

Chapter 230

PARKS

Cross References — As to department of parks and public property generally, §§120.140 — 120.150; as to trees and shrubs generally, ch. 235.

ARTICLE I In General

Section 230.010. "Park" Defined. [R.O. 2012 §230.010; CC 1979 §21-1; Ord. No. 728 §13, 6-3-1924]

Whenever the word "*park*" appears in this Chapter, it shall be deemed to mean both public parks and public playgrounds.

Section 230.020. "Written Permission or Consent" Defined. [R.O. 2012 §230.020; CC 1979 §21-2; Ord. No. 728 §14, 6-3-1924]

Whenever it is provided in this Chapter that "written permission or consent" shall be had, it shall mean written permission or consent of the Superintendent of Parks or of the City Council, unless otherwise provided.

Section 230.030. Park Superintendent — Council To Employ — Compensation. [R.O. 2012 §230.030; CC 1979 §21-3]

The City Council shall employ a suitable person each year to serve as Park Superintendent, at such salary as the Council shall declare by ordinance.

Section 230.040. Park Superintendent — Duties Generally — Supervision and Control. [R.O. 2012 §230.040; CC 1979 §21-4]

The Park Superintendent shall be the custodian of the park, the casino and all other buildings and property related thereto and as such custodian shall have the management of the park, park buildings and other property related thereto. He/she shall also be in charge of the municipal golf course, the City owned cemeteries and the City owned swimming pools. The Park Superintendent shall be subject to the control and supervision of the Superintendent of the Department of Parks and Public Property.

Section 230.050. Park Superintendent — Promulgation of Rules and Regulations — Ex Officio Member of Park Board. [R.O. 2012 §230.050; CC 1979 §21-5]

The Park Superintendent shall have authority to promulgate such rules and regulations as may be necessary for the operation and maintenance of the park, park buildings and other property related thereto, which such rules and regulations shall be approved or rejected

by the Council. The Park Superintendent shall be an ex officio member of the Park Board.

ARTICLE II
City Parks Generally

Section 230.060. Public Parks and Public Golf Course To Remain Closed Certain Hours — Entering or Being On Grounds or in Buildings When Closed Prohibited Without Special Permission. [R.O. 2012 §230.090; CC 1979 §21-8; Ord. No. A-1934 §§1 — 3, 7-9-1962]

- A. The public parks and public golf course of the City, including North Park, shall be closed daily from the hour of 11:00 P.M. until thirty (30) minutes after sunrise the following day.
- B. No person shall enter, remain or be upon the grounds or in the buildings of the public parks or golf course during the hours in which such public parks and golf course are closed, except when special permission is granted by the Park Superintendent.
- C. The Park Superintendent may grant special permission for persons to be, remain or enter the public parks or golf course, and the grounds and buildings thereof, after closing hours, when such persons are members of an organized group desiring to conduct activities in the public parks or golf course, and when one individual who is a member of or in charge of such group shall agree to be responsible to determine that the members of such group leave such premises upon the termination of the activities of such group and the Park Superintendent determines that the activities of such group will not be detrimental to or damage the parks or golf course facilities. Such special permission shall be granted only upon written application to the Park Superintendent designating the group desiring to use such facilities after closing hours, the activities to be conducted and the number in the group and designating an individual to be responsible to determine that the members of such group leave such premises upon the termination of the activities of such group.

Section 230.070. Personal Conduct While in Parks Generally. [R.O. 2012 §230.100; CC 1979 §21-9; Ord. No. 728 §1, 6-3-1924; Ord. No. A-5497 §1, 4-10-1992]

- A. No person in any City park shall:
 - 1. Enter or leave the park, except by the walks, paths or drives.
 - 2. Lead or allow to be loose any animal upon park premises; except, that dogs may be led or carried but not allowed loose.
 - 3. Throw stones or missiles by hand or otherwise, carry or discharge firearms or set off any fireworks or similar things in the park.
 - 4. Cut, mark, break or climb upon, or in any way deface the trees, shrubs, plants or turf, or any of the buildings, fences, bridges, signs, placards or notices, or any structure or property within or upon park premises.

