

PUBLIC WORKS AND SERVICES

§ 4-3001

CHAPTER 2

Solid Waste Collection and Disposal

Cross Reference: Private collection and disposal regulated, Sec. 7-3001 et seq.

(Reserved)

CHAPTER 3

Parks and Recreation

Cross Reference: Recreation Authority, Sec. 3-601 et seq.; Recreation advisory committee, Sec. 1-5021; Recreation department, Sec. 1-5004.

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Section 4-3001 Recreation director, powers and duties.

The recreation director or employees thereunder shall:

- (1) establish, conduct, and maintain a recreation system for the county in such a way as to employ the leisure of the people in a wholesome and constructive manner;
- (2) provide for, conduct, and supervise public playgrounds, indoor recreation centers, and other recreational facilities owned or controlled by the county;
- (3) recommend the setting aside, leasing or acquisition of lands or buildings within the county limits for use as parks, playgrounds, recreation centers or for other recreational purposes, and to provide for the maintenance and improvement of these areas;
- (4) cooperate with the local school board in the establishment, conduct and maintenance of a recreation system;
- (5) cooperate with the recreation advisory committee on establishing the detailed goals, procedures and programs to meet the county's recreational needs; and
- (6) otherwise assist in the operation and enforcement of this chapter.

Cross Reference: Recreation department created, Sec. 1-5004; Recreation advisory committee, Sec. 1-5021.

Section 4-3002 Definitions.

For the purpose of this chapter, certain words or terms used herein shall be defined as follows:

(1) Words used in the singular include the plural and words used in the plural include the singular.

(2) Words used in the present tense include the future tense.

(3) The word "building" includes the word "structure."

(4) The word "person" includes the words "individuals," "firms," "partnerships," "corporations," "associations," "governmental bodies" and all other legal entities.

(5) *Alcoholic beverages* shall mean intoxicating beverages, malt beverages, wine or any other beverage containing any alcohol whatsoever.

(6) *Building* shall mean any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

(7) *Litter* shall mean garbage, refuse, paper, rubbish, debris, trash and all other waste material whether natural or artificial.

(8) *Recreation facilities* shall mean all recreation areas and parks including land, buildings, lakes, swimming pools, and all other property and buildings owned, leased or managed by the county or the county recreation authority or their designated agents or departments.

(9) *Vehicle* shall mean any motor driven equipment, automobile, truck, motorcycle, bicycle or sled.

(10) *Weapon* shall mean pistol, fire arm, rifle, hatchet, ax, shotgun, air gun, slingshot or other similar device. (Ord. of 3/4/75, Sec. 1)

Section 4-3003 Littering prohibited.

It shall be unlawful for any person to throw or deposit litter on the grounds, streets, sidewalks, fountain, pond, lake, swimming pool, stream or other body of water in any recreation facility, except within public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the recreation facility. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and shall be properly disposed of elsewhere. (Ord. of 3/4/75, Sec. 2)

Section 4-3004 Weapons prohibited.

It shall be unlawful for any person to take or a recreation facility any weapon; or to shoot use, carry or employ any weapon or similar device in a recreation facility. (Ord. of 3/4/75 Sec. 3)

Section 4-3005 Throwing objects prohibited.

It shall be unlawful for any person to throw any stone or missile at any person or at any public or private building in a recreation facility (Ord. of 3/4/75, Sec. 4)

Section 4-3006 Annoying noise prohibited.

It shall be unlawful for any person to whistle hiss or holler at another person in a boisterous unbecoming or erring manner or make any loud unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, peace or safety of other persons in a recreation facility. (Ord. of 3/4/75 Sec. 5)

Section 4-3007 Profanity prohibited.

It shall be unlawful for any person to use profanity or profane language in a recreation facility. (Ord. of 3/4/75, Sec. 6)

Section 4-3008 Fires restricted.

It shall be unlawful for any person to build or maintain a fire in a recreation facility except in designated areas which are clearly marked by signs. (Ord. of 3/4/75, Sec. 7)

Section 4-3009 Damaging vegetation prohibited.

