

BILL NO. 2276

ORDINANCE NO. 2102

**AN ORDINANCE ADOPTING PARKS RULES AND REGULATIONS**

**WHEREAS**, the City of Chesterfield has determined it necessary to establish rules for the use of City Parks; and

**WHEREAS**, said rules provide for the safe and enjoyable use of City Parks by its Citizenry; and

**WHEREAS**, said rules of use are to be uniformly and equitably enforced within Chesterfield Parks.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, AS FOLLOWS:**

Section 1. The Park Rules and Regulations are hereby adopted. A copy of which is hereby attached hereto and incorporated herein by reference and as marked Exhibit "A".

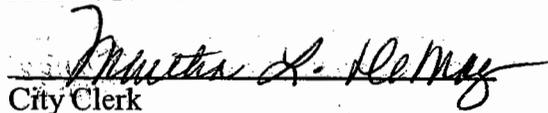
Section 2. All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 21<sup>st</sup> day of June, 2004.

  
Mayor

ATTEST:

  
City Clerk



## **PARK RULES & REGULATIONS**

### **Operating Rules**

- The Superintendent of Parks, Recreation and Arts is hereby authorized to establish rules which he/she determines are necessary to properly maintain, operate, develop, or construct City parks and facilities, or to assure the safety of users of said parks and recreation facilities.

### **Hours of Operation**

- City parks shall be open for public use during the period from sunrise to sunset with the exception of special use facilities such as Aquatic Parks, Athletic Complexes etc. It shall be unlawful for any person or persons (other than City personnel and/or concession/vending operators conducting city business therein) to occupy or be present in said park during any hours in which the park is not opened to the public, unless written permission for extended use has been obtained from the Superintendent of Parks, Recreation and Arts.

### **Park and Facility Usage**

- The City through its representatives, agents, and employees, reserves the right to control all activities at any City park and/or facility and to eject any person(s) who is objectionable and causes disfavor to the rules and regulations.
- Park patrons, lessee's, agents, servants, employees, assigns, successors, invitees, and licensees at all times agree to fully abide by all federal, state, county and municipal laws and ordinances.
- No private property may be placed on or in City park and/or facility without the expressed written consent of the City. The City will not assume any responsibility for any private property that may be approved for placement.
- The City shall have the sole right to determine any and all decisions regarding the condition and usage of the parks and facilities.

## Permits

- A permit for the use of a specific park area or facility may be obtained by applying to the Division of Parks, Recreation and Arts in advance of the date for which the use of a specific park area or Facility is sought. Persons issued a permit for the use of a specific Park area or Facility shall have preference to the use of the specific park area or facility reserved upon the dates and during the times indicated on the permit. A permit shall be issued when:
  1. The proposed activity or use of the park or facility will not reasonably interfere with or detract from the general public enjoyment of the park or facility.
  2. The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
  3. The proposed activity or use will not entail unusual, extraordinary or burdensome expense, or police operation by the City.
  4. The location for the proposed activity or use is in an area deemed suitable by the Division of Parks, Recreation and Arts.
  5. The issuance of such permit shall not result in crowded or congested conditions due to the issuance of prior permits for the same day, or due to the anticipated number of attendees for the planned event.
- Lessee is responsible to see that all activities are properly controlled; all rules are enforced, and must have a designated person(s) of authority on site at all times.
- Lessee agrees that he/she will, to the extent possible, take every action necessary to prevent any and all disorderly or boisterous conduct or immoral practices of any kind and/or about the premises by its agents, servants, employees, assigns, successors, invitees and licensees.
- The City through its representatives, agents, and employees, may revoke the usage of any permit previously granted at any time if it is determined that the application for permit contained any misrepresentation or false statement, or that any condition set forth in the policies governing the permit requested is not being complied with, or that the safety of the participants in the activities of the applicant or other patrons of or visitors to the park and/or facility is endangered by the continuation of such activity.

## Domestic Animals

- No person shall bring any animal into areas of a park and/or facilities that have been marked by signs bearing that animals/pets are not allowed.
- No person shall bring any animal into playground areas.
- No person shall permit the running of a domestic animal at large, unless in a designated area such as a "Dog Park".
- Except as part of an organized, authorized, or supervised Parks, Recreation and Arts program or in a designated area such as a "Dog Park", all domesticated animals where permitted shall be restrained by a leash no more than six feet in length and held by a competent person.

- No vicious animal of any kind shall be brought into the park and/or facility at any time even though restrained as described above.
- No person shall ride or otherwise bring any horse, mule, pony or other such riding animal in any of the parks and/or facility, except where posted for use of special trails etc. or unless special written permission for said use is obtained in advance from the Superintendent of Parks, Recreation and Arts.
- Where permitted, horses shall be thoroughly broken and properly restrained, and ridden with due care, and shall not be allowed to graze or go unattended.
- No animal shall be tethered to any bush, tree, shrub, or to any park structure.
- Any person bringing an animal into the Parks and/or Facilities shall remove and dispose of all feces left by such animal.

