

ORDINANCE NO. A- 518

AN ORDINANCE REGULATING ACTIVITY ON AND IN CONWAY PARKS; ESTABLISHING PENALTIES FOR THE VIOLATION OF THESE REGULATIONS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS? certain activity in the public parks of the City of Conway is deemed undesirable by the City Council of the City of Conway, and

WHEREAS, certain activity as is hereinafter more particularly described constitutes a hazard and nuisance to the citizens of the City of Conway who want to enjoy the recreational facilities of the City of Conway.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS :

SECTION 1. DEFINITIONS. The following words and phrases when used in this Ordinance shall, for the purposes of this Ordinance have the meanings respectively ascribed to them, as follows:

- (a) "City." The City of Conway, Arkansas.
- (b) "Park" or "Parks." The public parks of the City of Conway, Arkansas, whether now in being or hereafter acquired or established.
- (c) "Vehicle." Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power.
- (d) "Motor Vehicle." Every vehicle which is self propelled.

SECTION 2. PARK PROPERTY. It is hereby declared to be the duty and responsibility of every person who shall enter upon the public parks of the City of Conway or who shall utilize the property and facilities thereof to aid in maintaining the beauty of such parks and preserving the facilities thereof. To that end, no person shall commit, aid in or knowingly permit the commission of any of the following acts:

- (a) Disfiguration and removal: No person shall wilfully mark, deface, disfigure, injure, tamper with, displace or remove any building, bridge, table, bench, fireplace, railing, paving or paving material, waterline or other public utility or part or appurtenance

thereof, sign, notice, or placard, whether temporary or permanent, monument, stake, post, or other boundary marker, or other structure or equipment, facility, timber, tree, shrub, wood, rock, minerals, soil, material, or any other park property or appurtenance whatsoever, either real or personal, whether the same be hereinabove designated or not.

(b) Rest rooms and washrooms: No person shall fail to co-operate in maintaining rest rooms and washrooms in a neat and sanitary condition. No person over the age of five years shall use any rest room or washroom other than those designated for the sex of such person.

(c) Sanitation: No person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, bayou or other body of water in or adjacent to any park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, whether liquid gas or solid, which will or may result in the pollution of said water.

No person shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash in any waters in or contiguous to any park, or upon the grounds thereof, except in the proper receptacles provided therefor, and if 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 shall be properly disposed of elsewhere.

SECTION 3. OPERATING POLICY. (a) Any section or portion of any park may be declared closed to the public at any time and for any interval of time deemed necessary, expedient or proper, either temporarily, permanently, or at regular or stated intervals, by the proper authorities of the City. All persons shall be prohibited from using any area so closed pursuant to this section of the ordinance.

(b) No person, group, association or organization shall use any of the pavilion facilities located in any of the parks of the City of Conway unless said person, group, association or organization shall have obtained a reservation for the use thereof through the Parks and Recreation Department.

(c) No person shall picnic or lunch at any place in a park other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors and persons in any park shall comply with any directions given by attendants to achieve this end.

(d) No fire whatsoever shall be set in any park except in areas designated as picnic areas and when the fire is contained within an incinerator, stove, charcoal broiler or other facility which will properly and safely contain said fire and when said fire is used only for outdoor cooking. If a person provides his own container it must be of a type which will not leave any burning substance or ashes in the park and all such containers shall be so placed so as to insure that no trees, shrubs or other property shall be exposed to flames. Provided, the Director of Parks and Recreation may designate an area or areas within the parks to be used solely for the purpose of an outdoor fire, commonly referred to as a "wiener roast!". No such fire shall be left unattended and the person or persons causing such fire shall fully extinguish said fire prior to leaving the area thereof.

(e) No person shall bring, have, possess or discharge any rifle, shotgun, pistol or other firearms, air rifle, "BB" gun or pellet gun or other like rifle or gun, upon the premises of any park, whether the same be loaded or unloaded.

SECTION 4. TRAFFIC. (a) It shall be unlawful for any person to operate a motor vehicle in any area in any part at a speed greater than that clearly designated by signs or other means, but in no event shall any motor vehicle be operated in any part at a speed in excess of 20 miles per hour.

(b) No motor vehicle shall be driven or operated, nor shall any bicycle or other means of transportation which is propelled by human power be ridden, nor shall any horse, pony or other animal be ridden or driven in any park except upon the streets, roads or parking lots therein or upon other paths or thoroughfares designated therefor. In no event shall any vehicle, motor vehicle, bicycle or other means of transportation propelled by human power, horse, pony, mule or other such animal, be placed, driven or permitted in any pavilion.

SECTION 5. DOGS. No dog shall be taken or permitted to enter into any park except when the same is in the possession and control of the owner thereof or of some other responsible person, and all dogs shall be on a leash and properly restrained thereby at all times while in any park.

SECTION 6. ALCOHOLIC BEVERAGE, It shall be unlawful for any person to have in his or her possession, custody or control or to consume any alcoholic beverages (including wine, beer or other spirituous liquors) of any kind whatsoever in any park.

SECTION 7. MERCHANDISING, ADVERTISING, AND SIGNS. No person in a park shall:

(a) Vending and peddling: Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is herein made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Parks and Recreation Commission.

(b) Advertising: Announce, advertise, or call the public attention in any way to any article or service for sale or hire.

(c) Signs: Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

SECTION 8. PENALTY. Violation of any of the provisions of this Ordinance shall constitute a misdemeanor and any person violating any of such provisions shall, upon conviction thereof, be punished by a fine or not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) and each prohibited activity made or done by any such person, shall be deemed a separate offense and punishable as such.

SECTION 9. REPEALING CLAUSE, This Ordinance shall be supplemental and in addition to, all Ordinances, or parts of Ordinances, relating to Parks and Recreation in the City of Conway and shall repeal only those Ordinances, or parts of Ordinances, in direct conflict herewith.

Ordinance No. A-____, Page 5.

SECTION 10. SAVING CLAUSE, If any part or provision hereof shall be held invalid, the remaining unaffected parts of this Ordinance shall nevertheless continue in full force and effect.

SECTION 11. EMERGENCY CLAUSE, Activities in the public parks of the City of Conway are increasing and the City Council feels that certain activity should be prohibited to protect the public peace. THEREFORE, an emergency is hereby declared to exist and this Ordinance being necessary for the preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.

PASSED: May 25, 1971.

APPROVED: _____
M a y o r

ATTEST:

Alvin G. Dunn
Clerk-Treasurer