5. Bring upon any park premises any tree, shrub or plant, any newly plucked branch or any portion of a tree, shrub or plant.
6. Race with horses, automobiles, motorcycles or bicycles.
7. Ride or drive faster than ten (10) miles an hour within the City park.
8. Drive any animal or vehicles anywhere in the City park, except in the drives, or to allow them to stand unattended, except at parking or hitching places especially provided for such purposes.
9. Obstruct the drives or paths.
10. Stand or keep in or upon any park premises, without special permission in writing from the Superintendent of Parks, any horse, burro or other animal, or any hack, carriage, automobile or other vehicle for the purpose of hire or solicitation of patronage.
11. Solicit patronage for any vehicle for hire upon any park premises, without special permission in writing from the Superintendent of Parks.
12. Drive or take any job or freight wagon in or upon any of the park premises, except those in park employ, private wagons or motor vehicles conveying families and persons, or upon special written permission.
13. Trail vehicles, use threatening, abusive, insulting, indecent, obscene or profane language or be guilty of drunkenness, fighting or quarreling or indecency in or upon the City park.
14. Lie, lounge or sleep on the benches or lie in indecent positions on the benches or the ground.
15. Tell fortunes or play games of chance, or offer any article or thing for sale, except by written permission.
16. Distribute or expose any kind of circulars or advertisements or post, stencil or otherwise affix any notice or bills or other paper upon any structure, fence, tree or thing in or about the park premises, park drives, roads or boulevards.
17. Shoot at, catch or disturb any water fowl or other birds belonging to, preserved in or being in or about the park.
18. Touch, molest or destroy the nests of any birds, or the eggs therein, within the park.
19. Take, carry or display any flag, banner, target or transparency or fly any kite within or upon the park, or parade, drill or perform therein any military or other evolution or movements as a military unit, target company, civic group or otherwise, without written permission.
20. Light, make or use any fire therein at any place, except such as may be designated by the Superintendent of the City park for that purpose.

21. Go on foot or otherwise upon the grass, lawn or turf of the park, wherever the sign "Keep Off the Grass" is shown.
22. *Fishing regulation.* No fishing shall be permitted in the Monett City Park between January first (1st) and May twenty-ninth (29th) in any calendar year. Between May thirty (30) and December thirty-first (31st) in any calendar year, fishing shall be permitted during normal park hours only upon the following terms and conditions:
 - a. No fishing shall be permitted by anyone over fifteen (15) years of age.
 - b. Any person over the age of fifteen (15) years who shall fish in the Monett City Park shall be guilty of an ordinance violation and shall be punished as provided herein.

Section 230.080. Prohibition of Smoking Except in Designated Areas of North Park. [R.O. 2012 §230.101; Ord. No. 8143, 8-20-2012]

- A. The smoking of cigarettes, cigars, pipe or any other form of tobacco product shall be prohibited in the City of Monett's North Park except at the following designated smoking areas: the vehicular parking areas directly south of Field Nos. 1, 2 and 3; the vehicular parking area directly south of Field No. 6; and the vehicular parking areas directly west of Field No. 4.
- B. The Parks Division of the Public Works Department is hereby authorized and directed to place signage in highly visible locales throughout the North Park informing the public that smoking is prohibited except in the aforesaid designated areas.
- C. The Monett Youth Baseball and Softball League, Monett R-1 School District and any other approved event organizer is hereby permitted to make periodic announcements at its organized events that smoking is prohibited in North Park except at the aforesaid designated locations.
- D. Any person found to have repeatedly violated this Section, upon having been made aware of its provisions by City personnel or approved event organizers as aforementioned shall be ordered to leave the park by any City personnel or any approved event organizer including, but not limited to, Monett Youth Baseball and Softball League, Monett R-1 School District, Monett Area YMCA.
- E. For purposes of this Section, an "*approved event organizer*" shall be defined as any group of five (5) or more people having reserved, with the consent of the City, the use of an area or areas within North Park for a limited length of time and organized purpose; having reserved such areas of North Park as are appropriate for the proposed use.

Section 230.090. Taking Flowers, Plants or Shrubs. [R.O. 2012 §230.110; CC 1979 §21-10; Ord. No. 728 §2, 6-3-1924]

No flowers, plants or shrubs shall be taken or given away from the park, without written permission.

Section 230.100. Gatherings Prohibited Without Permission. [R.O. 2012 §230.120; CC 1979 §21-11; Ord. No. 728 §3, 6-3-1924]

No gatherings shall be permitted in the park without the written permission of the Park Superintendent.

Section 230.110. Intoxicating Liquors.¹ [R.O. 2012 §230.130; CC 1979 §21-12; Ord. No. 728 §4, 6-3-1924]

Except in the Park Casino and Public Golf Course, no intoxicating liquors shall be allowed to be sold or given away or to be brought into, used or drunk within the City park.

Section 230.120. Littering.² [R.O. 2012 §230.140; CC 1979 §21-13; Ord. No. 728 §5, 6-3-1924]

No person shall drop, throw or place any wastepaper, straw, dirt, weeds, ashes, solid waste, swill or other rubbish, though not offensive to health, in or upon any park property, driveway or road under the control of the Superintendent of Parks, or any part thereof.

Section 230.130. Placing of Buildings, Tents, Booths, Etc. [R.O. 2012 §230.150; CC 1979 §21-14; Ord. No. 728 §6, 6-3-1924]

No person shall be permitted to build or place any tent, building, booth, stand or other structure in any park, driveway or road under the control of the Superintendent of Parks, without first obtaining the written permission of the Superintendent of Parks.

Section 230.140. Injuring Park Property. [R.O. 2012 §230.160; CC 1979 §21-15; Ord. No. 728 §7, 6-3-1924]

No person shall dig, injure or tear up any sidewalk, crosswalk, grass plot or roadway, or any part thereof, or any part of any parking driveway or road, or dig down into, expose or tear up, disconnect or connect with any water pipes or sewers in the park or in or under any parking, driveway or road under the control of the Superintendent of Parks, without having first obtained his/her written permission.

¹. Cross Reference — As to alcoholic beverages generally, ch. 600.

². Cross Reference — As to littering generally, §215.530.

Section 230.150. Moving Buildings Through Park Property. [R.O. 2012 §230.170; CC 1979 §21-16; Ord. No. 728 §8, 6-3-1924]

No person shall move any building along, across or upon any park, driveway or road under the control of the Superintendent of Parks, without having first obtained permission.

Section 230.160. Hauling Gravel, Cinders, Rubbish, Etc. [R.O. 2012 §230.180; CC 1979 §21-17; Ord. No. 728 §9, 6-3-1924]

It shall be unlawful for any person to engage in driving, within or upon the driveways or roads under the control of the Superintendent of Parks, crushed stone, sand, gravel, sawdust, ashes, cinders, lime, shavings, wastepaper, mortar, earth, coal, bricks, stone, rubbish, manure or other loose material likely to sift, fall or be blown upon such park or street, except in tight boxes or in vehicles securely covered with canvas and filled only to water level. In case any such materials fall or are scattered upon any park, driveway or road under the control of the Superintendent of Parks, such person shall cause them to be forthwith removed.

Section 230.170. Scattering Contents of Overloaded Vehicles. [R.O. 2012 §230.190; CC 1979 §21-18; Ord. No. 728 §10, 6-3-1924]

It shall be unlawful for any person to cause any cart, wagon or other vehicle to be loaded and heaped up so that the contents, or any part thereof, shall be scattered within or upon any park, driveway or road under the control of the Superintendent of Parks.

Section 230.180. Applicability of Other Provisions of Code and Other Ordinances To City Park. [R.O. 2012 §230.210; CC 1979 §21-20; Ord. No. 728 §12, 6-3-1924]

All provisions of this Code and other ordinances of the City, where applicable, shall apply and be in force in the public park of the City, and the Police Department is authorized and empowered to enforce all such provisions or ordinances, including this Chapter, in the public park as well as in other portions of the City limits.

ARTICLE III Golf Course Fees

Section 230.190. Golf Course Fees. [R.O. 2012 §230.290; Ord. No. 7543, 3-29-2005]

- A. Golf course fees for the various activities and services at the Monett Municipal Golf Course will be established based upon the number of participants and costs associated with the operation of the golf course. Upon review of operational costs, the fees will be established by the City Council.
- B. Any change in golf course fees will be posted to the public with a thirty (30) day advance notice.

ARTICLE IV
Miscellaneous Fees

Section 230.200. Fees. [R.O. 2012 §230.420; Ord. No. A-7136 §§1 — 2, 3-26-2002]

- A. Based upon number of participants and the costs associated with each activity, charges will be established for the various recreational activities of the City of Monett park system. The entry fee for games involving adult leagues, i.e., volleyball, basketball, softball, or any other adult league activity, is established by the number of games a team will play. This entry fee will be based upon costs associated with each activity.
- B. Minimum and maximum participation required in each category shall be established by the Recreational Director upon Council's review.

Section 230.210. Disposition of Funds. [R.O. 2012 §230.440; Ord. No. A-7136 §§1 — 2, 3-26-2002; Ord. No. 7593 §1, 8-22-2005]

All funds collected are to be remitted to the collections office of the City of Monett, Missouri, and the Treasurer of the City of Monett, Missouri, hereby is directed and authorized to make payment from the General Fund of the City of Monett, Missouri, for all expenses incurred in connection with the above activities.