

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 324-16

**AN ORDINANCE**

amending Chapter 17 of the City Code as it relates to parks and recreation; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 17 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 17-41. Definitions.

For the purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given herein:

*Director.* A person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

*Park.* A park, reservation, playground, beach, recreation center or any other area in the city, owned or used by the city, and devoted to active or passive recreation.

*Unmanned aircraft system.* A small unmanned aircraft weighing less than fifty-five (55) pounds operated in accordance with federal, state and local laws, rules and regulations.

*Vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks~~Any wheeled conveyance, whether motor-powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description. An exception is made for baby carriages and vehicles in the service of the city parks.~~

...

Sec. 17-42. Enforcement.

(a) *Officials.* The director, park rangers, and park attendants shall, in connection with their duties imposed by law, diligently enforce the provisions of this article.

(b) *Ejection.* The director, park rangers, and any park attendant shall have the authority to eject from the park any person acting in violation of this article.

(c) *Seizure of property.* The director, park rangers and any park attendant shall have the authority to seize and confiscate any property, thing or device unlawfully in the park, or used unlawfully, in violation of this article.

...

Sec. 17-44. Use of Mobility Aids

(a) *Use of mobility aids.* Individuals with mobility disabilities are permitted to use wheelchairs and manually powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices, designed for use by individuals with mobility disabilities in any area open to pedestrian use. Individuals with mobility disabilities are permitted to use power-driven mobility devices in any area open to pedestrian use in a park unless the director adopts a regulation pursuant to this section.

(b) *Regulations on use of power-driven mobility aids.* The director is authorized to establish regulations related to the use of a power-driven mobility device if the director determines that a particular power-driven mobility device cannot be operated in accordance with legitimate safety requirements. In determining whether to adopt a regulation related to the use of a power-driven mobility device in a specific park, the director shall consider:

- (1) The type, size, weight, dimensions, and speed of the device;
- (2) The park's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- (3) The facility's design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user);
- (4) Whether legitimate safety requirements can be established to permit the safe operation of the power-driven mobility device in the specific facility; and
- (5) Whether the use of the power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural

resources, or poses a conflict with federal land management laws and regulations.

A regulation adopted pursuant to this section shall be posted in the applicable park, the director's office and on the city's website.

(c) Compliance with regulations required. It shall be unlawful to use a power-driven mobility device in violation of a regulation adopted by the director.

Secs. ~~17-44-17-45~~ -17-50. Reserved.

...

Sec. 17-53. Climbing trees, monuments, etc.

It shall be unlawful for any person in a park to climb any tree or walk, stand or sit upon monuments, vases, fountains, railings, fences ~~or gun carriages~~ or upon any other property not designated or customarily used for such purposes. It shall be unlawful to tie or tether any object, including but not limited to hammocks and slacklines, to a tree, monument, vases, fountains, railings, fences, goal posts or any other park fixture or natural feature. This section shall not prohibit the attachments of hammocks and slacklines to installed posts upon which signage indicates that the posts are for the placement of hammocks and slacklines.

...

Sec. 17-55. Restrooms and washrooms.

It shall be unlawful for any person in a park to fail to cooperate in maintaining park restrooms and washrooms in a neat and sanitary condition. ~~No person over the age of four (4) years shall use the restrooms and washrooms designated for the opposite sex.~~

...

Sec. 17-77. Enforcement of traffic regulations.

It shall be unlawful for any person in a park to fail to obey any traffic officer, park ranger, or park employee, 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 these regulations and such supplemental regulations as may be issued subsequently by the director.

Sec. 17-78. Vehicle operation confined to roads.

It shall be unlawful for any person in a park to drive any vehicle on any area except the paved park roads or parking areas or such other areas as may, on occasion, be

specifically designated as temporary parking areas by the director. This section shall not apply to vehicles used by the city for park maintenance or to power-driven mobility devices used by an individual with a mobility disability when operated in accordance with this chapter and any regulations adopted by the director pursuant to section 17-44.

...

#### Sec. 17-80. Speed of vehicles.

No person shall drive a vehicle in a park at a greater speed than is reasonable and approved under conditions then and there existing. It shall be unlawful for any person in a park to ride or drive a vehicle at a rate of speed exceeding that posted. Where no speed limit is posted, it shall be unlawful for a person, where no special hazard exists, to drive a vehicle in a park at a speed in excess of fifteen (15) miles per hour.

