

ORDINANCE NO. 2001-02

**AN ORDINANCE TO ESTABLISH PARK RULES; SET FEES FOR PARK USE AND FOR OTHER PURPOSES; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Clinton has previously established a Parks and Recreation Commission pursuant to Ordinance 91-192; and

WHEREAS, the Parks and Recreation Commission of the City of Clinton was not given authority to establish park rules and fees; and

WHEREAS, the City of Clinton has had an increasing demand for the use of park facilities.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON, ARKANSAS:**

**Section 1. Title and Scope:**

This Ordinance may be cited as the Clinton Parks Rules Ordinance and shall be applicable to all parks and recreation facilities now owned or hereinafter acquired by the City of Clinton.

**Section 2. Facility Use Permits:**

a) It shall be unlawful to use any facility or building in a Clinton Park or Recreation Facility for the following purposes without first obtaining permission from the Parks and Recreation Commission, or the Mayor, if the Commission is ever dissolved or vacant:

- 1) Recreational buildings for any purpose;
- 2) Special events on Park Property;
- 3) Lectures, Concerts, Political Rallies, Speeches, Addresses or Other organized gatherings.

b) The permit issued by the Parks and Recreation Commission shall specifically designate the portions of the facility covered by the permit.

c) Any person, or group of persons, with a permit shall have priority in the use of the portions of the facility for the time indicated on the permit, to the exclusion of all persons who do not hold a permit.

d) Facility use permits may be revoked by the Parks and Recreation Commission for a violation of this Ordinance.

**Section 3. Fees:**

a) No person, or group of persons, shall enter or participate in or on those parks and recreation facilities or programs which have a fee schedule established by the City Council without paying the required fee.

b) In order to finance future acquisition of and improvements to city parks and recreation facilities, any event or use described in Section 2(a) above shall be required to pay a permit fee of \$100.00, plus the cost of any off duty police officials deemed by the Police Chief to be necessary for the protection and welfare of the participants and the public, up to eight (8) officers. The off duty rate per officer, per hour, shall be the same as the City of Clinton pays for overtime for police officers as of the date the permit is requested.

c) All fees required in Section 3(b) shall be paid prior to the issuance of a permit by the Parks and Recreation Commission.

**Section 4. Commercial Activities:**

a) It shall be unlawful for any person, firm or corporation to sell, peddle, rent, or otherwise distribute any article in city parks without first obtaining a permit from the Parks and Recreation Commission of the city.

b) The sponsors of festivals or special events approved by the city and who have first obtained a permit may be granted exclusive right to determine the vendors authorized to participate in such events.

**Section 5. Construction:**

No person shall construct or erect any building or structure, run or install any public service utility, except on special approval by the City Council.

**Section 6. Soliciting alms and contributions:**

No person shall solicit money (alms) or contributions.

**Section 7. Camping:**

No person shall stay after hours, camp, sleep or lodge within a public park except by special written permission granted by the Parks and Recreation Commission. In addition to any

other sanction that may be assessed for the violation of this provision, any person in violation of this ordinance shall be subject to the immediate removal from the park of their person and belongings.

**Section 8. Disorderly Conduct:**

No person shall indulge in riotous, boisterous, threatening, or indecent conduct; or abusive, threatening, profane or indecent language.

**Section 9. Property Damage:**

No person shall write upon, or mark, or deface in any manner, or use in any way improper way any water closet, park seat, fence or building, or anything pertaining to a city park.

**Section 10. Disturbing trees, shrubs, etc.:**

It shall be unlawful for any person to cut, pull, tear or otherwise displace or disturb any trees, shrubs, vines, ferns, wild flowers or other vegetables, whether wild or cultivated, which may now or hereafter grow or be found in any public park in the city. This section does not apply to any landscape gardener or other person duly authorized by the Parks and Recreation Commission to improve or beautify said parks by the transplantation or removal of any tree, vine, shrub or flower contained therein.

**Section 11. Litter:**

No person shall throw or leave paper or other rubbish anywhere except in the receptacles

provided for that purpose or the place any refuse therein brought from private property that would be collected at that property.

**Section 12. Handbills:**

a) It shall be unlawful to paste, affix or describe any handbill, poster, card, device, message, symbol or advertisement anywhere in city parks without prior approval of the Parks and Recreation Commission.

b) Distribution of handbills and the gathering of signatures on petitions are allowed by permit obtained from the Parks and Recreation Commission. Such activity shall be allowed during regular park hours and may be required to locate in such a manner as not to impede pedestrian and vehicular traffic within the park. The fee for such permit shall be \$15.00.

c) The permit holder shall be responsible for retrieving and disposing of material discarded by the recipients of the material.

**Section 13. Music, speeches, etc.**

No person shall render any music, vocal or instrumental, or deliver any oration, speech, address or lecture, in said parks, without a permit from the Parks and Recreation Commission.

**Section 14. Violation of Ordinance:**

Any person convicted of a violation of any of the provisions of this ordinance shall be punished by a fine not to exceed Five Hundred and No/100 Dollars (\$500.00) for each violation thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing


the continuance thereof is a fine not to exceed Five Hundred and No/100 Dollars (\$500.00) per day for each day the same is unlawfully continued.

**Section 15. Emergency:**

The efficient operation of the Parks and Recreation Commission is essential to the public health, safety and welfare. In addition, the efficient operation and management of the city parks and facilities required that rules and regulations regarding use of park facilities be in place. It is important that the provisions of this ordinance go into effect quickly as the prime park usage time of time of the year has already stated. An emergency is therefore declared to exist and this ordinance shall be in full force and effect from and after the date of its adoption.

**PASSED:** June 14, 2001.


APPROVED:

  
James Beavers, Mayor  
Signed 10-4-01

ATTEST:

  
Merl Eoff, City Clerk

APPROVED AS TO LEGAL FORM:

  
Brad A. Cazort, City Attorney