

CHAPTER XII. PUBLIC PROPERTY

Article 1. Parks, Recreational Areas

Article 2. Municipal Swimming Pool

ARTICLE 1. PARKS, RECREATIONAL AREAS

12-101. **PURPOSE AND INTENT.** It is hereby declared necessary for the benefit of the public at large to impose certain rules and regulations upon the use of public parks and recreational facilities. It is the intent of this article that all persons may peacefully enjoy the use of the parks and recreational facilities of the city, and to this end, any permits or authorizations required to be obtained from the park board may not be refused except for valid reasons applied uniformly to all persons. Any denial of permits is intended only for the protection of the citizens' rights to full and peaceful use of the parks and recreational facilities. Permits will be denied where the proposed use will infringe upon the general public's use of the area involved to such an extent as to deprive the general public the use of the parks and recreational facilities for the purposes intended.

(Ord. 278, Sec. 2)

12-102. **HOURS, OPENING AND CLOSING, FEES FOR USAGE.** City park recreational and picnic facilities will be closed to the public from 12:00 midnight to 5:00 a.m. daily, except for Southampton Lake, Old Oak Lake and North Timberlane Lake which will be closed to the public from 10:00 p.m. to 5:00 a.m. daily. The fees for use of such park facilities will be those determined from time to time by the governing body in consultation with city administrative personnel.

(Ord. 278-B; Code 2003, Ord. 888)

12-103. **INJURING PROPERTY OR REMOVING EQUIPMENT.** It shall be unlawful for any unauthorized person to break, cut, mutilate or injure, remove or carry away, any stone or stonework, bench, chair, seat, bower, stand, structure, fence or property, or anything whatsoever, in or upon any park, playground, golf course or recreational facility, or upon any other property owned or controlled by the city.

(Ord. 278, Sec. 4)

12-104. **TRASH, RUBBISH.** It shall be unlawful for any person to throw stones, sticks or rubbish of any kind into any lake, pond, stream or swimming pool and/or to deposit trash or rubbish of any kind in or upon any park, playground, golf course or recreational facility or upon any other property owned or controlled by the city, except in containers or facilities provided therefore.

(Ord. 278, Sec. 5)

- 12-105. CHASING GAME AND ANIMALS. It shall be unlawful for any person, other than a city officer or employee in the lawful discharge of his or her duty, to chase, kill, set snares for or catch any birds or wild animals in or upon any of the parks, playgrounds, golf courses or recreational facilities or upon any other property owned or controlled by the city.
(Ord. 278, Sec. 6; Code 2003)
- 12-106. FISHING AND HUNTING. (a) It shall be unlawful for any person to hunt, or discharge a weapon in an attempt to hunt, in or upon property owned or controlled by the city except in those areas specifically so designated by the governing body. Hunting shall be defined as by state statute and/or regulation.
(b) Fishing shall be in designated areas only, and unless exempt by law, a state issued fishing license is required. Fishing, limited to four (4) fish per person per day, is permitted in the following city owned waters:
1. Riggs Park
2. Old Oak Lake
3. Southampton Lake
4. North Timberlane Lake
(c) Seining, and use of dip and cast nets, is prohibited on all city owned waters.
(d) The taking, catching or killing of bullfrogs is prohibited on all city owned waters.
(Ord. 515; Code 2003, Ord. 888)
- 12-107. PERMITS. Permits will be required as follows:
(a) To reserve any Park Shelter House, Senior Center, Dewey Gunzelman Memorial Pool, Haysville Activity Center, Plagens-Carpenter Park or the Haysville Community Building and the fees are as established by sections 17-374, 17-359, 17-342, 17-315 and 17-356. Reservations will be made in the city clerk's office.
(b) To reserve a park site for the use of inflatable playground equipment. This permit requires:
1) Proof of liability insurance naming City as additional insured in the amount of \$1 million dollars;
2) Proof of business license from the business' originating City;
3) All contact and reservation information required by City Clerk.
(c) Three (3) copies of the permit will be issued:
1) One to the user of the shelter house, band shell or community building;
2) One to the police department; and
3) One will be filed at the city building.
(Ord. 278, Sec. 8; Code 2003; Code 2007; *Ord. 941*)
- 12-108. HORSEBACK RIDING. Horseback riding shall be permitted only in areas that have been so designated.
(Ord. 278, Sec. 9)

- 12-109. **FIRES.** Fires may be built only in ovens, stoves, fireplaces, portable grills or other facilities designed for that purpose and all such fires shall be extinguished before leaving the area. Fires may be prohibited entirely as a protective measure when ordered by the chief of police.
 Charcoal briquettes, wood or other materials used for fire or cooking purposes shall be extinguished before being deposited in trash containers. No hot or burning coals or materials of any kind shall be dumped or deposited on the grass.
 (Ord. 278, Sec. 10)
- 12-110. **SWIMMING, BATHING, WADING, SKATING OR USE OF A VESSEL.** Swimming, bathing, wading, skating, or the use of vessels in any of the ponds, lakes, rivers or waterways in parks or recreational facilities is prohibited except in designated areas, with city approval. The term vessel used herein means “every description of watercraft used or capable of being used as a means of transportation on water.”
 (Ord. 278, Sec. 11)
- 12-111. **ARCHERY.** Archery shall be permitted only in designated areas.
 (Ord. 278, Sec. 12)
- 12-112. **MODEL AIRPLANE FLYING.** Model airplane flying shall be permitted only in designated areas.
 (Ord. 278, Sec. 13)
- 12-113. **MOTOR OR ENGINE-DRIVEN VEHICLES OTHER THAN PARK MAINTENANCE VEHICLES.** Motor or engine-driven vehicles, including but not limited to go-carts, motorcycles, motor scooters, mini-bikes and motored bicycles, shall be permitted only in designated areas.
 (Ord. 278, Sec. 14)
- 12-114. **FIREWORKS IN THE PARK.** The discharging of fireworks in the city park areas will be in compliance with the existing city laws and in designated areas only.
 (Ord. 278, Sec. 15)
- 12-115. **ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES.** The use or consumption of any cereal malt beverage, alcoholic liquor or controlled substance is prohibited in any park.
 (Ord. 278, Sec. 16)
- 12-116. **UNLAWFUL ASSEMBLING AND ANNOYANCE OF OTHERS.** It shall be unlawful for any two (2) or more persons to assemble or loiter in any city park of the city, and there conduct themselves in a manner annoying to passersby, or to other occupants of the park.
 (Ord. 278, Sec. 17)

12-117. **OVERNIGHT CAMPING OR CAMP-OUTS.** Overnight camping or camp-outs will be permitted in designated areas only.
 (Ord. 278, Sec. 17)

12-118. **PENALTY.** Any person or persons violating any of the provisions of this article for which a penalty is not otherwise provided shall be punished by a fine in accordance with the general penalty provisions set out in section 1-121 of this code.
 (Ord. 278, Sec. 20; Code 1984; Code 2003)

ARTICLE 2.
MUNICIPAL SWIMMING POOL

12-201. **POOL OPEN, RULES AND REGULATIONS.** The municipal swimming pool of the city shall be opened to the public as herein limited at all proper and seasonable times subject to such rules and regulations herein contained and as the governing body of the city may from time to time adopt or authorize and as provided by the rules and regulations of the Kansas State Board of Health. The governing body may from time to time restrict the use of the municipal swimming pool by nonresidents.
 (Ord. 278, Sec. 18.2)

12-202. **PENALTY.** Any person or persons violating any of the provisions of this article for which a penalty is not otherwise provided shall be punished by a fine in accordance with the general penalty provisions set out in section 1-121 of this code.
 (Ord. 278, Sec. 20; Code 1984; Code 2003)