

## **Chapter 18 PARKS AND RECREATION**

**Sec. 18-1. Definitions.**

**Sec. 18-2. Hawking; peddling; selling.**

**Sec. 18-3. Fires.**

**Sec. 18-4. Firearms; fireworks.**

**Sec. 18-5. Garbage; trash.**

**Sec. 18-6. Parades, concerts, other assemblages.**

**Sec. 18-7. Disorderly or indecent conduct.**

**Sec. 18-8. Sleeping.**

**Sec. 18-9. Alcoholic liquor.**

**Sec. 18-10. Loitering, remaining in park overnight.**

**Sec. 18-11. Advertisements; handbills.**

**Sec. 18-12. Destruction of property.**

**Sec. 18-13. Motor vehicles.**

**Sec. 18-14. Harbor marina/fishing pier.**

**Sec. 18-15. Water pollution.**

**Sec. 18-16. Nonprofit sponsored activities.**

**Sec. 18-1. Definitions.**

The word "parks," unless specifically limited, shall be deemed to include all parks, beaches, grass plots, playgrounds, recreation areas, athletic fields, fishing piers, and other areas which are now or may hereafter be acquired by purchase, gift, devise, bequeath, loan or lease.

(Ord. of 9-17-96(4))

**Sec. 18-2. Hawking; peddling; selling.**

The city shall not provide public parks for private enterprise. No booth, tent, stall or other structure shall be erected for any purpose, and no hawking or peddling shall be done or any article or thing sold or exposed for sale on any public park or playground except nonprofit or civic service sponsored fundraising activities. These exceptions shall only be by written permission of the city commission and in conjunction with section 18-16 and adopted policy. For any ongoing sales of items within park system, the city commission shall hold a public hearing to receive public input prior to expanding any ongoing operations.  
(Ord. of 9-17-96(4); Ord. No. 198, 8-2-05)

**Sec. 18-3. Fires.**

No person shall kindle or build a fire in any public park except in receptacles provided therefor, or in designated areas where such is permissible.  
(Ord. of 9-17-96(4))

**Sec. 18-4. Firearms; fireworks.**

No unauthorized person shall fire or discharge any firearm or throw stones or other missiles; nor fire, discharge or set off any rocket, cracker, torpedo, or other fireworks containing any substance of an explosive nature in any public park. This prohibition shall not prevent special fireworks expositions to be given under the auspices of the city commission.  
(Ord. of 9-17-96(4))

**Sec. 18-5. Garbage; trash.**

No person in any municipal park shall bring in or dump or deposit bottles, glass, ashes, paper, garbage or other refuse or trash, and no garbage or trash shall be placed in receptacles in the park, except trash or refuse used in such park. Where receptacles are not so provided, all rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.  
(Ord. of 9-17-96(4))

**Sec. 18-6. Parades, concerts, other assemblages.**

No parades, drills, expeditions, political meetings, religious meetings, concerts, speeches, lectures, or assemblages of persons shall be held in any park, except upon written permission of the city commission.  
(Ord. of 9-17-96(4))

**Sec. 18-7. Disorderly or indecent conduct.**

No person shall use any threatening, obscene, profane or indecent language in the park, or be guilty of any disorderly or indecent conduct therein, nor shall any person engage in any game or conduct which threatens the general enjoyment of the park by the public.  
(Ord. of 9-17-96(4))

**Sec. 18-8. Sleeping.**

No person shall sleep, whether in a vehicle, trailer, tent, hammock, or other manner, in the park, (other than specified areas in the tourist park or rental slips of the municipal harbors) or public way or other public place during the nighttime, without written permit from the city commission.  
(Ord. of 9-17-96(4))

**Sec. 18-9. Alcoholic liquor.**

It shall be unlawful for any person to consume alcoholic liquor in any park or place named in section 18-1 or to have an open bottle or container of alcoholic liquor in his possession, except that, such restriction does not extend to lessees on their rented space in the city tourist park or lessees on their rented space in the municipal harbors. The city may extend authorization for consumption of alcoholic liquor in places named in section 18-1 upon written request to the city commission.  
(Ord. of 9-17-96(4))

**Sec. 18-10. Loitering, remaining in park overnight.**

No person shall loiter or remain upon any public park between 11:00 p.m. and 7:00 a.m. This shall not apply to persons in the act of docking boats or removing their boats from the docks or fishing from the boat launching facilities or the municipal fishing pier of the city; or persons in the act of loading or unloading their snowmobile(s) from their vehicle or trailer. Vehicles and trailers for snowmobiling purposes shall be allowed to remain only for parking purposes in Sportsman's Park for a maximum of 48 hours.  
(Ord. of 9-17-96(4); Ord. No. 190, 3-2-04)

**Sec. 18-11. Advertisements; handbills.**

No person shall advertise any placard or advertisement of any kind in the park, nor shall any person distribute any matter, or place any handbill, pamphlet, circular, etc., nor post, stencil or otherwise affix any notice of bills of advertisement or other papers upon any structure or thing in or about the park unless it be with the written consent of the city commission.  
(Ord. of 9-17-96(4))

**Sec. 18-12. Destruction of property.**

It shall be unlawful for any person to write upon, cut, mutilate, deface, damage, remove or destroy in any manner any building, equipment, structure, fountain, fence, bench, masonry, statue, ornament, tree, shrub, grass, or any other property, real or personal, or any appurtenances thereto, owned and operated by the city and located upon or in any park, parkway, boulevard, or in any other place or property under control of the city.  
(Ord. of 9-17-96(4))

**Sec. 18-13. Motor vehicles.**

All motor vehicles are prohibited from all park areas except the parking lot of such parks.  
(Ord. of 9-17-96(4))

**Sec. 18-14. Harbor marina/fishing pier.**

Only foot traffic is allowed on the harbor marina/fishing pier.  
(Ord. of 9-17-96(4))

**Sec. 18-15. Water pollution.**

No person in a park shall throw, discharge or otherwise place in the water or any fountains, streams or other bodies of water in or adjacent to any park, any substance, liquid or solid, which may result in water pollution.  
(Ord. of 9-17-96(4))

**Sec. 18-16. Nonprofit sponsored activities.**

Events sponsored by nonprofit organizations that restrict an individual's right to use and enjoy the public parks for their intended purposes must be approved in writing by the city commission. The city commission may require user fees to offset the public cost involved with the activity or may choose to waive any and all user fees.  
(Ord. of 9-17-96(4))