#### Sec. 17-81. Parking.

It shall be unlawful for any person in a park to park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions thereat and with the instructions of any attendant who may be present. This shall not apply to vehicles used by the city for park maintenance and to power-driven mobility devices used by an individual with a mobility disability.

...

#### Sec. 17-91. Swimming and bathing.

(a) *Designated areas.* It shall be unlawful for any person in a park to swim, bathe or wade in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor, and in compliance with such regulations as are herein set forth or may be hereafter adopted. It shall be unlawful for any person in a park to swim, bathe or wade in any waters or waterways in or adjacent to a park ~~Nor shall any person frequent any waters or places customarily designated for the purpose of swimming or bathing, or congregate thereat,~~ when such activity is prohibited by the director upon finding that such use of the water would be dangerous or otherwise inadvisable.

(b) *Certain hours.* It shall be unlawful for any person in a park to swim, bathe or wade in ~~frequent any waters or places designated for the purpose of swimming or bathing, or congregate thereat,~~ except between such hours of the day as shall be designated by the director for such purposes for each individual area.

(c) *Bath houses.* It shall be unlawful for any person in a park to dress or undress on any beach, or in any vehicle, toilet or other place, except in such bathing houses or structures as may be provided for that purpose.

(d) *Costume.* It shall be unlawful for any person in park to allow himself to be so covered with a bathing suit or other clothing so as to indecently expose his or her person in a manner that is likely to cause affront or alarm, ~~or to appear in bathing costume at any place in the parks except within the limits of designated bathing places or areas.~~

(e) The director is authorized to establish rules for areas designated for swimming and bathing. It shall be unlawful for any person to fail to comply with posted rules at a designated swimming or bathing area.

#### Sec. 17-92. Boating.

(a) *Designated areas.* It shall be unlawful for any person in a park to bring into or operate any boat, raft or other water craft, whether motor-powered or not, upon any waters, except at places designated for boating by the director. It shall be unlawful to operate or use a boat in a designated swim area, except for official boating as is necessary due to an emergency or to keep the areas properly protected and policed. Boating—Such activities shall be in accordance with applicable regulations as are now or may hereafter be adopted. In areas designated by the director, only sailboats, hand-propelled crafts and boats with electronic trolling motors are permitted. It shall be unlawful for any person to operate in a park any boat, raft or other watercraft with a length greater than twenty-four (24) feet.

(b) *Public docks.* It shall be unlawful for any person in a park to use the public docks for dockage or other purposes without first making arrangements for such accommodation with the director, who shall assign space and collect reasonable rental charges in conformity with established regulations and rates.

(c) *Operation of boats.* It shall be unlawful for any person in a park to navigate, direct or handle any boat in such manner as to unjustifiably or unnecessarily annoy or frighten or endanger any person.

(d) *Safety vest required.* It shall be unlawful for a person to be in a boat, raft or other watercraft in a city park without wearing a coastguard approved safety vest properly fastened.

(e) *Operation of boats after sundown and before sunrise.* Any person who operates or uses a boat in a city park at any time after sundown and before sunrise shall display red and green sidelights visible from a distance of at least one (1) mile away on a dark, clear night and an all-round white light or both a masthead light and a stern light which are visible from a distance of at least two (2) miles away on a dark, clear night. The all-round white light (or the masthead light and stern light) shall be visible from all directions in a 360 degree circle.

#### Sec. 17-93. Fishing.

(a) *Commerce prohibited.* It shall be unlawful for any person in a park to engage in commercial fishing, or the buying or selling of fish caught in any waters.

(b) *General prohibition.* It shall be unlawful for any person in a park to fish in any waters, ~~whether fresh or salt,~~ and whether by the use of hook and line, net, trap or other device, except in waters designated by the director for that use and under such regulations and restrictions as have been or may be prescribed by the director.

(c) *Off-shore.* It shall be unlawful for any person in a park to fish off-shore from the beaches except from such portions thereof as may be staked off and posted therefor, or to at any time fish in any area where bathing or swimming is permitted or in designated off leash dog parks.

(d) *Prohibition during closed hours.* It shall be unlawful for any person in a park to launch, dock, or operate any boat of any kind on any waters between the closing hour of the park at night and the opening hour the following morning, nor shall any person be on, or remain on or in, any boat during the closed hours of the park.