### **Disposal of Trash**

- No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, storm sewer or drain flowing into such waters, any substances matter or thing, liquid or solid, which will or may result in the pollution of the waters.
- No person shall litter or cause to be littered any of the grounds, driveways, buildings or other structures of the parks, by scattering, dumping or leaving, paper, garbage, cans, broken glass, bottles, ashes, rubbish, waste, or other trash. All such rubbish or waste shall be placed in the proper receptacles where they are provided. Where receptacles are not provided, all rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.
- No person shall bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash.

### **Fires**

- No person shall build or attempt to build a fire in a park and/or facility except in an approved container and with written approval from the Superintendent of Parks, Recreation and Arts.
- No person who has built any fire shall leave the place where the fire was built without first completely extinguishing the fire.
- No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material, within any park and/or facility.

## **Tobacco and Smoking**

- No person shall smoke or use tobacco products in any City park and/or facility, with the exception of parking lot areas.

## **Camping**

- Camping, whether in vehicles or not, is prohibited in City parks and/or facilities unless where specific written approval has been made by the Superintendent of Parks, Recreation and Arts.

## **Tents, Awnings and Canopies**

- No person shall erect, hang, or construct any tent/awning/canopy in any City park and/or facility unless where specific approval has been made by the Superintendent of Parks, Recreation and Arts or his/her designee.

## **Damaging Property**

- No person in a City park and/or facility shall:
  1. Willfully mark, deface, disfigure, injure, tamper with, displace or remove any building, bridge, table, bench, fireplace, railing, paving or paving material, water line or other public utility or parts or appurtenances thereof; sign, notice, or placard whether temporary or permanent; monument, stake, post or other boundary marker; or other structure or equipment, facility or park property or appurtenances whatsoever, either real or personal.
  2. Dig or remove any soil, rock, stone, sand shrub, tree or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.
  3. Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit.
  4. Damage, cut, carve, transplant or remove any tree or plant, or injure the bark thereof; or pick the flowers or seeds of any tree or plant; or attach any rope, wire or other contrivance to any tree or plant; or dig in or otherwise disturb grass areas; or in any other way injure or impair the natural beauty or usefulness of any area.

## **Weapons Prohibited**

- No person shall carry or have in his possession any firearm, air pistol, air rifle, bow and arrow or any other instrument capable of launching or firing any projectile or noxious substance, whether propelled by gunpowder, gas, air, spring, or any other means, while within any park, facility,

roadway, driveway, or other public place of the division. This section shall not apply to any law enforcement officer authorized by law to carry a weapon within the parks and/or facilities.

### **Bicycles**

- No person shall bring a bicycle(s) into areas of a park and/or facility that have been marked by signs bearing that bicycle usage is prohibited.
- No person shall leave a bicycle in a place other than a bicycle rack when such is provided and space is available.
- No person shall leave a bicycle lying on the paving or in any place or position where other persons may trip over it or be injured by it.
- No person shall ride a bicycle on other than a paved vehicular road or path designated for that purpose, except a bicyclist may wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.
- No person shall fail to comply with all traffic rules and regulations as apply to the operation of bicycles on City streets.

### **Skateboards, In-Line Skates, Coasters, Scooters etc.**

- No person shall ride or otherwise bring any skateboards, in-line skates, coasters, scooters or any other such riding apparatus in any of the parks and/or facilities, except where posted for designated use (Designated trails/pathways, Skateboard Parks etc.).

### **Solicitations Prohibited**

- No person shall solicit alms or contributions for any purpose whatsoever, whether public or private within any of the parks and/or facilities, except by written permission of the Superintendent of Parks, Recreation and Arts, when such solicitations are of direct benefit to the Parks, Recreation and Arts division's purposes and programs.
- No person shall offer to sell or exchange any article of thing, or do any hawking, peddling or soliciting of sales, or buy or offer to buy any article or thing in any of the parks and/or facilities, except when acting pursuant to a concessions/vending contract.

### **Concessions and Vending**

- The City reserves the exclusive right to all concession and vending at all parks and/or facilities. This shall include, but not limited to Food/Beverage operations, Bicycle and Boat rentals, T-Shirt and Novelty sales etc.

### **Closed Areas**

- No person shall enter an area or roadway in a park and/or facility closed to public access, unless authorized by the Superintendent of Parks, Recreation and Arts.