It shall be unlawful for any person to cut trees, tree limbs, shrubbery, flowers or other vegetation or dig up or damage trees, flowers or shrubbery or other vegetation in a recreation facility. (Ord. of 3/4/75, Sec. 8)

Section 4-3010 Alcoholic beverages prohibited.

It shall be unlawful for any person to possess or consume any alcoholic beverage in a recreation facility. (Ord. of 3/4/75, Sec. 9)

Sec. 4-3011. Vehicles restricted.

It shall be unlawful for any person to drive any vehicle in a recreation facility except upon roadways and paths constructed, designated and maintained for vehicular traffic. Recreation facility employees whose duties require them to drive maintenance vehicles and equipment shall be exempt from the limitations set forth in this section. (Ord. of 3-4-75, § 10)

Sec. 4-3012. Parking restricted.

It shall be unlawful to park a vehicle in a recreation facility except in those areas designated by appropriate signs as vehicle parking areas. (Ord. of 3-4-75, § 11)

Sec. 4-3013. Parking limited to facility users.

It shall be unlawful for any person to park in a recreation area if the owner of the vehicle is not utilizing the recreation facility. (Ord. of 3-4-75, § 12)

Sec. 4-3014. Commercial activity restricted.

It shall be unlawful for any person to sell or offer for sale any merchandise or operate or attempt to operate a concession or engage in any commercial activity in a recreation facility without written authorization of the board of commissioners. (Ord. of 3-4-75, § 13)

Sec. 4-3015. Hours open to public restricted.

(a) *Generally.* It shall be unlawful for any person to enter or be within a recreation facility between the hours of 12:01 a.m. and 7:00 a.m. daily except authorized recreation facility personnel.

(b) *East Bank Park boat ramps.* Boat ramps at East Bank Park may remain open for twenty-four (24) hours for fishermen using the lake. (Ord. of 3-4-75, § 14; Mo. of 4-6-82)

*Editor's note—*At the editor's discretion, provisions deriving from a motion of April 6, 1982, have been codified as § 4-3015(b). Said provisions did not expressly amend the Code, but amended the recreation facilities ordinance. Supp. No. 2

Sec. 4-3016. Hours for vehicles restricted.

It shall be unlawful for any person to drive a vehicle in or on a recreation facility or attempt to park or park a vehicle on any of the streets, avenues or parking areas or at any location within a recreation facility between the hours of 12:01 a.m. and 7:00 a.m. daily, with the exception of authorized recreation facility personnel. (Ord. of 3-4-75, § 15)

Sec. 4-3017. Recreation rules and regulations.

It shall be unlawful for any person to use or attempt to use any of the facilities within a recreation facility except during the hours and in accordance with the rules and regulations established by the recreation director. (Ord. of 3-4-75, § 16)

Sec. 4-3018. Swimming regulated.

It shall be unlawful for any person not to leave a swimming area when so directed by a lifeguard on duty or not to cease any activity which would be hazardous to others when so directed by a lifeguard. It is unlawful for any person to engage in any activity within a swimming pool or swimming area that could cause injury or damage to a person or to other persons using the swimming facility. (Ord. of 3-4-75, § 17)

Sec. 4-3019. Interference with use prohibited.

It shall be unlawful for any person to engage in any activity within a recreation facility that could cause injury to other persons or interfere with the use and enjoyment of the recreation facility by other persons. (Ord. of 3-4-75, § 18)

Sec. 4-3020. Facility regulations.

It shall be unlawful for any person to violate any rules or regulations relating to the use of the recreation area as established by the recreation facility director where such rules and regulations have been approved and adopted by the board of commissioners. (Ord. of 3-4-75, § 19)

Sec. 4-3021. Enforcement.

This chapter shall be enforced by any authorized law enforcement officer of the ~~county~~. Where there

City or county.

has been a violation of any provisions of this chapter, the law enforcement officer in his or her discretion may issue a warning ticket to the person violating these provisions rather than arrest the offender. (Ord. of 3-4-75, § 20)

Sec. 4-3022. Penalties.

Any person violating any provision of this chapter shall be fined in a sum not exceeding two hundred dollars (\$200.00) or may be confined in the county jail for a term not exceeding sixty (60) days or both. (Ord. of 3-4-75, § 21)