

ORDINANCE NO. 1072

**AN ORDINANCE ESTABLISHING PARK REGULATIONS BY ADDING A NEW
CHAPTER 43 TO THE WASHINGTON CODE OF ORDINANCES**

BE IT ORDAINED by the City Council of the City of Washington, Washington County, Iowa:

SECTION 1. Add Chapter. A new Chapter 43, Park Regulations, is adopted as follows:

43.01 PURPOSE. The purpose of this chapter is to facilitate the enjoyment of park facilities by the general public by establishing rules and regulations governing the use of park facilities and regulating public access.

43.02 DEFINITIONS. The following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. "Park" means a park, reservation, playground, swimming pool, wading pool, recreation center, or any other area in the City, owned or used by the City, and devoted to active or passive recreation.
2. "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
3. "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 for baby carriages and vehicles in the service of the City parks.

43.03 USE OF DRIVES REQUIRED. No person shall drive any car, cycle other vehicle, or ride or drive any horse, in any portion of a park except upon the established drives or roadways therein or such other places as may be officially designated by the City.

43.04 FIRES. No fires shall be built, except in a place provided therefor, and such fire shall be extinguished before leaving the area unless it is to be immediately used by some other party.

43.05 LITTERING. No person shall place, deposit, or throw any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose.

43.06 PARKS CLOSED. No person shall enter or remain within any park between the hours of 10:30 p.m. and 6:00 a.m.

43.07 PARK PROPERTY. No person in a park shall:

1. Willfully mark, deface, disfigure, injure, tamper with or displace or remove, any building, bridge, table, bench, fireplace, railing, paving or paving materials, water line or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts or other boundary markers, or other

structures or equipment, facilities, or park property or appurtenances whatsoever, either real or personal.

2. Fail to cooperate in maintaining restrooms in a neat and sanitary condition. No person over the age of five (5) years shall use the restrooms and washrooms designated for the opposite sex.

3. Dig, or remove any sand, soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agencies, except on special written permit issued hereunder.

4. 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 issued hereunder.

5. Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or pick the flowers or seeds, of any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any way injure or impair the natural beauty or usefulness of any area.

6. Climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences or upon any other property not designated or customarily used for such purposes.

7. Tie or hitch a horse or other animal to any tree or plant.

8. Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird; nor remove or have in possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird.

43.08 SANITATION. No person in a park shall:

1. **Pollution of Waters.** Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, swimming pool or wading pool, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

2. **Refuse and Trash.** Have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to the park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly deposited elsewhere.

43.09 TRAFFIC. No person in a park shall:

1. **State Motor Vehicle Laws Apply.** Fail to comply with all applicable provisions of the state motor vehicle traffic laws and the traffic laws of the City of Carlisle in regard to equipment and operation of vehicles together with such regulations as are contained herein.

2. **Enforcement of Traffic Regulations.** Fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic

whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of this chapter as supplemented by any other regulations or ordinances duly adopted and passed by the City.

3. Obey Traffic Signs. Fail to observe carefully all traffic signs indicating speed, direction, cautions, stopping or parking, and others posted for proper control and to safeguard life and property.

4. Speed of Vehicles. Ride or drive a vehicle at a rate of speed exceeding ten (10) miles an hour, except upon such roads as designated by posted signs for speedier travel.

5. Operation Confined to Roads. Drive any vehicle on any area except the paved parking road or parking areas, or such other areas as may on occasion be specified or designated as temporary parking area.

6. Parking.

A. Full Parking. Full park on any road or driveway at time so as to block traffic.

B. Double Parking. Double park any vehicle on road or parkway unless directed by a public official.

C. Persons with Disabilities Parking. Park any vehicle in a designated persons with disabilities parking.

7. Bicycles.

A. Confined to Roads. Ride a bicycle on other than paved vehicular roads or path designated for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or any paved area reserved for pedestrian use.

B. Immobile. Leave bicycles on the ground or paving, or set against trees, or in any other place or position where other persons may trip over or be injured by them.

43.10 RECREATIONAL ACTIVITIES. No person in a park shall:

1. Picnic Areas and Use.

A. Regulated. Fail to observe that tables and benches shall be used on a first come, first served basis.

B. Non-exclusive. Use any portion of the picnic areas or park, or any other building or structures therein for the purpose of holding picnics to the exclusion of other persons nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded, unless reserved by special permit.

C. Open Burning and Fires Prohibited. Build or maintain a fire in a place other than park-provided cooking facilities, or commercially manufactured cooking equipment.