### **Traffic and Motor Vehicles**

- Persons operating a motor vehicle within City parks shall operate the same in a careful and prudent manner.
- No person shall drive any motor vehicle on a driveway located in any of the City parks and/or facilities at any speed over the posted speed limit.
- No person in a park shall drive any vehicle on any area except the paved park and/or facility roads or parking areas provided for that purpose, or such other areas as may on occasion be specifically designated as temporary parking areas by the Superintendent of Parks, Recreation and Arts.
- No person in a park and/or facility shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions thereat and with the instructions of any attendant who may be present.
- No person shall leave, park or stop a motor vehicle within any City park and/or facility after the designated closing time unless authorized by the Superintendent of Parks, Recreation and Arts.
- No trucks, buses, or other commercial vehicle exceeding a gross weight of (8,000 lbs) may enter any City park and/or facility unless specific permission in writing is obtained from the Superintendent of Parks, Recreation and Arts. This does not include vehicles delivering to or coming from the parks and/or facility, or vehicles engaged in work for the City.
- No person shall leave a parked vehicle for the purpose of carpooling or the advertisement to sell said vehicle.
- No person shall operate a golf cart and/or utility cart on or in parks and/or facilities without the expressed written consent of the Superintendent of Parks, Recreation and Arts.

### **Glass Bottles or Containers Prohibited**

- No person shall bring into any City park and/or facility any glass bottles or containers.

### **Gambling**

- No person shall gamble, or participate in or abet any games of chance in a park and/or facility.

### **Amusement Rides, Games, Booths, Activities, DJ's**

- The use of amusement rides, games, booths, activities, bands and DJ's etc. are prohibited in any City park and/or facility unless specifically approved in writing by the Superintendent of Parks, Recreation and Arts.

### **Swimming**

- No person shall swim, bathe or wade in any waters or waterways in or adjacent to any park and/or facility, nor shall any person climb on rocks in any waters or waterways in or adjacent to any park and/or facility, except in such waters and at such places as are provided therefor, and in compliance with park and/or facility regulations.

### **Boating**

- No person shall boat on any-body of water in any park and/or facility except as part of an organized, authorized, or supervised Parks, Recreation and Arts program or when acting pursuant to a concessions/vending contract.

### **Ice Skating**

- No person shall go onto the ice on any body of water in any park and/or facility.

### **Sledding and Snow Boarding**

- No person shall sleigh ride or snow board on/in any City park and/or facility.

### **Fishing**

- Except as otherwise provided herein, fishing is allowed in waters or waterways in or adjacent to any park and/or facility pursuant to the Missouri Conservation Commission rules R.S. Mo. Ch 252.

### **Hunting**

- No person shall hunt, molest, harm, trap, kill, shoot at any animal, reptile or bird; or remove the eggs or nest or young of any bird; except that snakes known to be deadly poisonous in any City parks and/or facilities.
- No person shall give or offer to give any animal or bird any noxious substance.

## **Intoxicating Beverages**

- The use of intoxicating beverages within the parks and/or facilities is acceptable, with the exception of where specifically prohibited by the Superintendent of Parks, Recreation and Arts.
- No person shall enter any of the parks and/or facilities while in an intoxicated condition nor shall that person remain therein while in an intoxicated condition whether intoxicated at the time of entering the parks and/or facilities or becoming intoxicated after entering.
- No one shall sell alcoholic beverages of any kind in a park and/or facility except when acting pursuant to a concession/vending contract.
- No minor shall possess or consume any intoxicating beverages at any time in any park and/or facility.

## **Fireworks and Explosives**

- Except as expressly permitted by the Superintendent of Parks, Recreation and Arts, no person in a park and/or facility shall bring or have in his possession, or set off or otherwise cause to explode or discharge or burn, any firecracker, torpedo, rocket, or other fireworks or explosives of inflammable material; nor shall any person throw them into any such area from land or highway adjacent thereto. This prohibition includes any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous.

## **Games and Activities**

- No person in a park and/or facility shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as stones, arrows, javelins, lawn darts, flying disc, golf, model airplanes, kites, bocce ball, dodge ball and horseshoes except in areas set apart for such forms of recreation or upon the written approval of the Superintendent of Parks, Recreation and Arts.
- No person in a park and/or facility shall take part in or setup/construct the playing of any games involving the use of Volleyball/badminton nets/poles; Baseball, softball, stickball, whiffle ball, and kickball; Soccer, lacrosse, field hockey, football, and cricket; except in areas set apart for such forms of recreation or upon the written approval of the Superintendent of Parks, Recreation and Arts.

***Provisions not applicable to employees:*** The provisions of these Rules and Regulations shall not be applicable to park employees while actually engaged in their official duties, nor shall the provisions of these Rules and Regulations be applicable to city officials while attending to park business.