ORDINANCE NO. 2016-14

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING SECTION 11.04.101 OF THE IVINS CITY CODE REGARDING PARK RULES & REGULATIONS

WHEREAS Ivins City and the Washington County Water Conservancy District have recently spent significant funds to improve and better define the swim area at Ivins Reservoir now known as the Fire Lake Park swim area;

WHEREAS, in addition to the rules and regulations applicable to city parks generally, the Ivins City Council desires to amend same to set forth express prohibitions at this newly improved swim area to protect the health, safety and welfare of those using the swim area and to protect the significant investment that has been made to improve the swim area for members of the public to use and enjoy;

NOW, THEREFORE, BE IT ORDAINED by the Ivins City Council that Section 11.04.101 setting forth city park rules and regulations be amended to add a provision setting forth express prohibitions applicable to the swim area:

11.04.101: RULES AND REGULATIONS:

(1) Alcoholic Beverages, Drugs or Gambling: The sale, consumption or possession of alcoholic beverages and/or controlled substances, as well as gambling of any kind, are prohibited in any and all city parks and recreation facilities and areas.

(2) Camping or Sleeping Overnight: Camping or sleeping overnight in city parks is prohibited without advance written permission from the parks and recreation department.

(3) Dangerous Weapons: (Rep. by Ord. 2014-17, 2014)

(4) Domestic Animal Restrictions: Horses, cattle, livestock and domestic animals of any kind are prohibited in any city park, except a cat or a dog on a leash and under the control of a person. Parks designated by the city as wilderness parks are exempted from application of this section. It is unlawful for the owner of an animal to permit the animal to defecate upon a public park unless the owner removes and properly disposes of all animal waste that may result.

(5) Encroachment of Park Lands: No person shall willingly encroach upon lands administered by the parks and recreation department.

(6) Entertainment and Similar Activities: No entertainment, demonstration, exhibition, meeting, concert or tournament, whether public or private, shall be given in any city park without having first obtained a permit therefor from the parks and recreation department at least fourteen (14) days prior to usage.

(7) Fireworks and Explosives: No person shall discharge or set off in any city parks, or recreation facilities or areas, any firecrackers, rockets or other fireworks or explosives, except as may be specifically and expressly permitted and allowed in writing by the city council.

(8) Glass Bottles: No person shall bring onto or possess glass bottles on any city park or recreational area.

(9) Large Groups: No group of twenty five (25) or more persons shall use a city park area without first obtaining a permit therefor from the parks and recreation department at least seven (7) days prior to usage. Group usage shall be limited to designated areas. No person shall use loudspeakers, amplifiers or public address systems in a park without written permission from the parks and recreation department.

(10) League or Tournament Games; Permit Required: Permits for playing league or tournament games on city park fields or courts shall be secured from the parks and recreation department on a first come, first served basis. A valid permit shall be displayed upon request in order to avoid conflicts in the use of facilities. Failure by park users to honor a valid permit is unlawful and may result in the denial of future permits to use the facilities.

(11) Littering Prohibited: It shall be unlawful to cause or allow any foreign material, papers, bottles, cans, rags or discarded articles of any substantial kind or nature to be left in any city park.

(12) Motor Vehicles: No person shall ride in or drive any motor vehicle (including both on road and off road vehicles, motorized scooters and mini-motorcycles), which is self-propelled upon any city park land, except upon the roads and parking areas. It is prohibited for any person to commit any act, by use or operation, of any motor vehicle on any city park land, which, if committed upon a public highway or street in the state, would be prohibited and unlawful. Speed limits within all parks shall be fifteen (15) miles per hour unless otherwise posted. No one shall test or repair any vehicle or mechanical device in any city park, except any vehicle, which may become disabled while at the park.

(13) Nighttime Use: No persons are permitted in any city park during the hours of darkness, except in those lighted areas designated for extended use activities or unless written permission is obtained from the parks and recreation department. All ball diamond and tennis court lighting shall be turned off by eleven o'clock (11:00) P.M. The city reserves the right to lock any gate, chain or door offering access to any park, facility or building in order to restrict nighttime usage thereof.

