

ORDINANCE 2002-05

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS GOVERNING THE USE AND OPERATION OF THE CITY PARK; DECLARING VIOLATIONS OF THIS ORDINANCE TO BE PUNISHABLE BY FINES AND FOR OTHER PURPOSES.

Whereas, the city council of the city of Perryville, Arkansas has created a city park and wishes to guide its orderly operation while guarding the health and safety of its users and protecting and preserving public property,

NOW THEREFORE BE IT ORDAINED by the City Council of the city of Perryville, Arkansas, that:

SECTION 1 - Hours of Operation

- a. The Park shall normally be open daily from 5:00 a.m. until 9:00 p.m., April through October and from 5:00 a.m. until 5:00 p.m., November through March.
- b. The park is closed at all other times except for activities and events sponsored by the City or authorized by permission of the Mayor.
- c. The park or portions thereof may be declared closed to the public by the Mayor, or an authorized designee, at any time for any interval of time, within temporary or stated intervals as the Mayor, or an authorized designee, shall find reasonably necessary.
- d. It shall be unlawful to enter the park during hours normally closed or to go upon any portion of the park declared to be closed to the public by the Mayor, or an authorized designee.

SECTION 2 - Walking Trail

- a. Except conveyances for the convenience of the handicapped or to assist small children (such as wheelchairs or strollers), pedestrians only are allowed on the Walking Trail.

SECTION 3 - Vehicles and Parking

- a. It shall be unlawful for any person to operate or park any vehicle in any area of the park except in locations designated for these purposes.
- b. It shall be unlawful for other than authorized personnel to park or drive on lawns, fields, or any other places other than upon roadways and parking areas clearly constructed and established for such purposes within the park.
- c. Laws pertaining to the provisions as outlined in the state motor vehicle traffic laws in regard to equipment and operation of vehicles are applicable except that pedestrians shall have the right-of-way over vehicles in park areas.
- d. It shall be unlawful to disobey any traffic officers, park employees, or such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the park and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations.
- e. The maximum speed limit for vehicles in the park, parking lot and entry road shall be 15 miles per hour.

- f. Parking shall not be permitted during regular closed hours or in any areas closed by the Mayor, or an authorized designee.
- g. It shall be unlawful to park so as to obstruct access roadways and parking area or areas designated by sign for emergency vehicles use only.
- h. Parking is for park users only. Commuter or overnight parking is prohibited.
- i. Washing or servicing of vehicles in any area of the park is prohibited.

SECTION 4 - Conduct and Behavior

- a. It shall be unlawful within the park, or its environs, to disturb the peace of others by indecent conduct or attire; violent, tumultuous, offensive, or obstreperous behavior; or by loud or unusual noises or by profane, vulgar, obscene or offensive language or behavior; or to assault, strike or fight another; or to in any way break the peace.

SECTION 5 - Safety and Health

- a. It shall be unlawful to throw, strike, propel or otherwise operate flying or propelled objects of a potentially dangerous nature, including by way of example, without limitations, such things as model airplanes, rockets, horseshoes, arrows, golf balls, or rocks, except in areas designated for such use or part of an authorized sport or recreational activity or by written permit of the Mayor, or an authorized designee,.
- b. It shall be unlawful to possess within the park, bottles, containers or other items made of glass.
- c. It shall be unlawful to climb trees or structures or to be on the roof of any structure in the park.
- d. It shall be the individual's responsibility to cooperate in maintaining restrooms in a neat and sanitary condition and loitering, graffiti or other misuse or abuse of these conveniences shall be unlawful.
- e. To avoid unnecessary exposure to risk, it shall be unlawful for children, less than 11 years of age, to access or utilize the park without a parent or other responsible person (at least 16 years of age) providing proper supervision.

SECTION 6 - Vandalism and Theft

- a. The destruction, defacing, disfiguring, damaging or removal of any public property is unlawful including the injury or defacing of trees, removal or injury of plants and grasses as are also the removal, destruction or defacing of signs, buildings or equipment

b. SECTION 7 - Picnic Areas

- a. All picnics shall be restricted to those areas designated for that purpose. The Mayor, or an authorized designee, shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to ensure maximum utilization or to comply with any direction given to achieve this end.
- b. It shall be unlawful to use any portion of the picnic areas or of any building or structures for the purpose of holding picnics to the exclusion of other persons, except by permit; nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.
- c. It shall be the duty of the person or persons using a picnic area to see that: If a fire

was used, to make sure it has been completely extinguished; to pick up all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse and place in the receptacles provided. If no such trash receptacles are available, then all refuse and trash shall be carried away from the park area by the person or persons responsible for its presence, and properly disposed of elsewhere.

