

Proposed by Parks & Recreation

BILL NO. 4254

Introduced by Councilman Edmondson

ORDINANCE NO. 4434

**AN ORDINANCE ADDING A NEW TITLE, "TITLE IX: PARKS," TO THE
CODE OF ORDINANCES, CITY OF BLUE SPRINGS, MISSOURI**

WHEREAS, the City's Code of Ordinances has never had ordinances which govern the City Parks that were set forth in a unified fashion in the Code; and

WHEREAS, it would be beneficial to the citizens of Blue Springs to have the Code provisions that apply to the City Parks combined in one place in the Code; and

WHEREAS, in addition, it is important to formalize certain rules and regulations relating to the City Parks into provisions within the Code so that they may be properly enforced; and

WHEREAS, the City Council and the Mayor find that the provision set forth in this Ordinance should be enacted to properly prescribe the proper regulation of the City Parks.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI.

Section 1. That the Code of Ordinances of the City of Blue Springs, Missouri, is hereby amended by adding a new Title "Title IX: PARKS" which Title shall read as follows:

"TITLE IX. PARKS

CHAPTER 900: GENERAL PROVISIONS

SECTION 900.010: DEFINITIONS

Words and terms used in this Title shall be given the meanings set forth in this Chapter. All words not defined in this Chapter shall be given their common, ordinary meanings, as the context may reasonably suggest. In case of a dispute over the meaning of a term not defined in this Title or over the application of a definition that is set forth, the Director of Parks and Recreation shall give a written interpretation in accordance with the procedures and standards of Section 403.130, "Written Interpretations".

The following terms and their derivations shall have the meanings given herein.

BONFIRE: A fire not contained within a grill or fireplace.

DEPARTMENT: The Blue Springs Parks and Recreation Department.

DIRECTOR: Director of Parks and Recreation or his or her designee.

PARK OR CITY PARK: a park owned, leased or operated by the City of Blue Springs.

PARENT OR SPECTATOR: means any child or adult who may be attending a practice or game and is not participating as a player, coach, manager, or official.

PERSON: Shall extend and be applied to associations, corporations, limited liability companies, firms, partnerships and bodies politic and corporate as well as to individuals. Whenever used with respect to any penalty, the word "person", as applied to partnerships or associations, shall mean the partners or members thereof, and as applied to corporations and limited liability companies, the officers and members thereof.

PLAYER: means any child or adult that is on a roster, and actively involved in a practice or game.

POSTED: Informational signage designed to inform the persons of the status of the park or facility.

SPORTS OFFICIAL: a referee, umpire, scorekeeper, field personnel, manager or person serving in a management or supervisory capacity.

SECTION 900.020: HOURS

City Parks and property under the stewardship of the Blue Springs Parks and Recreation Department, excluding Hidden Valley Park, shall be open from 6:00AM to 12:00AM (midnight) daily and should be posted as such. Persons or groups issued a facility reservation permit shall be exempt from these daily hours to the extent the issued permit so provides. Entering a City Park at a time other than scheduled hours of operation is prohibited.

- A. Any portion, all or part of any City Park may be declared closed to the public by the Director of Parks and Recreation or his or her designee at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and may be either closed entirely or merely as to certain uses, as the Director shall find reasonably necessary. Any City Park so closed shall be posted. During any periods of time when any City Parks are closed, no person shall enter or occupy any such City Park or portion of the closed City Park contrary to the posted sign/regulations.
- B. It shall be unlawful for any person to be on or in the premises, boundaries or facilities of any City Park or City Park facility other than between the hours posted for use or open on the entry signs, unless participating in a scheduled, supervised program, sports league, tournament or event approved by or sponsored by the Department of Parks and Recreation.

SECTION 900.030: SPEED LIMIT

The speed limit upon any roadway or in any parking lot within a City Park shall be ten (10) miles per hour unless otherwise posted.

CHAPTER 905: FACILITY USAGE

SECTION 905.010: CITY PARK FACILITIES -- PERSONS OCCUPYING SHELTER OR OTHER PARK FACILITIES TO GIVE OVER TO RESERVING PARTY

- A. It shall be unlawful for any person or group to occupy a shelter, shelter house or other City Park facility within a City Park in the City of Blue Springs, Missouri, or other facility which is scheduled by the Parks and Recreation Department and fail to remove themselves when requested to do so by a person or group of persons who have previously reserved said shelter, shelter house or other City Park facility and/or other scheduled facility and have in their possession a reservation form for that date after said reservation form has been shown to the person or a person in the group who is being requested to remove himself or themselves from the shelter or shelter house or other City Park facility and/or other scheduled facility.
- B. It shall also be unlawful for any person or group to occupy a shelter, shelter house or other City Park facility within a City Park in the City of Blue Springs, Missouri, or other facility which is scheduled by the Parks and Recreation Department and fail to remove themselves when requested to do so by a Police Officer or Parks and Recreation Department employee of the City of Blue Springs, Missouri.
- C. The reservation form shall be a form designated by the Parks and Recreation Department of the City of Blue Springs, Missouri, to provide evidence of the reservation.

SECTION 905.020: REGULATION OF FIRE

- A. No person shall ignite or maintain any fire on City Park land fueled by wood, coal, charcoal, or propane, except in permanent or portable grills, designed and designated for that purpose. No person shall leave a fire unattended, and all fires must be extinguished after use and prior to departure from the City Park in such a manner so that any coals will not ignite another fire. No person shall dump hot coals into a trash cans or onto the ground.
- B. The Director of Parks and Recreation or his or her designee and Central Jackson County Fire Protection District may authorize bonfires for certain group functions. No fire or bonfire shall be left unattended and the fire or bonfire must be extinguished prior to departure from the City Park.

- C. Fires may be prohibited in City Parks during dry seasons as necessary as a protective measure by the Director of Parks and Recreation or his or her designee.