(14) Nuisance: It shall be a nuisance and unlawful for any person to use threatening, abusive, insulting or indecent language, to commit any obscene or indecent act, to fight or to create a public disturbance, or to skateboard or in-line skate outside designated areas, or to be under the influence of alcohol or drugs, or to engage in any activity that threatens the safety or well-being of other persons, or to otherwise disturb the peace of park users by begging, soliciting, making undue noise, or engaging in disruptive activities in any city park.

(15) Open Fires: No person shall make or kindle any open fire in any city park, except in fireplaces and/or grills provided for this purpose or in private portable commercially manufactured grills or grills approved safe by the parks and recreation department. Generally, the use of grills provided for public use shall be on a first come, first served basis; however, the use of any grills associated with the use of a park pavilion shall be included with the reservation of the pavilion.

(16) Parking: Parking shall only be in designated parking areas, but in no event overnight without written permission from the parks and recreation department. Abandoned vehicles, including vehicles left in the park overnight, shall be towed at the owner's expense.

(17) Refusal To Leave: It shall be unlawful for any person to refuse to leave any park if, after having violated any law or written rule or regulation of the city concerning conduct in city parks, he or she has been ordered to leave by a city employee.

(18) Signs and Advertising: No person shall, without written permission of the parks and recreation department, erect, paint, paste or otherwise affix or distribute any signs, advertisements or circulars on any city park property. The sale of anything or the solicitation of funds or donations within any city park is prohibited, except upon written permission of the parks and recreation department.

(19) Teaching in Parks: No person or group may utilize any city park area or facility for the purpose of teaching an individual or group any recreational skill for personal profit or financial gain without written permission of the parks and recreation department.

(20) Temporary Closure: The mayor or his designee may temporarily close or curtail activities upon any city park lands or waters, or any portions thereof, when it has been deemed to be in the best interest of public safety, conduct, health or order.

(21) Trapping Or Injuring Animals: No person, other than public safety personnel, shall, in any city park, set a trap or snare or kill, shoot, injure, annoy, disturb or poison any animal or injure or destroy any nest.

(22) Vandalism; Dumping: It shall be unlawful for any person to scratch, cut, break, move, take or otherwise injure, destroy or deface any restroom, trees, shrubs, plants, turf, rock, or any building, fence, bridge, sign or other structure, or to in any way foul or pollute any fountain, water feature, spring, stream, pond or lake, or to leave waste items or rubbish of any kind, or to commit any other act of vandalism to public or private property in any city park. No person shall dump any earth, rubbish or other substance or material in or upon any city park without written permission from the parks and recreation department.

(23) Fire Lake Park Swim Area at Ivins Reservoir. In addition to the above rules and regulations applicable to city parks in general, the following shall be expressly prohibited at the swim area at Fire Lake Park at Ivins Reservoir (defined as the causeway, the approximately 4 acre swim area and surrounding beach areas): alcohol; glass bottles/containers; motorized watercraft; motorized vehicles, including all-terrain vehicles; dogs and other pets; fires; fireworks; and littering. Generally, Fire Lake Park swim area hours are from dawn to dusk. The park is closed to the public between 10:00 p.m. and 6:00 a.m. It shall be illegal for any members of the public to be at the park between the hours of 10:00 p.m. and 6:00 a.m. and any vehicles remaining in the parking area during those hours shall be subject to citation and/or towing at the vehicle owners expense. (Ord No. 2016-14, 2016)

Effective Date: This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS _____ DAY OF JUNE, 2016 BY THE FOLLOWING VOTE:

	AYE	**NAY**	**ABSTAIN**	**ABSENT**
Dennis Mehr	_____	_____	_____	_____
Cheyne McDonald	_____	_____	_____	_____
Jenny Johnson	_____	_____	_____	_____
Steven Roberts	_____	_____	_____	_____
Ron Densley	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder