

AN ORDINANCE ESTABLISHING PARK REGULATIONS.

THE CITY OF SWEET HOME DOES ORDAIN:

Section 1.

PURPOSE: The parks of this city are established and maintained as areas of recreation, relaxation, and enjoyment for the public. It is intended that they shall be regulated and used to permit enjoyment for a maximum number of people engaged in widely diverse interests and activities as may be practical within the limits of space, design, and accommodations available in each park unit. Limitations may be required to insure the use of park areas in safety and to protect the rights of others in surrounding areas.

Section 2.

DEFINITIONS:

- (1) "City" means the city of Sweet Home.
- (2) "Director" means a person immediately in charge of all park areas and their activities, and to whom all park attendants of such areas are responsible.
- (3) "Park" means a park, reservation, playground, or any other area in the city, owned or used by the city, and devoted to active or passive recreation.
- (4) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
- (5) "Vehicle" means any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled. The term includes any trailer in tow of any size, kind or description. Exception is made by baby carriages and vehicles in the service of the city parks.

Section 3.

MOTORIZED VEHICLES: Motorized vehicles, such as autos, trucks, motorcycles, motorcooters, go-carts, etc., shall operate, stop, or park only upon designated roadways or within designated parking areas. Exceptions include:

- (1) Maintenance equipment when operated by authorized personnel
- (2) The loading and unloading of materials, supplies, or equipment as authorized by the city park department.

Section 4.

BICYCLES: No person shall ride a bicycle on other than a paved vehicular path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or on any paved area reserved for pedestrian use.

No person shall leave a bicycle lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by them. All bicycles must be parked in designated bicycle racks.

Section 5.

HORSES AND PONIES: No person shall ride or lead any horse or pony in any park.

Section 6.

FIRE: No person shall build or maintain any fire in a park, except in fire rings or fire places as provided by the city or in a stove or barbeque unit where picnic areas are provided. No person shall take firewood from any park for his own personal use unless authorized by the director.

Section 7. GARBAGE AND OTHER REFUSE: No person shall discard or dispose of any garbage or other refuse in a park, except in a receptacle provided for such garbage and other refuse.

No person shall take any garbage or other refuse into a public park for the purpose of discarding or disposing of such garbage or other refuse.

Section 8. MOTOR VEHICLE SPEED: The designated speed for motor vehicles upon the roadways within any park is 10 m.p.h. unless otherwise posted.

Section 9. DANGEROUS EQUIPMENT AND ACTIVITIES: No person shall use or engage in any activity that the director determines, in his reasonable discretion, creates an unreasonable interference or danger to other persons. Such activity shall include, but not limited to, the use of golf clubs, archery equipment, any aircraft, rocket or missile powered by fuel or mechanical means, or any firearm.

Section 10. INTOXICATING BEVERAGES: No person in a park shall have brought into the park, nor shall drink in the park, alcoholic beverages with alcoholic content of more than five percent by volume at any time.

No person shall enter any park being under the influence of intoxicating liquor.

Section 11. FIREWORKS AND EXPLOSIVES: No person in a park shall bring, or have in his 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 any such area from land or highway adjacent thereto. This prohibition includes any substances, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints.

Section 12. DOMESTIC ANIMALS: No person in a park shall have been responsible for the entry of a dog or other domestic animal into a park which is not in some manner physically restrained. All dogs shall be restrained at all times on adequate leashes not greater than eight feet in length.

Section 13. SOUND: No person shall disturb the peace in any park between the hours of 11:15 p.m. and 7:30 a.m. For purposes of this paragraph, disturbing the peace is defined as including, but not being limited to, the following:

- (1) Playing a musical instrument.
- (2) Playing a radio, tape recorder, or television.
- (3) Shouting.
- (4) Engaging in any organized games.

No person shall use any device to amplify sound in any park unless a valid permit has been issued by the director.

The director may issue a permit authorizing the use of one or more designated devices to amplify sound by one or more designated persons in a designated area of a park on a designated date between specific hours if he or she finds, in his or her reasonable discretion, that the number of persons to be entertained or served by

the use of sound can be adequately and reasonably served only by the amplification of sound. The director may include conditions in such a permit which he or she deems reasonable, and the director may revoke a permit if the terms of the permit are violated, or he or she may deny a permit to a person or group of persons who have violated the terms of a permit within the previous year.

No person who holds a valid permit issued by the director under this type of permit shall amplify sound within a park in violation of any conditions stated in that permit.

Section 14. HOURS OF USE; SLEEPING AND CAMPING: No person shall sleep in any park between the hours of 10:00 a.m. and 6:00 p.m.

No person shall use any tent, shelter-half, vehicle, camper, or trailer as a shelter for housing or sleeping in any park area, except as provided in "PARK RESERVATIONS" section of this document.

The director may, in his or her reasonable discretion, issue permits for the use of tents, shelter-halves, vehicles, campers or trailers as shelters for housing or sleeping in parks and for any overnight sleeping in parks between the hours of 10:00 p.m. and 6:00 a.m.

Section 15. LIABILITY: All persons whom a park reservation is issued must agree in writing to hold the city harmless and indemnify the city from any and all liability for injury to persons or property occurring as a result of the activity sponsored by the permittee. Said persons shall be liable to the city for any and all damages to parks, facilities and buildings owned by the city which results from the activities of the permittee or is caused by any who participate in said activity.

Section 16. FLORA: No person other than a duly authorized city employee in the performance of his duty or persons participating in city approved activities shall dig, remove, destroy, injure, mutilate, or cut any trees, plants, shrubs, blooms, or flowers, or any portion thereof growing in any park.

Section 17. WILD BIRDS OR ANIMALS: No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; nor shall any person remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird; nor shall he collect, remove, have in his possession, give away, sell or offer to sell, or buy or offer to buy, or accept as a gift, any specimen alive or dead of any animal, bird or reptile. Exception to the foregoing is made in that snakes known to be deadly poisonous, such as rattlesnakes, moccasins, coral snakes, or other reptile, may be killed on sight.

Section 18. MARKING, INJURING, OR DISTURBING ANY STRUCTURE: No person other than a duly authorized city employee in the performance of his or her duties shall:

- (1) Cut, break, injure, deface, or disturb any rock, building, monument, sign, fence, bench, structure, apparatus, equipment, or property in a park.

- (2) Mark or place thereon any mark, writing or printing.
- (3) Attach thereto any sign, card, display, or other similar device, except as authorized by permit issued by the director.

Section 19. PENALTY: Any person who violates any provision of this ordinance shall, upon conviction, be punished by fine of not more than \$100.00, or by imprisonment of not more than 10 days, or both.

Section 20. PARK RESERVATIONS: A person shall obtain a permit from the director before participating in a park activity requiring the reservation of facilities.

Such an application shall state:

- (1) the name and address of the applicant.
- (2) the day and hours for which the permit is desired.
- (3) the portion thereof for which such permit is desired.
- (4) an estimate of anticipated attendance.
- (5) special needs.
- (6) any other information which the director shall find reasonable to a fair determination as to whether a permit should be issued.

Section 21. STANDARDS FOR ISSUANCE OF A PERMIT: The director shall issue a permit hereunder when he finds:

- (1) that the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
- (2) that the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health welfare, safety, and recreation.
- (3) that the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
- (4) that the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city.
- (5) That the facilities desired have not been reserved for others at the day and hour required in the application.

Section 22. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 28th day of August, 1979.

ATTEST:



City Manager

Mayor

