

CHAPTER 96: PARKS AND RECREATION

Section

General Provisions

96.01 Parks, playground and recreation system

Park Regulations

96.15 Definitions

96.16 Amplified sound

96.17 Vendors

96.18 Races

96.19 Ball playing

96.20 Climbing fences surrounding parks

96.21 Operation of bicycles, motor vehicles in parks

96.22 Drugs; fireworks

96.23 Fires

96.24 Depositing garbage, refuse in containers

96.25 Closing hours

96.26 Reservation of shelter areas

96.27 Toys

96.28 Animals

96.29 Prohibiting the use of Flagship Park by organized athletic teams

96.99 Penalty

GENERAL PROVISIONS

§ 96.01 PARKS, PLAYGROUND AND RECREATION SYSTEM.

Pursuant to the authority of KRS 97.020, there is hereby created and established a parks, playground and recreation system for the city for the health, welfare, benefit and use of the citizens, residents and taxpayers thereof; and nobody shall cause, promote, allow, aid, assist, encourage or engage in any activity within any park or playground of the city which is contrary thereto.

(1969 Code, § 33.10) (1996 Code, § 96.01) (Ord. 2153, passed 4-4-2000) Penalty, see § 96.99

PARK REGULATIONS

§ 96.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANYBODY. Any human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated, associated or otherwise.

CITY. The Public Affairs Committee of the city or their designee.

DRUG. See KRS 218.010(13).

EVERYBODY. Every human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated, associated or otherwise.

NOBODY. No human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated, associated or otherwise.

PARK. Any area owned or operated by the city for recreational purposes.

SIGN. Any written or graphic announcement, declaration, demonstration, display, illustration, insignia or illumination used to advertise or promote the interests of any person.

(1969 Code, § 94.01) (1996 Code, § 96.15) (Ord. 1603, passed 8-3-1976; Ord. 2302, passed 6-3-2008)

§ 96.16 AMPLIFIED SOUND.

No person shall cause or permit the amplification of any sound within a park unless a permit therefor has been obtained from the city.

(1969 Code, § 94.03) (1996 Code, § 96.19) (Ord. 1603, passed 8-3-1976) Penalty, see § 96.99

§ 96.17 VENDORS.

No person shall sell or expose for sale any goods, property or material within any park unless a permit therefor has been obtained from the city.

(1969 Code, § 94.08) (1996 Code, § 96.21) (Ord. 1603, passed 8-3-1976) Penalty, see § 96.99

§ 96.18 RACES.

No person shall conduct, engage in or attend any vehicular races or speed contests in a park.

(1969 Code, § 94.06) (1996 Code, § 96.22) (Ord. 1603, passed 8-3-1976) Penalty, see § 96.99

§ 96.19 BALL PLAYING.

No person shall propel a solid ball, except soft rubber balls, on or into any portion of a park except those portions which are designated therefor.

(1969 Code, § 94.07) (1996 Code, § 96.23) (Ord. 1603, passed 8-3-1976) Penalty, see § 96.99

§ 96.20 CLIMBING FENCES SURROUNDING PARKS.

No person shall climb upon, over or under any fences within or enclosing any park.

(1969 Code, § 94.09) (1996 Code, § 96.24) (Ord. 1603, passed 8-3-1976) Penalty, see § 96.99

§ 96.21 OPERATION OF BICYCLES, MOTOR VEHICLES IN PARKS.

Nobody other than officers and employees of the city shall conspire, cause, permit, promote, encourage, aid, assist or engage in any of the following activities or occurrences anywhere in any park in the city:

(A) The operation or use of any non-motorized wheeled vehicle upon any park area, other than recreational trails and other park areas that have been identified and designated for such use by signs installed and maintained by the city; and

(B) The operation or use of any motor vehicle upon any park area other than paved driveways parking areas that have been identified and designated for such use by signs installed and maintained by the city, with the exception of three-wheeled vehicles propelled by batteries of 12 volts or less, and used by a person with ambulatory handicaps.

(1996 Code, § 96.25) (Ord. 2302, passed 6-3-2008) Penalty, see § 96.99

§ 96.22 DRUGS; FIREWORKS.