SECTION 905.030: REGULATION OF TRASH

- A. It shall be unlawful for any person in a City Park to throw, discharge, dump or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any City Park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution, discoloration or contamination of said waters.
- B. It shall be unlawful for any person in a City Park to throw, discharge, dump or otherwise place or cause to be placed on any turf, woods, parking lot, or other surface in a City Park any substance, matter or thing, liquid or solid.
- C. It shall be unlawful for any person to throw, discharge, dump or otherwise place or cause to be placed in any trash barrels, dumpsters, or recycling containers in any City Park, any commercial waste or household waste, liquid or solid, such as; household trash, grass clippings, brush, automotive parts/oils, furniture, glass, construction materials with the intent of avoiding payment for solid waste collection and disposal. (Section 255.080.1)
- D. It shall be unlawful to commit the offense of littering, as defined in Section 220.650 of this Code, in any City Park.
- E. It shall also be unlawful to create a nuisance, such as those set forth in Section 220.720, by depositing refuse, trash etc., on streets, alleys or ditches in any City Park.

SECTION 905.040: OVERNIGHT CAMPING

Overnight camping in City Parks shall be authorized only by written permit issued by the Director of Parks and Recreation or his or her designee and shall be permitted only in those areas designated for camping during City-qualified special events which have been approved by the Director of Parks and Recreation or his or her designee.

No person shall engage in or set up a camp, tent, R.V., or trailer for overnight use in a City Park except as may be approved and permitted by the Director of Parks and Recreation or his or her designee.

SECTION 905.050: SOLICITATION, SALES AND COMMERCIAL USE

Solicitation by any individual or organization is strictly prohibited. No person shall sell or offer for sale or advertise any goods, merchandise, or any product, service or other goods, or solicit contributions, or maintain any concession in any City Park or City parking lot associated therewith, or use any City Park facilities or City Park property for commercial purposes except as authorized by the Director of Parks and Recreation or his or her designee or pursuant to a written agreement with the City of Blue Springs.

- A. No person shall erect or place or cause to be erected or placed a stand, building, structure, wagon, tent, vehicle, car, trailer or any other thing to be used for the purpose of selling, dispensing or conveying merchandise, refreshments, service, food, beverages, sports goods and supplies, or articles or advertisement of merchandise or service of any kind in or upon the a City Park unless such person has been granted permission by way of a written permit to do so by the Director of Parks and Recreation or his or her designee or is doing so pursuant to a written agreement with the City of Blue Springs.
- B. No person shall use any City Park, or sports court, athletic ball field, swimming pool, shelter, or facility or portion thereof, owned or leased by the City, for instruction of any sort concerning physical fitness or athletic performance for which a fee is charged by that person, or to operate or conduct individual or group lessons, clinics, fitness programs or to run tournaments for which a fee is charged unless such person has been granted permission by way of a written permit to do so by the Director of Parks and Recreation or his or her designee or is doing so pursuant to a written agreement with the City of Blue Springs. This prohibition applies both to the person giving the instruction and the person receiving it. This does not apply to training given by City employees or by the persons under a contract or permit with the City as part of a program of the Department. This does not apply to coaches of teams playing in City leagues or in leagues which have a lease, permit, or user agreement with the City to use a City facility for their sport's use.
- C. Any person that requests and is issued a permit to sell or dispense any merchandise, refreshments, service, food, beverages, sports goods, or supplies in a City Park shall obtain and maintain a current City license necessary to sell or dispense any merchandise, refreshments, service, food, beverages, sports goods, or supplies pursuant to Chapter 605 or 610 and any other required County or State license, or permit, and shall provide any required reports and payments to the City, County, or State, except that those entities listed in Section 610.190 of the Code of Ordinances as being exempt from licensing under Article II of Chapter 610 of the Code of Ordinances shall not be required to obtain a license under Article II of Chapter 610 in order to comply with this Section.
- D. It shall be unlawful for any person to sell or dispense any merchandise, refreshments, service, food, beverages, good, and supplies in or from any City Park for a fee without approval and permit from the Director of Parks and Recreation or his or her designee or a valid contract to do so with the City.

SECTION 905.060: ADVERTISING AND SIGNAGE IN PARKS

Signage and advertising within City Parks shall conform to the City's Sign Code (Chapter 501) and more specifically as to Scoreboards and advertising in an athletic field in a City Park Section 501.130.

SECTION 905.070: HUNTING PROHIBITED; EXCEPTION

No person shall catch, trap, kill, pursue, hunt or harm wildlife in any manner at any time or place in any City Park, except, as may be directed by the Director of Parks and Recreation or any Federal, State, County, or City Law Enforcement Officer to preserve the safety of the citizens. Fishing is allowable at City Park facilities and will follow Missouri State Conservation guidelines except where posted differently.

- A. It shall be unlawful for any person within City Park boundaries to engage in commercial hunting or fishing or the buying and selling of animals, fowl, or fish trapped, shot, caught in any City Park or waters of any City Park.
- B. Wildlife - No person shall pursue, catch, kill, molest, possess, illuminate, spotlight, or take in any manner or any quantity any wildlife or destroy the dens or nest of any wildlife on any City Park lands except as approved and permitted by the Director of Parks and Recreation or his or her designee when necessary to control animal health or damage.

SECTION 905.080: ANIMALS AND PETS

- A. No person shall bring any domestic animal into any City Park unless such animal shall be in the immediate control of such person on a leash not exceeding six feet in length. This pertains to all assistive animals. The exception to this Section is dogs within the fenced in area of an area designated and posted as a dog Park(s) by the City so long as such dog does not harm or damage, or threaten to harm or damage any person or animal on public or private property or designated areas as approved by the Director of Parks and Recreation or his or her designee or unless authorized for special/permitted events.
- B. Horseback Riding – No person shall engage in horseback riding in City Parks or on City trails except as approved and permitted by the Director of Parks and Recreation or his or her designee.
- C. Petting zoos, exotic animals, dangerous animals & circus – No person shall bring into, or set up in, the City Park a petting zoo, pony rides, an exotic animal display, dangerous animals or a circus except as approved and permitted by the Director of Parks and Recreation or his or her designee.
- D. No domesticated animals are allowed on any athletic field at any time unless authorized by the Director of Parks and Recreation or his or her designee.
- E. The Sections in Chapter 215: Dogs, Cats, Animals and Dangerous Animals apply within City Parks, notwithstanding the provisions above which, if more restrictive, take precedence.