#### Sec. 17-94. Picnic areas.

(a) *Use generally.* ~~It shall be unlawful for any person in a park to picnic or lunch in a place other than those designated for that purpose.~~ The director shall have the authority to regulate the activities in such picnic areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to achieve this end.

(b) *Availability.* It shall be unlawful for any person in a park to violate the regulation that use of the individual fireplaces together with tables and benches follows generally the rule of "first-come, first-served," except in those cases where prior reservations have been made with the director.

(c) *Nonexclusivity.* It shall be unlawful for any person in a park to use any portion of the picnic areas or any of the buildings or structures therein for the purpose of holding picnics to the exclusion of other persons, or to use such area and facilities for an unreasonable time if the facilities are crowded, except in those cases where prior reservations have been made with the director.

(d) *Duty of picnicker.* It shall be unlawful for any person in a park to leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

#### Sec. 17-95. Camping.

It shall be unlawful for any person in a park to camp in other than designated areas for organized camping, provided by the director and used by groups of persons under

adequate supervision. Except in areas designated for organized camping or pursuant to a permit issued by the director, no ~~No~~ person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park, after closing hours, any movable structure or special vehicle to be used or that could be used for such purpose, such as a house-trailer, camp-trailer, camp-wagon or the like. Except in areas designated for organized camping, it shall be unlawful for any person to sleep on the seats, or benches, or other areas in a park.

#### Sec. 17-96. Games.

It shall be unlawful for any person in a park to take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or to operate unmanned aircraft systems or model airplanes from a location in a park, except in areas set apart for such forms of recreation or in areas designated by special permit issued by the director. The playing of rough or comparatively dangerous games such as football, baseball, softball, lacrosse and rugby ~~quoits~~ is prohibited except in the fields and courts or areas provided therefor. Roller skating shall be confined to those areas specifically designated for such pastime. This section shall not prohibit the operation of unmanned aircraft systems by a remote pilot in command who is physically located outside of a park when the operation is done in compliance with federal laws, rules and regulations, or a certificate of authority issued by the Federal Aviation Administration.

#### Sec. 17-97. Horseback riding.

It shall be unlawful for any person in a park to 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. It shall be unlawful to allow a horse to defecate upon any city trail or in any city park. It is a specific defense to a charge of violating this section that the person charged immediately removed the deposit and properly disposed of it.

#### Sec. 17-98. Hunting; carrying and use of weapons.

(a) It shall be unlawful for any person in a park to use, carry or possess firearms of any description, or air rifles, spring-guns, bow and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. It shall be unlawful for any person to shoot into park areas from beyond the park boundaries.

(b) This section shall not prohibit any person in a park from carrying a concealed firearm if the person is lawfully carrying the concealed firearm pursuant to the laws of the state of Missouri ~~has a valid concealed carry endorsement issued by the Missouri director of revenue under Section 571.094 RSMo~~ or has a valid permit or endorsement to carry concealed firearms, issued by another state or political subdivision of another state.

(c) This section shall not prohibit any person from participating in any parks and recreation department archery program or event.

(d) This section shall not prohibit any person from participating in any deer hunting program established by the city.

Sec. 17-99. Electrically-assisted pedal powered cycle on designated trails.

(a) For purposes of this section, the following definitions apply:

“Cycle” shall mean any device upon which a person may ride; propelled by human power, having two (2) or more wheels, excluding wheelchairs.

“Electrically-assisted pedal powered cycle” is defined as a device weighing less than one hundred twenty-five (125) pounds, having two (2) or more wheels that are a minimum of sixteen (16) inches in diameter with fully operable pedals upon which a person may pedal the cycle, propelled by human power with the assistance of an electric motor of less than seven hundred fifty (750) watts or one horsepower (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor, is less than twenty (20) miles per hour.

(b) Electrically-assisted pedal powered cycles shall only be operated on the following trails and hard surface city trail connectors:

- (1) MKT Trail;
- (2) Hinkson Creek Trail;
- (3) Hominy Creek Trail;
- (4) Scott’s Branch Trail;
- (5) Grindstone Trail;
- (6) County House Trail;
- (7) Bear Creek Trail; and
- (8) South Providence Trail.

(c) Rules applicable to electrically-assisted pedal powered vehicles are:

- (1) No person shall operate an electrically-assisted pedal powered cycle on a city trail or in a city park at speeds greater than fifteen (15) miles per hour; and



- (2) It shall be unlawful to operate an electrically-assisted pedal powered cycle on a city trail in a careless and imprudent manner.