Nobody shall conspire, cause, permit, promote or encourage or engage in the possession of any dangerous drugs, fireworks, brass knuckles, blackjack, billy or a knife with a gravity or switchblade, or a blade in excess of three inches.

(1996 Code, § 96.26) (Ord. 2302, passed 6-3-2008) Penalty, see § 96.99

§ 96.23 FIRES.

No person shall cause, permit or attend, or use any fire within a park except in the grills and fireplaces provided therefor, unless a permit therefor has been obtained from the city.

(1969 Code, § 94.11) (1996 Code, § 96.29) (Ord. 1603, passed 8-3-1976) Penalty, see § 96.99

§ 96.24 DEPOSITING GARBAGE, REFUSE IN CONTAINERS.

No person shall cause or permit any trash, garbage, refuse or other waste materials to be thrown, scattered, dumped or deposited in any park except in containers provided therefor.

(1996 Code, § 96.30) (Ord. 1696, passed 9-25-1979) Penalty, see § 96.99

§ 96.25 CLOSING HOURS.

Nobody shall cause, promote, allow, aid, assist, encourage or engage in any use of any park or playground of the city anytime after sunset and before sunrise.

(1996 Code, § 96.31) (Ord. 2153, passed 4-4-2000) Penalty, see § 96.99

§ 96.26 RESERVATION OF SHELTER AREAS.

The Mayor shall establish, by executive order, regulations for the reservation of shelter areas in the parks and recreation areas of the city for the private use of citizens and residents thereof.

(1996 Code, § 96.32) (Ord. 2153, passed 4-4-2000)

§ 96.27 TOYS.

Nobody other than officers and employees of the city shall conspire, cause, permit, promote, encourage, aid, assist or engage in any of the following activities or occurrences anywhere in any park in the city:

(A) The operation of any remote controlled aircraft, including, without limitation, drones:

(B) The use of metal detectors; and

(C) Any digging or other movement of soil.

(1996 Code, § 96.33) (Ord. 2302, passed 6-3-2008)

§ 96.28 ANIMALS.

Nobody other than officers and employees of the city shall conspire, cause, permit, promote, encourage, aid, assist or engage in any of the following activities or occurrences anywhere in any park in the city: the use of any portion of a park by any animal for the purpose of defecation, without removing the defecated material to a waste disposal container.

(1996 Code, § 96.34) (Ord. 2302, passed 6-3-2008)

§ 96.29 PROHIBITING THE USE OF FLAGSHIP PARK BY ORGANIZED ATHLETIC TEAMS.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ATHLETIC TEAM. A group of persons recognized as a team by any league or any other group of athletic teams organized to compete among themselves.

EVERYBODY. Every human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated association or otherwise.

NOBODY. No human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated association or otherwise.

(B) *Prohibitions.* Nobody shall, by act or omission, conspire, cause, permit, promote, allow, assist, encourage or engage in the use of Flagship Park in the city for:

(1) Organized practices by any members of any athletic team; and

(2) Games between athletic teams.

(1996 Code, § 96.35) (Ord. 2343, passed 6-1-2010) Penalty, see § 96.99

§ 96.99 PENALTY.

(A) *Civil penalties.* Each separate violation of this chapter constitutes a civil offense, for which:

(1) The maximum civil fine required by KRS 65.8808(2)(b)(1) that may be imposed for each separate violation of this chapter is hereby established as \$500 for a first violation, \$750 for a second occurrence of the same violation and \$1,000 for the third and each subsequent occurrence of the same violation, plus the costs of collection, including, without limitation, court costs and attorney fees; and

(2) The specific civil fine required by KRS 65.8808(2)(b)(2) that may be imposed for each separate violation of this chapter is hereby established as \$100 for a first violation, \$250 for a second occurrence of the same violation and \$500 for the third and each subsequent occurrence of the same violation, plus the costs of collection, including, without limitation, court costs and attorney fees.

(B) *Criminal penalties.* Each separate violation of this chapter shall be a misdemeanor for which everybody convicted thereof in a court of competent jurisdiction shall be sentenced to pay a criminal fine not to exceed the maximum amount of \$500 as set forth in KRS 534.050(2)(a) or a term of imprisonment not to exceed the maximum period of 12 months as set forth in KRS 532.090(1), or both.