D. Camping. Camp in other than designated camping areas.

E. Games. Take part in or abet the playing of any games involving throwing or otherwise propelling objects such as arrows, stones, javelins, shot puts, or model airplanes except in areas set apart for such forms of recreation.

2. Horseback Riding. Ride a horse except on designated bridle trails. 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, nor shall they be hitched to any rock, tree or shrub.

43.11 BEHAVIOR. No person in a park shall:

1. Fireworks and Explosives by Permit Issued by Authorized City Official. Bring, or have in one's immediate 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 area except by permit issued by authorized City officials.

2. Domestic Animals. All dogs or other domestic animals shall be restrained at all times on adequate leashes, except in designated areas.

3. Fires. Build or attempt to build a fire except in such designated areas. No person shall with malicious intent throw, or otherwise scatter lighted matches, burning cigarettes or cigars or other inflammable material within any park area or on any highway, road or street abutting or contiguous thereto.

4. Closed Areas. Enter an area posted as "Closed to the Public," or use, or abet the use of any area in violation of posted notices.

5. Loitering. Remain idle in essentially one location, which includes the concepts of spending time idly, loafing, walking about aimlessly, and the colloquial expression "hanging around."

6. Boisterousness. Engage in any loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to breach the public peace.

7. Interfere with Permittees. Disturb or interfere unreasonably with any person or persons occupying any area, or participating in any activity under the authority of a permit.

43.12 VENDING AND PEDDLING. No person in a park shall:

1. Expose or offer for sale any article or thing, except under authority of a permit.

2. Announce, advertise, or call the public attention in any way to any article or service for sale or hire, or paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever, nor shall any person erect or cause to erect any sign whatever on any public land or highways or roads adjacent to the park.

43.13 PARK OPERATING POLICY.

1. Hours. Parks shall be open to the public during the designated dates as set by the City Council. The opening and closing hours for each individual park shall be posted

therein for public information.

2. **Closed Areas.** Any section or part of the park may be declared closed to the public.

3. **Lost and Found Articles.** The finding of lost articles by the park attendant shall be reported to the office of the City Clerk, who shall make every reasonable effort to locate the owners.

4. **Permit.** Special permits may be issued by the City Council with reference to extraordinary or unusual uses of the park system in question. Such permits may be obtained for conventions, concerts, sporting events and similar uses resulting in the accumulating of unusual crowds. Such permits shall be within the discretion of the City Council, which shall review the application in question, and either allow or deny said application. In the event of a denial, said denial shall contain a statement with reference to reasons for such action.

5. **Applications.** Applications with reference to park use shall be in writing and shall contain the following:

A. The name and address of the applicant.

B. The name and address of the persons, person, corporation or association sponsoring the activity, if any.

C. The day and hours for which the permit is desired.

D. The park or portion thereof for which the permit is desired.

E. Any other information which the City Council shall find reasonably necessary for fair determination as to whether or not a permit should be issued.

6. **Designated Officials.** The City may designate any officials or park attendants necessary to maintain said park and enforce the provisions of this chapter.

43.14 SWIMMING POOL. The City shall have exclusive control of the city swimming pool and the area surrounding it which is incidental to or a part of the pool.

43.15 ENFORCEMENT. The designated representatives of the City shall, in addition to the police force, have the authority to eject from the park any person acting in violation of this chapter. Such representatives shall be State, County or City officials or auxiliary police.

43.16 SPECIAL PERMITS. The City Council reserves the right and shall have the authority to issue special permits to groups or individuals pursuant to applications made by said persons with reference to exclusive or overtime use of any portion or portions of City-owned parks, which permit may restrict the use and either limit or extend said use with reference to the foregoing access time limitations.


43.17 EXTENSIONS OR RESTRICTIONS. The City Council may, by resolution, extend or restrict the hours of public access with reference to city-owned parks, and may in its discretion at any time restrict public access to said parks.

SECTION 2. Repealer Clause. Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance is hereby repealed, to the extent of said difference or inconsistency.

SECTION 3. Severability. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. Effective Date. This ordinance shall be in effect from and after final passage, approval, and posting and publication of this ordinance as required by law.

Passed and approved this 19th day of June, 2018.



Jaron P. Rosales Mayor

Attest:



Illa Earnest, City Clerk

Approved on First Reading: May 15, 2018
Approved on Second Reading: June 5, 2018
Approved on Third & Final Reading: June 19, 2018

I certify that the foregoing was published as Ordinance No. 1072 on the 25th day of June, 2018.



City Clerk