Secs. ~~17-99-17-100~~—17-105. Reserved.

...

Sec. 17-108. ~~Loitering, disorderly conduct~~ Peace disturbance in a park.

It shall be unlawful for any person in a park to: ~~sleep or protractedly lounge on the seats, or benches, or other areas.; or to engage in loud, boisterous, threatening, abusive, insulting or indecent language; or to engage in any disorderly conduct or behavior tending to a breach of the public peace.~~

- (1) Unreasonably and knowingly disturb or alarm another person or persons by:

- a. Loud noise; or
- b. Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or
- c. Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out; or
- d. Fighting; or
- e. Creating a noxious and offensive odor.

- (2) Purposely cause inconvenience to another person or persons by unreasonably and physically obstructing:

- a. Vehicular or pedestrian traffic; or
- b. The free ingress or egress to or from the park.

...

Sec. 17-110. Skating, walking, etc., on ice.

It shall be unlawful for any person in a park to go onto the ice on any of the waters, except such areas as are designated as skating fields, and provided a safety signal or sign is displayed.

Sec. 17-111. ~~Appropriate clothing~~ Restrictions on sexual conduct in a park.

It shall be unlawful for any person in a park to: ~~appear at any place in other than proper clothing. With the exception of the restricted bathing areas, "properly clothed" shall be construed to prohibit the wearing of trunks or clothing that does not cover the upper portion of the body.~~

- (1) Expose his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;
- (2) Have sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or
- (3) Have sexual intercourse in a public place in the park.

...

Sec. 17-114. Alcoholic beverages prohibited in certain parks.

(a) Except as allowed in subsection (a-c), it shall be unlawful for any person to possess or consume any alcoholic beverage in any of the following city parks:

- (1) Paquin Park; and
- (2) Flat Branch Park; and
- (3) ~~Village Square Park.~~

(b) The definition of "alcoholic beverage" contained in chapter 4 shall apply to this section.

(c) This section shall not apply to any person possessing or consuming an alcoholic beverage at an event in a park where alcoholic beverages are allowed under a permit issued by the director under section 17-134.

...

Sec. 17-121. Advertising generally.

It shall be unlawful for any person in a park to announce, advertise or call the public attention in any way to any article or service for sale or hire. An exception shall be granted to any regularly licensed concessionaire acting by and under the authority and regulation of the director, or pursuant to and in compliance with a special event permit.

Sec. 17-122. Vending and peddling.

It shall be unlawful for any person in a park to expose or offer for sale any article or thing, or to station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. An exception is made as to any regularly licensed concessionaire acting by and under the authority and regulation of the director or pursuant to and in compliance with a special event permit.

...

Sec. 17-131. Hours of operation.

Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information. If there is no sign posted, the hours of operation are 6:00 a.m. to 11:00 p.m. It shall be unlawful to enter or remain in a park when the park is closed.

Sec. 17-132. Closed areas.

Any section or part of any park may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the director shall find reasonably necessary. It shall be unlawful to enter or remain in a section or part of a park declared closed to the public.

Sec. 17-133. ~~Lost and found articles~~ Metal detectors and geocaching.

~~The finding of lost articles by park attendants shall be reported to the director, who shall make every reasonable effort to locate the owners. The director shall also make every reasonable effort to find articles reported as lost. It shall be unlawful to use metal detectors in a park without a permit. It shall be unlawful to place and leave caches or other containers for the purpose of geocaching or treasure hunting in a park without a permit.~~

Sec. 17-134. Permit.

(a) *Required.* A permit shall be obtained from the director before participating in any special use or activity in a park. A list of such uses and activities shall be kept on file in the office of the parks and recreation department.

(b) *Application.* A person seeking issuance of a permit hereunder shall file an application with the appropriate director. The application shall state:

- (1) The name and address of the applicant.
- (2) The name and address of the person sponsoring the activity, if any.