CHAPTER 910: PROHIBITED ACTIVITIES

SECTION 910.010: CONTROL OF SOUND SYSTEMS, EVENTS, OR NOISE WITHIN CITY PARKS

- A. No person shall play, use, operate or permit to be played, used or operated, any machine or electronic device or amplifier or speaker system for production or reproduction of sound in any City Park without approval and a permit from the Director of Parks and Recreation or his or her designee Director. This does not apply to small radios, MP3 players, headsets, earphones, etc.
- B. No person shall organize, gather together, or promote individuals or groups for the purpose of providing music in any City Park without the approval and a written permit from the Director of Parks and Recreation or his or her designee. This includes one person bands, multi-person bands, D.J.'s, or recorded music.
- C. Organized and scheduled or approved music may be permitted by the Director of Parks and Recreation or his or her designee between the hours of 8:00 am and 10:00 pm local time in most City Parks. Special permits may be secured for special events before 8:00 am or after 10:00PM.
- D. Sound systems provided, mounted and used for the announcement of sports games at City Park fields are permitted in the user agreement with the City. These systems must follow the regulations as to time of day, and users shall control the volume of the system so that the sound produced is sufficient to reach the intended audience (players and spectators) but not unreasonably disturb others within the City Park or residents near the City Park.
- E. The Sections in Chapter 230: Noise Control apply within City Parks, notwithstanding the provisions above which, if more restrictive, take precedence.

SECTION 910.020: OPERATION OF MOTOR VEHICLES IN CITY PARKS

No motor vehicle, other than those operated by City employees conducting City business in City Parks or emergency vehicles, shall be driven or parked within any City Park except upon designated roadways and parking lots unless authorized by the Director of Parks and Recreation or his or her designee. Motorized vehicles shall not be operated or parked on the paved or unpaved trails or on any grass area in any City Park unless designated and posted to allow such activity.

Stopping, standing or parking prohibited in specified places.

- A. It shall be unlawful for any person to park or leave unattended a motor vehicle except in places clearly marked for vehicle parking, except as may be approved and permitted by the Director of Parks and Recreation or his or her designee.
- B. It shall be unlawful for any person to park on grass without an approved permit from the Director of Parks and Recreation or his or her designee, or unless it is an emergency or the vehicle is disabled.
- C. It shall be unlawful to park on a City Park sidewalk, within an intersection, on a crosswalk, next to a designated safety zone marked as "No Parking", along a

designated curb marked as "No Parking or painted in yellow", or within fifteen (15) feet of a fire hydrant.

SECTION 910.030: OPERATION OF SELF-PROPELLED VEHICLES WITHIN PUBLIC PARKS AND UPON CITY PROPERTY

It shall be unlawful to operate motor scooters, motor bikes, motorcycles or any other self-propelled vehicle within any City Park of the City or within or upon property owned by the City except upon regular driveways or parkways set aside for such vehicular traffic or upon areas in such City Parks or City owned places designated specifically for motor scooters, motor bikes, motorcycles or self-propelled vehicle use. The Director of Parks and Recreation or his or her designee may allow for the use of motorized vehicles on City property for qualified special events and activities. The provisions of this Section shall not be applicable to any properly designated emergency vehicle operated in response to any emergency or to City-owned vehicles or maintenance equipment operated by City employees pursuant to their employment duties or any motorized wheelchair used for disability assistance.

SECTION 910.040: INTERFERENCE WITH A PARKS AND RECREATION DEPARTMENT EMPLOYEE'S ABILITY TO CARRY OUT THEIR DUTIES

No person shall, without lawful authority, prevent or interfere with any City Parks and Recreation Department employee's ability to perform his or her work or official duties.

SECTION 910.050: CERTAIN RECREATION ACTIVITIES PROHIBITED

A. Any activity in any City Park which endangers the lives of others or causes harm to City Parks or City Park facilities is prohibited. The Director of Parks and Recreation or his or her designee may allow certain activities, such as horseback riding, a petting zoo, circuses, etc. as part of any City festival or other special event through a special written use permit.

B. Radio model controlled planes/boats/cars/rockets.

1. No person shall operate a radio controlled aircraft within, or in air space above, a City Park. It is legal to operate radio controlled boats and cars in locations and at speeds that will not cause damage to other persons, vehicles, or the City Park system if control of the unit is lost.
2. No person shall operate, ignite, or set off a rocket in a City Park unless the Director has approved a written permit and adult supervision is present. The written permit will designate which City Park, the time of day, and the procedure which must be followed so as not to violate this ordinance.

C. Golfing in City Parks.

It shall be unlawful for people to practice golf or to golf in public City Parks, except in those areas designed, designated (posted) and established for golf.

D. Tennis courts.

It shall be unlawful for any person using a City Tennis Court to:

1. Wear non-athletic shoes or footwear on the tennis court surface.
2. Use a metal tennis racket on the tennis court without court guard protectors.
3. Operate or ride a bicycle, roller skates, roller blades, skateboards, or zip boards on any tennis court.
4. Conduct private or group tennis lessons on the public City tennis courts for financial gain unless as part of a City or Department sponsored program.

E. Archery in City Parks.

It shall be unlawful for people to practice archery or to shoot a long bow or crossbow in a City Park unless participating in a city sponsored program.

SECTION 910.060: DESTROYING PARK PROPERTY

No person shall destroy, deface, injure, remove or relocate any natural or man-made City Park property. The cutting of trees or vegetation for firewood or any other purpose is prohibited except by Parks and Recreation Department employees or as authorized by written permit by the Director of Parks and Recreation or his or her designee.

Trees/shrubs/or plants in City Parks.

A. Removal of trees/cutting of fire wood

It shall be unlawful for any person in a City Park to damage, cut, carve, paint, break, disfigure, transplant or remove any tree, plant or shrub, or injure the bark, or pick or cut flowers or seeds on any tree, plant or shrub. No person shall attach any rope, wire, or other contrivance to any tree or build or construct any structure in any tree. No person shall dig in or otherwise disturb grass areas, plant beds, or landscaped areas, or in any other way injure or impair the natural beauty or usefulness of any area. It shall be unlawful to cut, remove or trim any part of any tree or to cut down a tree, or to cut and remove fire wood from any City Park.

B. Planting or seeding trees/plants/shrubs.

It shall be unlawful for any person to plant, seed, transplant any tree/plant/shrub in any City Park without the approval and permit from the Director of Parks and Recreation or his or her designee.

C. Scattering of Human Remains

No person shall scatter, broadcast, throw or deposit ashes of human or animal remains in any City Park.

SECTION 910.070: FIREWORKS

The possession and use of fireworks in City Parks is prohibited except for use as defined in Chapter 235, Sections 235.010 through 235.040 and as possibly amended, unless authorized by the Director of Parks and Recreation or his or her designee, Central Jackson County Fire Protection District and other public entities as may be required.

SECTION 910.080: USE OF METAL DETECTORS, MINING AND PROSPECTING PROHIBITED

No person shall disturb or alter in any way the natural terrain in any City Park, unless the activity is associated with construction, repairs, or clean-up of said City Park. No person shall operate a metal detector, or mine or prospect for any mineral or artifact, without the written permission of the Director of Parks and Recreation or his or her designee.

SECTION 910.090: BOATING OR SWIMMING OR BATHING IN PARK LAKES

- A. Motorized boating, other than electric trolley motors of 50lbs. of thrust or less, shall be forbidden in all City Park lakes, except as permitted by the Director of Parks & Recreation or his or her designee. Boating, canoeing and kayaking shall be permitted on Lake Remembrance in Gregory O. Grounds Park.
- B. No person shall swim, bathe, wade, or float in or on any non-licensed device on any lake, pond, or stream in any City Park, except as specifically set forth in this Section, or except as may be approved and permitted by the Director of Parks and Recreation or his or her designee.
- C. No person shall ice skate, ice fish, sled, drive on or walk on or in the ice of any City Park lake or pond except in areas designated by the Director of Parks and Recreation or his or her designee that are signed and/or posted for that purpose.

SECTION 910.100: TRAIL USE – VEHICLES, HORSE, POWERED EQUIPMENT, MOBILITY DEVICES, DOGS, ETC.

- A. Persons operating a bicycle upon a City trail shall ride as near to the right side of the trail as practical, exercising due care when passing a pedestrian or other cyclist. Persons operating bicycles upon a City trail shall ride single file when passing a pedestrian or other cyclist. No person shall operate a bicycle upon a City trail at a speed greater than is reasonable and prudent under conditions then existing. Persons operating a bicycle on a City trail shall give an audible signal before passing a pedestrian or another cyclist.
- B. Pedestrians on a City trail shall remain as near to the right side of the trail as Practical and shall not walk or jog side by side so as not to block the trail for users that need to pass or are approaching from the opposite direction.
- C. Dogs on short leashes/leads, not more than 6 feet in length, are permitted on City trails. Dog owner/handlers must be in control of the dog(s) at all times. Dog owner/handlers must pick up, remove and dispose of dog droppings whether on or off the trail surface. Dog owner/handlers shall rein in the dog(s) to within four (4) feet of the owner/handler whenever meeting, overtaking, or being overtaken by another trail user.

SECTION 910.110: OFFENSES RELATED TO SPORTING EVENTS, COACHES, PARENTS, SPECTATORS AND CONDUCT

A. Assault on a sports official, player, parent or spectator:

1. A person commits the crime of assault on a sports official, player, parent, or spectator if:

a. The person attempts to cause or recklessly causes physical injury to a sports official, player, parent or spectator; or

b. With criminal negligence the person causes physical injury to a sports official, player, parent or spectator by means of a deadly weapon; or

c. The person purposely places a sports official, player, parent, or spectator in apprehension of immediate physical injury; or

d. The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to a sports official, player, parent, spectator; or

e. The person knowingly causes physical contact with a sports official, player, parent or spectator, knowing the person will regard the contact as offensive or provocative.

2. A person who has been convicted of an assault under the circumstances enumerated in Subsection A.1(a), (b) or (d) may be sentenced to pay a fine which does not exceed five hundred dollars (\$500.00) or to serve a period of imprisonment which does not exceed six (6) months, or both. A person who has been convicted of assault under the circumstances enumerated in Subsection A.1(c) or (e) may be sentenced to pay a fine which does not exceed three hundred dollars (\$300.00), or to serve a period of imprisonment which does not exceed fifteen (15) days, or both.

B. Harassment of a sports officials, player, parent, or spectator: A person commits the offense of harassment of a sports official, player, parent, or spectator if for the purpose of frightening or disturbing said person he/she communicates in writing or by telephone a threat to commit any felony as defined by State or Federal law against the sports official, player, parent, or spectator.

SECTION 910.120: GAMBLING

It shall be unlawful for any person to gamble or participate in or bet on any game of chance in a City Park.

SECTION 910.130: LIQUOR AND ALCOHOL AND ILLEGAL DRUG USE IN PARKS

A. Any person in a state of intoxication in or on any City Park or City Park facility may be removed from the City Park or facility in order to protect that person.

- B. No person shall sell or distribute any alcoholic beverages in a City Park without the proper City, County, and/or State permits or licenses and approval from the Director of Parks and Recreation or his or her designee.
- C. No person shall take any alcoholic beverage into, or onto, any sports field during any scheduled/organized game/tournament in any City Park.
- D. No person shall possess or drink any alcoholic beverage on any sports field during any scheduled/organized game/tournament in any City Park. A sports field shall include any fenced area used for player seating and considered part of the field of play which would include dugouts, outfield, infield and foul territory for baseball/softball and the playing field and sidelines within 15 yards of the field for soccer and football.

SECTION 910.140: SMOKING IN PARKS

Smoking of tobacco products is prohibited in all facilities and locations within a City Park except for designated parking lots.

SECTION 910.150: SKATEBOARDING

- A. It is unlawful for any person to ride or operate a skateboard, manually powered scooter, or zip board on any brickwork, steps, ornamental surface, picnic table, tennis courts, fountain area, wading pool, planter, sculpture or other similar amenity located in a City Park or City property except in or on specifically designed and constructed skate Parks.

SECTION 910.160: CLIMBING TREES, MONUMENTS, BUILDINGS, ETC.

It shall be unlawful for any person in a City Park to climb on or up any tree, monument, building, flagpole, work of art, retaining wall, chimney swift tower, fence, sports goal, or other features or facilities, or to stand or sit upon monuments, fountains, railings, fences, tennis nets, or upon other property not designated or customarily used for such purposes.

CHAPTER 915: PENALTIES

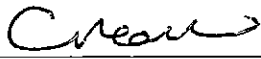
SECTION 915.010: PENALTIES

Any and all Violations of TITLE XI shall be punished in accordance with Section 100.080 of this Code unless another penalty provision is specifically designated. Each day any violation of any provision of this Title shall continue shall constitute a separate offense.”


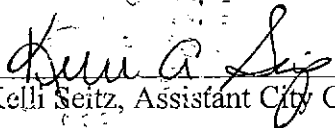
Section 2. That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved

by the Mayor of Blue Springs, this 17th day of June, 2013.



Carson Ross, Mayor


ATTEST:


Kelli Seitz, Assistant City Clerk

1st reading May 6, 2013
2nd reading June 17, 2013

SECTION 900.030: SPEED LIMIT

The speed limit upon any roadway or in any parking lot within a City Park shall be ten (10) miles per hour unless otherwise posted.

CHAPTER 905: FACILITY USAGE

SECTION 905.010: CITY PARK FACILITIES -- PERSONS OCCUPYING SHELTER OR OTHER PARK FACILITIES TO GIVE OVER TO RESERVING PARTY

- A. It shall be unlawful for any person or group to occupy a shelter, shelter house or other City Park facility within a City Park in the City of Blue Springs, Missouri, or other facility which is scheduled by the Parks and Recreation Department and fail to remove themselves when requested to do so by a person or group of persons who have previously reserved said shelter, shelter house or other City Park facility and/or other scheduled facility and have in their possession a reservation form for that date after said reservation form has been shown to the person or a person in the group who is being requested to remove themselves from the shelter or shelter house or other City Park facility and/or other scheduled facility.
- B. It shall also be unlawful for any person or group to occupy a shelter, shelter house or other City Park facility within a City Park in the City of Blue Springs, Missouri, or other facility which is scheduled by the Parks and Recreation Department and fail to remove themselves when requested to do so by a Police Officer or Parks and Recreation Department employee of the City of Blue Springs, Missouri.
- C. The reservation form shall be a form designated by the Parks and Recreation Department of the City of Blue Springs, Missouri, to provide evidence of the reservation.

SECTION 905.020: REGULATION OF FIRE

- A. No person shall ignite or maintain any fire on City Park land fueled by wood, coal, charcoal, or propane, except in permanent or portable grills, designed and designated for that purpose. No person shall leave a fire unattended, and all fires must be extinguished after use and prior to departure from the City Park in such a manner so that any coals will not ignite another fire. No person shall dump hot coals into a trash cans or onto the ground.
- B. The Director of Parks and Recreation or his or her designee and Central Jackson County Fire Protection District may authorize bonfires for certain group functions. No fire or bonfire shall be left unattended and the fire or bonfire must be extinguished prior to departure from the City Park.

- C. Fires may be prohibited in City Parks during dry seasons as necessary as a protective measure by the Director of Parks and Recreation or his or her designee.

SECTION 905.030: REGULATION OF TRASH

- A. It shall be unlawful for any person in a City Park to throw, discharge, dump or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any City Park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution, discoloration or contamination of said waters.
- B. It shall be unlawful for any person in a City Park to throw, discharge, dump or otherwise place or cause to be placed on any turf, woods, parking lot, or other surface in a City Park any substance, matter or thing, liquid or solid.
- C. It shall be unlawful for any person to throw, discharge, dump or otherwise place or cause to be placed in any trash barrels, dumpsters, or recycling containers in any City Park, any commercial waste or household waste, liquid or solid, such as; household trash, grass clippings, brush, automotive parts/oils, furniture, glass, construction materials with the intent of avoiding payment for solid waste collection and disposal. (Section 255.080.1)
- D. It shall be unlawful to commit the offense of littering, as defined in Section 220.650 of this Code, in any City Park.
- E. It shall also be unlawful to create a nuisance, such as those set forth in Section 220.720, by depositing refuse, trash etc., on streets, alleys or ditches in any City Park.

SECTION 905.040: OVERNIGHT CAMPING

Overnight camping in City Parks shall be authorized only by written permit issued by the Director of Parks and Recreation or his or her designee and shall be permitted only in those areas designated for camping during City-qualified special events which have been approved by the Director of Parks and Recreation or his or her designee.

No person shall engage in or set up a camp, tent, R.V., or trailer for overnight use in a City Park except as may be approved and permitted by the Director of Parks and Recreation or his or her designee.

SECTION 905.050: SOLICITATION, SALES AND COMMERCIAL USE

Solicitation by any individual or organization is strictly prohibited. No person shall sell or offer for sale or advertise any goods, merchandise, or any product, service or other goods, or solicit contributions, or maintain any concession in any City Park or City parking lot associated therewith, or use any City Park facilities or City Park property for commercial purposes except as authorized by the Director of Parks and Recreation or his or her designee or pursuant to a written agreement with the City of Blue Springs.

- A. No person shall erect or place or cause to be erected or placed a stand, building, structure, wagon, tent, vehicle, car, trailer or any other thing to be used for the purpose of selling, dispensing or conveying merchandise, refreshments, service, food, beverages, sports goods and supplies, or articles or advertisement of merchandise or service of any kind in or upon the a City Park unless such person has been granted permission by way of a written permit to do so by the Director of Parks and Recreation or his or her designee or is doing so pursuant to a written agreement with the City of Blue Springs.
- B. No person shall use any City Park, or sports court, athletic ball field, swimming pool, shelter, or facility or portion thereof, owned or leased by the City, for instruction of any sort concerning physical fitness or athletic performance for which a fee is charged by that person, or to operate or conduct individual or group lessons, clinics, fitness programs or to run tournaments for which a fee is charged unless such person has been granted permission by way of a written permit to do so by the Director of Parks and Recreation or his or her designee or is doing so pursuant to a written agreement with the City of Blue Springs. This prohibition applies both to the person giving the instruction and the person receiving it. This does not apply to training given by City employees or by the persons under a contract or permit with the City as part of a program of the Department. This does not apply to coaches of teams playing in City leagues or in leagues which have a lease, permit, or user agreement with the City to use a City facility for their sport's use.
- C. Any person that requests and is issued a permit to sell or dispense any merchandise, refreshments, service, food, beverages, sports goods, or supplies shall obtain and maintain a current City business license pursuant to Chapter 605 and any other required County or State license, or permit, and shall provide any required reports and payments to the City, County, or State.
- D. It shall be unlawful for any person to sell or dispense any merchandise, refreshments, service, food, beverages, good, and supplies in or from any City Park for a fee without approval and permit from the Director of Parks and Recreation or his or her designee or a valid contract to do so with the City.

SECTION 905.060: ADVERTISING AND SIGNAGE IN PARKS

Signage and advertising within City Parks shall conform to the City's Sign Code (Chapter 501) and more specifically as to Scoreboards and advertising in an athletic field in a City Park Section 501.130.

SECTION 905.070: HUNTING PROHIBITED; EXCEPTION

No person shall catch, trap, kill, pursue, hunt or harm wildlife in any manner at any time or place in any City Park, except, as may be directed by the Director of Parks and Recreation or any Federal, State, County, or City Law Enforcement Officer to preserve the safety of the citizens. Fishing is allowable at City Park facilities and will follow Missouri State Conservation guidelines except where posted differently.

- A. It shall be unlawful for any person within City Park boundaries to engage in commercial hunting or fishing or the buying and selling of animals, fowl, or fish trapped, shot, caught in any City Park or waters of any City Park.
- B. Wildlife - No person shall pursue, catch, kill, molest, possess, illuminate, spotlight, or take in any manner or any quantity any wildlife or destroy the dens or nest of any wildlife on any City Park lands except as approved and permitted by the Director of Parks and Recreation or his or her designee when necessary to control animal health or damage.

SECTION 905.080: ANIMALS AND PETS

- A. No person shall bring any domestic animal into any City Park unless such animal shall be in the immediate control of such person on a leash not exceeding six feet in length. This pertains to all assistive animals. The exception to this Section is dogs within the fenced in area of an area designated and posted as a dog Park(s) by the City so long as such dog does not harm or damage, or threaten to harm or damage any person or animal on public or private property or designated areas as approved by the Director of Parks and Recreation or his or her designee or unless authorized for special/permitted events.
- B. Horseback Riding – No person shall engage in horseback riding in City Parks or on City trails except as approved and permitted by the Director of Parks and Recreation or his or her designee.
- C. Petting zoos, exotic animals, dangerous animals & circus – No person shall bring into, or set up in, the City Park a petting zoo, pony rides, an exotic animal display, dangerous animals or a circus except as approved and permitted by the Director of Parks and Recreation or his or her designee.
- D. No domesticated animals are allowed on any athletic field at any time unless authorized by the Director of Parks and Recreation or his or her designee.
- E. The Sections in Chapter 215: Dogs, Cats, Animals and Dangerous Animals apply within City Parks, notwithstanding the provisions above which, if more restrictive, take precedence.

CHAPTER 910: PROHIBITED ACTIVITIES

SECTION 910.010: POSSESSION OF FIREARMS AND PROJECTILE SHOOTING DEVICES

The possession of firearms, air rifles, paint guns, BB guns, pellet guns, crossbow, long bow and slingshots in City Parks at any time is prohibited except for authorized Federal, State, County, or City Law Enforcement Officers

- A. Shooting into a City Park – No person shall discharge a firearm, crossbow, long bow, sling shot, air gun, paint gun, pellet gun, or other weapon in any City Park or into any City Park from beyond the Park boundaries.

SECTION 910.020: CONTROL OF SOUND SYSTEMS, EVENTS, OR NOISE WITHIN CITY PARKS

- A. No person shall play, use, operate or permit to be played, used or operated, any machine or electronic device or amplifier or speaker system for production or reproduction of sound in any City Park without approval and a permit from the Director of Parks and Recreation or his or her designee Director. This does not apply to small radios, MP3 players, headsets, earphones, etc.
- B. No person shall organize, gather together, or promote individuals or groups for the purpose of providing music in any City Park without the approval and a written permit from the Director of Parks and Recreation or his or her designee. This includes one person bands, multi-person bands, D.J.'s, or recorded music.
- C. Organized and scheduled or approved music may be permitted by the Director of Parks and Recreation or his or her designee between the hours of 8:00 am and 10:00 pm local time in most City Parks. Special permits may be secured for special events before 8:00 am or after 10:00PM.
- D. Sound systems provided, mounted and used for the announcement of sports games at City Park fields are permitted in the user agreement with the City. These systems must follow the regulations as to time of day, and users shall control the volume of the system so that the sound produced is sufficient to reach the intended audience (players and spectators) but not unreasonably disturb others within the City Park or residents near the City Park.
- E. The Sections in Chapter 230: Noise Control apply within City Parks, notwithstanding the provisions above which, if more restrictive, take precedence.

SECTION 910.030: OPERATION OF MOTOR VEHICLES IN CITY PARKS

No motor vehicle, other than those operated by City employees conducting City business in City Parks or emergency vehicles, shall be driven or parked within any City Park except upon designated roadways and parking lots unless authorized by the Director of Parks and Recreation or his or her designee. Motorized vehicles shall not be operated or parked on the paved or unpaved trails or on any grass area in any City Park unless designated and posted to allow such activity.

Stopping, standing or parking prohibited in specified places.

- A. It shall be unlawful for any person to park or leave unattended a motor vehicle except in places clearly marked for vehicle parking, except as may be approved and permitted by the Director of Parks and Recreation or his or her designee.

- B. It shall be unlawful for any person to park on grass without an approved permit from the Director of Parks and Recreation or his or her designee, or unless it is an emergency or the vehicle is disabled.
- C. It shall be unlawful to park on a City Park sidewalk, within an intersection, on a crosswalk, next to a designated safety zone marked as "No Parking", along a designated curb marked as "No Parking or painted in yellow", or within fifteen (15) feet of a fire hydrant.

SECTION 910.040: OPERATION OF SELF-PROPELLED VEHICLES WITHIN PUBLIC PARKS AND UPON CITY PROPERTY

It shall be unlawful to operate motor scooters, motor bikes, motorcycles or any other self-propelled vehicle within any City Park of the City or within or upon property owned by the City except upon regular driveways or parkways set aside for such vehicular traffic or upon areas in such City Parks or City owned places designated specifically for motor scooters, motor bikes, motorcycles or self-propelled vehicle use. The provisions of this Section shall not be applicable to any properly designated emergency vehicle operated in response to any emergency or to City-owned vehicles or maintenance equipment operated by City employees pursuant to their employment duties or any motorized wheelchair used for disability assistance.

SECTION 910.050: INTERFERENCE WITH A PARKS AND RECREATION DEPARTMENT EMPLOYEE'S ABILITY TO CARRY OUT THEIR DUTIES

No person shall, without lawful authority, prevent or interfere with any City Parks and Recreation Department employee's ability to perform his or her work or official duties.

SECTION 910.060: CERTAIN RECREATION ACTIVITIES PROHIBITED

A. Any activity in any City Park which endangers the lives of others or causes harm to City Parks or City Park facilities is prohibited. The Director of Parks and Recreation or his or her designee may allow certain activities, such as horseback riding, a petting zoo, circuses, etc. as part of any City festival or other special event through a special written use permit.

B. Radio model controlled planes/boats/cars/rockets.

1. No person shall operate a radio controlled aircraft within, or in air space above, a City Park. It is legal to operate radio controlled boats and cars in locations and at speeds that will not cause damage to other persons, vehicles, or the City Park system if control of the unit is lost.
2. No person shall operate, ignite, or set off a rocket in a City Park unless the Director has approved a written permit and adult supervision is present. The written permit will designate which City Park, the time of day, and the procedure which must be followed so as not to violate this ordinance.

C. Golfing in City Parks.

It shall be unlawful for people to practice golf or to golf in public City Parks, except in those areas designed, designated (posted) and established for golf.

D. Tennis courts.

It shall be unlawful for any person using a City Tennis Court to:

1. Wear non-athletic shoes or footwear on the tennis court surface.
2. Use a metal tennis racket on the tennis court without court guard protectors.
3. Operate or ride a bicycle, roller skates, roller blades, skateboards, or zip boards on any tennis court.
4. Conduct private or group tennis lessons on the public City tennis courts for financial gain unless as part of a City or Department sponsored program.

E. Archery in City Parks.

It shall be unlawful for people to practice archery or to shoot a long bow or crossbow in a City Park unless participating in a city sponsored program.

SECTION 910.070: DESTROYING PARK PROPERTY

No person shall destroy, deface, injure, remove or relocate any natural or man-made City Park property. The cutting of trees or vegetation for firewood or any other purpose is prohibited except by Parks and Recreation Department employees or as authorized by written permit by the Director of Parks and Recreation or his or her designee.

Trees/shrubs/or plants in City Parks.

A. Removal of trees/cutting of fire wood

It shall be unlawful for any person in a City Park to damage, cut, carve, paint, break, disfigure, transplant or remove any tree, plant or shrub, or injure the bark, or pick or cut flowers or seeds on any tree, plant or shrub. No person shall attach any rope, wire, or other contrivance to any tree or build or construct any structure in any tree. No person shall dig in or otherwise disturb grass areas, plant beds, or landscaped areas, or in any other way injure or impair the natural beauty or usefulness of any area. It shall be unlawful to cut, remove or trim any part of any tree or to cut down a tree, or to cut and remove fire wood from any City Park.

B. Planting or seeding trees/plants/shrubs.

It shall be unlawful for any person to plant, seed, transplant any tree/plant/shrub in any City Park without the approval and permit from the Director of Parks and Recreation or his or her designee.

C. Scattering of Human Remains

No person shall scatter, broadcast, throw or deposit ashes of human or animal remains in any City Park.

SECTION 910.080: FIREWORKS

The possession and use of fireworks in City Parks is prohibited except for use as defined in Chapter 235, Sections 235.010 through 235.040 and as possibly amended, unless authorized by the Director of Parks and Recreation or his or her designee, Central Jackson County Fire Protection District and other public entities as may be required.

SECTION 910.090: USE OF METAL DETECTORS, MINING AND PROSPECTING PROHIBITED

No person shall disturb or alter in any way the natural terrain in any City Park, unless the activity is associated with construction, repairs, or clean-up of said City Park. No person shall operate a metal detector, or mine or prospect for any mineral or artifact, without the written permission of the Director of Parks and Recreation or his or her designee.

SECTION 910.100: BOATING OR SWIMMING OR BATHING IN PARK LAKES

- A. Motorized boating, other than electric trolley motors of 50lbs. of thrust or less, shall be forbidden in all City Park lakes, except as permitted by the Director of Parks & Recreation or his or her designee. Boating, canoeing and kayaking shall be permitted on Lake Remembrance in Gregory O. Grounds Park.
- B. No person shall swim, bathe, wade, or float in or on any non-licensed device on any lake, pond, or stream in any City Park, except as specifically set forth in this Section, or except as may be approved and permitted by the Director of Parks and Recreation or his or her designee.
- C. No person shall ice skate, ice fish, sled, drive on or walk on or in the ice of any City Park lake or pond except in areas designated by the Director of Parks and Recreation or his or her designee that are signed and/or posted for that purpose.

SECTION 910.110: TRAIL USE – VEHICLES, HORSE, POWERED EQUIPMENT, MOBILITY DEVICES, DOGS, ETC.

- A. Persons operating a bicycle upon a City trail shall ride as near to the right side of the trail as practical, exercising due care when passing a pedestrian or other cyclist. Persons operating bicycles upon a City trail shall ride single file when passing a pedestrian or other cyclist. No person shall operate a bicycle upon a City trail at a speed greater than is reasonable and prudent under conditions then existing. Persons operating a bicycle on a City trail shall give an audible signal before passing a pedestrian or another cyclist.
- B. Pedestrians on a City trail shall remain as near to the right side of the trail as Practical and shall not walk or jog side by side so as not to block the trail for users that need to pass or are approaching from the opposite direction.

- C. Dogs on short leashes/leads, not more than 6 feet in length, are permitted on City trails. Dog owner/handlers must be in control of the dog(s) at all times. Dog owner/handlers must pick up, remove and dispose of dog droppings whether on or off the trail surface. Dog owner/handlers shall rein in the dog(s) to within four (4) feet of the owner/handler whenever meeting, overtaking, or being overtaken by another trail user.

SECTION 910.120: OFFENSES RELATED TO SPORTING EVENTS, COACHES, PARENTS, SPECTATORS AND CONDUCT

- A. Assault on a sports official, player, parent or spectator:
 - 1. A person commits the crime of assault on a sports official, player, parent, or spectator if:
 - a. The person attempts to cause or recklessly causes physical injury to a sports official, player, parent or spectator; or
 - b. With criminal negligence the person causes physical injury to a sports official, player, parent or spectator by means of a deadly weapon; or
 - c. The person purposely places a sports official, player, parent, or spectator in apprehension of immediate physical injury; or
 - d. The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to a sports official, player, parent, spectator; or
 - e. The person knowingly causes physical contact with a sports official, player, parent or spectator, knowing the person will regard the contact as offensive or provocative.
 - 2. A person who has been convicted of an assault under the circumstances enumerated in Subsection A.1(a), (b) or (d) may be sentenced to pay a fine which does not exceed five hundred dollars (\$500.00) or to serve a period of imprisonment which does not exceed six (6) months, or both. A person who has been convicted of assault under the circumstances enumerated in Subsection A.1(c) or (e) may be sentenced to pay a fine which does not exceed three hundred dollars (\$300.00), or to serve a period of imprisonment which does not exceed fifteen (15) days, or both.
- B. Harassment of a sports officials, player, parent, or spectator: A person commits the offense of harassment of a sports official, player, parent, or spectator if for the purpose of frightening or disturbing said person he/she communicates in writing or by telephone a threat to commit any felony as defined by State or Federal law against the sports official, player, parent, or spectator.

SECTION 910.130: GAMBLING

It shall be unlawful for any person to gamble or participate in or bet on any game of chance in a City Park.

SECTION 910.140: LIQUOR AND ALCOHOL AND ILLEGAL DRUG USE IN PARKS

- A. Any person in a state of intoxication in or on any City Park or City Park facility may be removed from the City Park or facility in order to protect that person.
- B. No person shall sell or distribute any alcoholic beverages in a City Park without the proper City, County, and/or State permits or licenses and approval from the Director of Parks and Recreation or his or her designee.
- C. No person shall take any alcoholic beverage into, or onto, any sports field during any scheduled/organized game/tournament in any City Park.
- D. No person shall possess or drink any alcoholic beverage on any sports field during any scheduled/organized game/tournament in any City Park. A sports field shall include any fenced area used for player seating and considered part of the field of play which would include dugouts, outfield, infield and foul territory for baseball/softball and the playing field and sidelines within 15 yards of the field for soccer and football.

SECTION 910.150: SMOKING IN PARKS

Smoking of tobacco products is prohibited in all facilities and locations within a City Park except for designated parking lots.

SECTION 910.170: SKATEBOARDING

- A. It is unlawful for any person to ride or operate a skateboard, manually powered scooter, or zip board on any brickwork, steps, ornamental surface, picnic table, tennis courts, fountain area, wading pool, planter, sculpture or other similar amenity located in a City Park or City property except in or on specifically designed and constructed skate Parks.

SECTION 910.180: CLIMBING TREES, MONUMENTS, BUILDINGS, ETC.

It shall be unlawful for any person in a City Park to climb on or up any tree, monument, building, flagpole, work of art, retaining wall, chimney swift tower, fence, sports goal, or other features or facilities, or to stand or sit upon monuments, fountains, railings, fences, tennis nets, or upon other property not designated or customarily used for such purposes.

CHAPTER 915: PENALTIES

SECTION 915.010: PENALTIES

Any and all Violations of TITLE XI shall be punished in accordance with Section 100.080 of this Code unless another penalty provision is specifically designated. Each

day any violation of any provision of this Title shall continue shall constitute a separate offense.”

Section 2. That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 6th day of May, 2013.

Carson Ross, Mayor

ATTEST:

Kathy Richardson, City Clerk

1st reading _____

2nd reading _____