SECTION 8 - Animals

- a. It is unlawful for livestock to be in the park or for pets to be on the playground or playing fields/courts at any time.
- b. In other park areas, pets are allowed only if under the control of their owners at all times.
- c. Control may be maintained by a cage, a leash no longer than 6 feet, a reel type leash or an electronically controlled collar.
- d. In every case, it is the owner's responsibility to restrain the animal so as to not lick, jump on or disturb in anyway another park user or a person in the park area.
- e. Dog waste must be cleaned up by the owner.

SECTION 9 - Littering and Trash

- a. It shall be unlawful to have brought into, dump, deposit or leave any bottles, broken glass, ashes or other trash.
- b. No such refuse or trash shall be placed in any area within or contiguous to the park, or left anywhere on the grounds thereof, but shall be placed or left in the proper receptacles where these are provided.
- c. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

SECTION 10 - Fires

- a. Fires are permitted only in the enclosed grills, provided for this purpose under such rules and regulations as may be prescribed by the Mayor and fires shall be extinguished before leaving the park.

SECTION 11 - Fireworks and Explosives

- a. It shall be unlawful to have in any person's possession or set-off or otherwise cause to explode or discharge or burn, any firecrackers, torpedo, rocket or other fireworks or explosives of inflammable material, or discharge them or throw them into the park or such area from land or highway adjacent thereto.
- b. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound that would be dangerous from any of the foregoing standpoints.
- c. The sole exception is for events sponsored by the City or authorized by permission of the Mayor which are firmly controlled by persons qualified to handle fireworks.

SECTION 12 - Hunting and Firearms

- a. It shall be unlawful in the park to hunt, trap or pursue wildlife at any time.
- b. No person shall use, carry or possess firearms of any description or air-rifles, spring-guns, bow and arrows, slings, or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instruments that can be loaded with the fire blank cartridges, or any kind of trapping device.
- c. Shooting into park areas from beyond park boundaries is prohibited.

SECTION 13 - Other Miscellaneous

- a. Alcoholic beverages and illicit drugs are prohibited; their possession or use within the park shall be unlawful.
- b. It shall be unlawful to dig, or remove any soil, rock, stones, down-timber or other wood or materials, or make any excavation by tool, equipment blasting or other means.
- c. It shall be unlawful to construct or erect any building, tent, or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across the park, except on written permit issued by the Mayor.
- d. No person, group, organization, or company of any type shall undertake any activities for hire, conduct any retail activity, or otherwise perform any services within park areas without written permission of the Mayor.
- e. No person shall use any park facility or component for fund-raising activities except with written permission of the Mayor.
- f. Advertising and/or signs shall not be permitted in any manner unless authorized by the Mayor in writing or in concessionaire contracts for goods sold on the premises.
- g. It shall be unlawful to beg or solicit within the park.
- h. Dances shall be permitted only by written permit issued by the Mayor.
- i. Cleats or spikes on shoes are prohibited except in those specially designed athletic areas where programs rules specifically permit or require their use.
- j. Amplification Systems - Public address or other amplification devices may be used only by special permit obtainable from the Mayor.

SECTION 14 - Permits

- a. The Mayor, or an authorized designee, is hereby authorized to issue permits relating to any use of accommodations in the park.
- b. The City Council shall set the requirements for the issuance of any permit and may include in those requirements an appropriate fee and/or deposit.
- c. The Mayor, or an authorized designee, shall have the power and authority to cancel any permit for violation of the requirements of the permit and violation of any of the rules and regulations set forth therein.

SECTION 15 - Conflicts and Severability

- a. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.
- b. If for any reason any portion of this ordinance be held invalid, such invalidity shall in no way affect the remaining portions hereof which are valid, but such valid portions shall be and remain in full force and effect.

SECTION 16 - Penalties

- a. Any person who shall violate any provisions of this Ordinance or any order, rule or regulation made herewith shall be subject to a fine of not less than \$25.00 nor more than \$250.00 per each infraction.

SECTION 17 - Emergency Declared

- a. The health and safety of persons visiting the City Park and the protection and preservation of public property being of urgent and great concern and whereas this ordinance is required to properly protect people and property an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its adoption and publication.

PASSED ON THIS 12th DAY OF December IN THE YEAR OF 2002 BY
A VOTE OF: 5 YES 0 NO

Kenneth Brandon
MAYOR

Paul D. Woolf
RECORDER/TREASURER