- (3) The day and hours for which the permit is desired.
- (4) The park or portion thereof for which such permit is desired.
- (5) An estimate of the anticipated attendance.
- (6) Any other information which the director shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

(c) *Standards for issuance.* The director shall issue a permit hereunder when the director ~~he~~ finds:

- (1) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
- (2) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
- (3) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
- (4) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by city.
- (5) That the facilities desired have not been reserved for other use at the day and hour required in the application.
- (6) That, if public liability insurance is required, the applicant has provided the director with a certificate of ~~public-general~~ liability insurance covering the proposed use or activity. Public General liability insurance shall be required as follows:

a. No insurance shall be required for events that use a park or park facilities for activities for which the park or park facilities were designed and that do not bring temporary portable facilities, structures or devices into the park. The director may allow for the innovative use of facilities for new activities with the use of temporary portable facilities or devices under reasonable regulations. Anyone wishing to make application for such activity shall provide the director with information as required by the director, which may include rules of conduct and a list of equipment that is used or required for the activities. The director may evaluate the activity on the impact to facilities, the safety and experience of the public and participants, and any other reasonable criteria related to the standards for issuance. The director may require insurance at a level to protect the city and the public after

consultation with the city's risk manager, or allow for the activity under required rules and regulations, or reject/revoke a permit for the activity.

b. ~~Public-General liability insurance in the amount of one-two million dollars (\$~~1-2,000,000.00~~) for all claims arising out of a single accident or occurrence and five ~~three~~ hundred ~~fifty~~-thousand dollars (\$~~350-500,000.00~~) for any one person in a single accident or occurrence, naming the city as ~~co-~~insured-an additional insured, shall be required for events that involve moderate risk, such as:~~

- i. Festivals, concerts, contests, athletic camps and events, exhibitions and celebrations that are open to the general public and that are expected to have an attendance of one thousand five hundred (1,500) or less and that do not include the use of any high risk device or the participation in any high risk activity. (See examples in item c. below.)
- ii. The landing or take-off of individual hot air balloons (excluding commercial rides).
- iii. Any other event or activity that, in the judgment of the director, involves a moderate risk of injury.

c. ~~Public-General liability insurance in the amount of two-three million dollars (\$~~2,000,000.00-3,000,000.00~~) for all claims arising out of a single accident or occurrence and three-five hundred ~~fifty~~-thousand dollars (\$~~350,000.00-500,000.00~~) for any one person in a single accident or occurrence, naming the city as ~~co-~~insured-an additional insured, shall be required for events that involve a high risk, such as:~~

- i. Festivals, concerts, contests, athletic camps and events, exhibitions and celebrations that are open to the general public and that are expected to have an attendance of one thousand five hundred (1,500) or more or that involve a high risk of injury.
- ii. Hot air balloon festivals or competitions.
- iii. Events involving animals for show, display or rides.
- iv. Events involving devices that entail risk of injury including, but not limited to, inflatables (such as bounce houses, but excluding inflatables that are predetermined by the director to be for a sport or recreation activity), dunking booths, amusement or carnival rides, mock weapons, or battery or gas powered devices/toys.

v. Any other event or activity that, in the judgment of the director, involves a high risk of injury.

d. The following involve excessive risk and shall not be allowed in city parks:

i. Tethered hot air balloon rides.

ii. Climbing walls.

iii. Fireworks, pyrotechnic displays and torpedo/rockets.

iv. Helicopters, airplanes, powered parachutes, hang gliders and other aerial or aviation devices other than hot air balloons and unmanned aircraft systems as defined in section 17-41.

v. Motorized vehicle races or contests and precision driving contests and stunts.

vi. Remote control airplanes.

(d) *Appeal.* Within five (5) days after receipt of an application, the director shall apprise an applicant, in writing, of his reasons for refusing a permit, and any aggrieved person shall have the right to appeal, in writing, within five (5) days to the city manager, who shall consider the application under the standards set forth in subsection (c) hereof, and sustain or overrule the director's decision within five (5) days. The decision of the city manager shall be final.

(e) *Effect of permit.* A permittee shall be bound by all park rules and regulations, the terms of the permit, and all applicable ordinances as fully as though the same were inserted in said permits.

(f) *Liability of permittee.* The person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person to whom such permit shall have been issued.

(g) *Revocation.* The director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.

...

Sec. 17-143. Trail and park use by dogs.

(a) No person responsible for a dog shall permit the dog to be on any city trail or in any city park, unless the dog is held on a leash. The dog shall be reined in to within four

(4) feet of the responsible person whenever it approaches or is approached by another trail or park user. This section does not apply in areas designated as a dog park.

(b) No person responsible for a dog shall permit the dog to defecate upon any city trail or in any city park. It is a specific defense to a charge of violating this section that the person charged immediately removed the deposit and properly disposed of it.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor