible, for the health, safety and enjoyment of City residents.

B. **DEFINITIONS.** The following definitions shall be used in the construction of this Ordinance:

1. **Motor Vehicle**

Any vehicle containing a unit for propelling it by means of converted, stored energy.

2. **Parks and Recreation Area**

Any area owned by the city being designated by the City as park or recreation area.

3. **Person**

Any person, firm, partnership, association, ~~or~~ corporation, *or civic group*.

C. **PARK AND RECREATION USE REGULATIONS.**

1. No firearms, ammunition, fireworks or explosives shall be discharged in city parks or recreation area except when approved by the City Council.
2. No person shall disturb the peace in a city park or recreation area.
3. No person shall engage in commercial activity of any kind within a city park or recreation area except when expressly authorized by the City Council.
4. No person shall bring a dog, or other domestic animal, into a park or recreation area unless the animal is kept leashed or under the direct control of its owner (see Chapter 502.7.). The owner must pick up all feces of their dog or domestic animal.
5. No person shall bring any non-domestic animal into any park or recreation unless said park or recreation area has been designated for such use.
6. No person shall cut or otherwise injure any flowers, shrubs, or trees in a City Park.

7. No person shall hunt, harm nor remove any animal, reptile, or bird within a City Park or recreation area without permission of the City Council.
8. No person shall operate a motor vehicle within a City Park or recreation area except upon a designated roadway, and no person shall operate a motor vehicle within a City Park or recreation area at a speed in excess of 15 miles per hour.
9. No person shall occupy a City Park or recreation area between 11:00 p.m. and 6:00 a.m. unless authorized by the City.
10. No person shall ignite a fire in a City Park or recreation area except in containers or in places where signs clearly designate that fires are permitted.
11. No person shall post a sign or advertisement in a City Park or recreation area unless authorized by the City Council.
12. Beer and wine may be consumed in picnic areas during the hours authorized for park/recreation area occupancy, only by first obtaining a park permit.
13. No person shall consume or offer for sale any intoxicating liquor, ***beer or wine*** (as defined in Chapter 302.A.9) in any park or recreation area; ***unless duly licensed, have proper dram shop insurance, and receive permission from the City Council.***
14. Group Permits. Whenever any group, association, or organization desires to use park or recreation facilities for a particular purpose, such as group picnics, group sporting activities, parties or theatrical, musical or other entertainment events, a representative of the group may first obtain a group park/recreation area permit from the City Clerk for such use. The City may require an indemnity bond to protect it from damage to City property. The Clerk shall require that the applicant pay for extra police protection or any special services if it appears that such protection is necessary. The Clerk's decision to grant or deny an application for group park or recreation area use may be appealed to the City Council by the applicant or by any City resident.
  - a. Application. An applicant for a group use permit shall contain the following:
    - i. The name and address of the applicant.
    - ii. The name and address of the person sponsoring the activity, if different from the applicant.
    - iii. The day and hours for which the permit is desired.

- iv. The park or recreation area or portion thereof for which such permit is desired.
  - v. An estimate of the anticipated attendance.
  - vi. A description of the intended activity that is the purpose for the group use.
  - vii. Any other information which the City shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.
- b. Standards for Issuance. The Clerk shall issue a permit hereunder when it finds:
- i. That the proposed activity will not unreasonably interfere with or detract from the general public's enjoyment of the specified area;
  - ii. that the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
  - iii. that the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
  - iv. that the proposed activity will not involve unusual, extraordinary, or burdensome expense or police protection.
  - v. that the facilities desired have not been reserved for other use.
  - vi. no person shall consume or offer for sale any intoxicating liquor in any park or recreation area unless so authorized to do so by the City.
- c. Exclusive Use. The City shall have the power to issue exclusive group use permits for designated areas to persons who have made applications therefore and conform to standards promulgated by the City from time to time. No person shall occupy the area of a City Park or recreation area for which an exclusive use permit has been issued unless authorized to do so under the permit.

D. PENALTY. Any person in violation of any portion of this Chapter shall be guilty of a petty misdemeanor and shall be punished in accordance with Title 1900 of this Code.

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