

TITLE 12

PARKS AND RECREATION

Chapters:

- 12.04 Parks Commission
- 12.08 Clinton Parks Rules Ordinance
- 12.12 Senior Citizens' Facility

CHAPTER 12.04

PARKS COMMISSION

Sections:

- 12.04.01 Established
- 12.04.02 Advisory Committee
- 12.04.03 Terms
- 12.04.04 Meetings
- 12.04.05 Freedom of Information Act
- 12.04.06 Minutes
- 12.04.07 Duties
- 12.04.08 Successive appointments and removals
- 12.04.09 Committee reports given to full commission at monthly meetings

12.04.01 Established The Parks and Recreation System of the city of Clinton, Arkansas, is hereby established as a separate department of the city of Clinton. The Mayor of Clinton, Arkansas, shall act as head of the department until such time as the Council provides for, and allocates funds for, a paid position as head of the department, either full or part-time, and such position is actually filled. (Ord. No. 03-6, Sec. 2.)

12.04.02 Advisory Committee There is hereby established a Parks and Recreation Advisory Committee to be comprised of seven (7) members who reside within the city limits of the city of Clinton and who shall serve three (3) year terms as provided herein. Potential members shall be proposed by the Mayor and confirmed by a majority vote of the City Council. (Ord. No. 03-6, Sec. 3.)

12.04.03 Terms Position 1 and 2 shall serve for an initial term of one (1) year. Positions 3 and 4 shall serve for an initial term of two (2) years. Positions 5, 6 and 7 shall serve for an initial term of three (3) years. Each member may be reappointed for another full three (3) year term provided that no member shall serve more than two (2) consecutive 3-year terms, unless they have been off of the Advisory Committee for a period of one (1) year. (Ord. No. 03-6, Sec. 4.)

12.04.04 Meetings The seven (7) members of the Advisory Committee shall meet at least once per month on a regularly set day and time which they shall decide. They shall elect one of their own as Chairperson of the Advisory Committee who shall serve as Chairperson for a period of one (1) year. The Chairperson may be re-elected as Chairperson by the members of the Advisory Committee. (Ord. No. 03-6, Sec. 5.)

12.04.05 Freedom of Information Act The members of the Parks and Recreation Advisory Committee shall be subject to the Arkansas Freedom of Information Act as it is now codified or later amended. The Advisory Committee may request assistance or legal opinions from the City Attorney as needed. (Ord. No. 03-6, Sec. 6.)

12.04.06 Minutes The Clerk or Recorder of the city of Clinton shall attend the meetings of the Parks and Recreation Advisory Committee meetings for the purpose of keeping and maintaining minutes of said meetings. (Ord. No. 03-6, Sec. 7.)

12.04.07 Duties The Advisory Committee shall continually review the operation of the Clinton Parks and Recreation System and shall provide recommendations to the Mayor and City Council as to any and all proposed land acquisitions, park usage, rules, park or recreation programs or other proposed expenditures for the Clinton Parks and Recreation System. (Ord. No. 03-6, Sec. 8.)

CHAPTER 12.08

CLINTON PARKS RULES ORDINANCE

Sections:

12.08.01	Title
12.08.02	Facility use permits
12.08.03	Fees

12.08.04	Commercial activities
12.08.05	Construction
12.08.06	Soliciting alms and contributions
12.08.07	Camping
12.08.08	Disorderly conduct
12.08.09	Property damage
12.08.10	Disturbing trees, shrubs, etc.
12.08.11	Litter
12.08.12	Handbills
12.08.13	Music, speeches etc.
12.08.14	Violation of ordinance
12.08.15	Tobacco Prohibited
12.08.16	Terms of Park Use

12.08.01 Title this ordinance may be cited as the Clinton Parks Rules Ordinance and shall be applicable to all parks and recreation facilities now owner or hereinafter acquired by the city of Clinton. (Ord. No. 01-02, Sec. 1.)

12.08.02 Facility use permits

- A. It shall be unlawful to use any facility or building in a Clinton Park or Recreation Facility for the following purposes without first obtaining permission from the Parks and Recreation Commission, or the Mayor, if the Commission is ever dissolved or vacant:
1. Recreational buildings for any purpose;
 2. special events on park property;
 3. Lectures, concerts, political rallies, speeches, addresses or other organized gatherings.
- B. The permit issued by the Parks and Recreation Commission shall specifically designate the portions of the facility covered by the permit.
- C. Any person, or group of persons, with a permit shall have priority in the use of the portions of the facility for the time indicated on the permit, to the exclusion of all persons who do not hold a permit.
- D. Facility use permits may be revoked by the Parks and Recreation Commission for a violation of this ordinance. (Ord. No. 01-02, Sec. 2.)

12.08.03 Fees

- A. No person, or group of persons, shall enter or participate in or on those parks and recreation facilities or programs which have a fee schedule established by the City Council without paying the required fee.

- B. In order to finance future acquisition of and improvements to city parks and recreation facilities, any event or use described in Section 2(a) above shall be required to pay a permit fee of \$100.00, plus the cost of any off-duty police officials deemed by the Police Chief to be necessary for the protection and welfare of the participants and the public, up to eight (8) officers. The off-duty rate per officer, per hour, shall be the same as the city of Clinton pays for overtime for police officers as of the date the permit is requested.
- C. All fees required in Section 3(b) shall be paid prior to the issuance of a permit by the Parks and Recreation Commission. (Ord. No. 01-02, Sec. 3.)

12.08.04 Commercial activities

- A. It shall be unlawful for any person, firm or corporation to sell, peddle, rent, or otherwise distribute any article in city parks without first obtaining a permit from the Parks and Recreation Commission of the city.
- B. The sponsors of festivals or special events approved by the city and who have first obtained a permit may be granted exclusive right to determine the vendors authorized to participate in such events. (Ord. No. 01-02, Sec. 4.)

12.08.05 Construction No person shall construct or erect any building or structure, run or install any public service utility, except on special approval by the City Council. (Ord. No. 01-02, Sec. 5.)

12.08.06 Soliciting alms and contributions No person shall solicit money (alms) or contributions. (Ord. No. 01-02, Sec. 6.)

12.08.07 Camping No person shall stay after hours, camp, sleep or lodge within a public park except by special written permission granted by the Parks and Recreation Commission. In addition to any other sanction that may be assessed for the violation of this provision, any person in violation of this ordinance shall be subject to the immediate removal from the park of their person and belongings. (Ord. No. 01-02, Sec. 7.)

12.08.08 Disorderly conduct No person shall indulge in riotous, boisterous, threatening, or indecent conduct; or abusive, threatening, profane or indecent language. (Ord. No. 01-02, Sec. 8.)

12.08.09 Property damage No person shall write upon, or mark, or deface in any manner, or use in any way improper way any water closet, park seat, fence or building, or anything pertaining to a city park. (Ord. No. 01-02, Sec. 9.)

12.08.10 Disturbing trees, shrubs, etc. It shall be unlawful for any person to cut, pull, tear or otherwise displace or disturb any trees, shrubs, vines, ferns, wild flowers or other vegetables, whether wild or cultivated, which may now or hereafter grow or be found in any public park in the city. This section does not apply to any landscape gardener or other person duly authorized by the Parks and Recreation Commission to improve or beautify said parks by the transplantation or removal of any tree, vine, shrub or flower contained therein. (Ord. No. 01-02, Sec. 10.)

12.08.11 Litter No person shall throw or leave paper or other rubbish anywhere except in the receptacles provided for that purpose or the place any refuse therein brought from private property that would be collected at that property. (Ord. No. 01-02, Sec. 11.)

12.08.12 Handbills

- A. It shall be unlawful to paste, affix or describe any handbill, poster, card, device, message, symbol or advertisement anywhere in city parks without prior approval of the Parks and Recreation Commission.
- B. Distribution of handbills and the gathering of signatures on petitions are allowed by permit obtained from the Parks and Recreation Commission. Such activity shall be allowed during regular park hours and may be required to locate in such a manner as not to impede pedestrian and vehicular traffic within the park. The fee for such permit shall be \$15.00.
- C. The permit holder shall be responsible for retrieving and disposing of material discarded by the recipients of the material. (Ord. No. 01-012, Sec. 12.)

12.08.13 Music, speeches etc. No person shall render any music, vocal or instrumental, or deliver any oration, speech, address or lecture, in said parks, without a permit from the Parks and Recreation Commission. (Ord. No. 01-02, Sec. 13.)

12.08.14 Violation of ordinance Any person convicted of a violation of any of the provisions of this ordinance shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) for each violation thereof. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuance thereof is a fine not to exceed Five Hundred Dollars (\$500.00) per day for each day the same is unlawfully continued. (Ord. No. 01-02, Sec. 14.)

12.08.15 Tobacco Prohibited

- A. **Prohibited** The use of tobacco products as defined herein is prohibited in the Clinton City Parks and any Recreational facility owned or operated by the City.

B. **Penalty** Any such use of tobacco products is hereby ordained illegal and the fire department head and the head of planning and zoning, as well as any police officer are hereby authorized to issue tickets to such users. The penalty for use shall be \$50.00 for the first such offense and \$100.00 for each thereafter.

C. **Definitions**

1. Tobacco product For the purposes of this policy “tobacco” is to include any product containing, made, or derived from tobacco that is intended for human consumptions, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means or any component, part, or accessory of a tobacco product to include but not limited to: any lighted or unlighted cigarette, cigar, pipe, and any other smoking product, and spit tobacco, also known as smokeless, dip, chew, snus, and snuff, in any form including, “e- cigarette” and electronic nicotine devices.
2. Smoking means inhaling, exhaling, burning, or carrying any lighted tobacco product, includes cigarettes, cigars, pipe tobacco, or any other lighted combustible plant material.
3. Property and Grounds Any and all facilities/grounds, owned, leased, operated by The City of Clinton, Arkansas, including any and all facilities/grounds owned leased, operated by clients/customers of The City of Clinton, Arkansas, and all company-owned or company- leased vehicles.
4. Exemption Nicotine use: Only FDA approved cessation products are allowed. This includes: nicotine gum, nicotine lozenge, nicotine patch, pharmaceutical nicotine inhaler (this does not include any form of e-products) and nicotine nasal spray.
5. Smoking For purposes of this Policy, "smoking" means inhaling, exhaling, burning or carrying any lighted tobacco product. (Ord. No. 2014-07, Sec. 1.)

12.08.16 Terms of Park Use The terms and conditions of Clinton, Arkansas Park usage are as follows and the following form reflecting those terms and conditions will be used:

CLINTON PARKS AND RECREATION LICENSE AGREEMENT

The undersigned licensee who is to be in charge of the equipment and/or the representative of the using Organization, **MUST** be Twenty-One (21) years of age or over.

The undersigned agrees that the licensee will be responsible to the CLINTON PARKS AND RECREATION for the use and care of the facility on the date licensed listed below.

The licensee will be responsible to also leave the facility free of trash and excess dirt, etc. and ensure that all equipment is intact and free of breakage and damage and agrees to pay any damages therewith.

The licensee further agrees that a LICENSE FEE is required to reserve the pavilions, covered fishing pier, or ball fields. Such fee is non-refundable unless cancellation is requested one week in advance of the licensed use date.

THE LICENSEES AGREE THAT THE CITY OF CLINTON SHALL NOT BE LIABLE FOR ANY INJURIES OR DAMAGES OF ANY KIND IN CONNECTION WITH THIS AGREEMENT.

LICENSE FEE PER DAY

ORGANIZATION (GROUP) _____

PLEASE PRINT:

NAME _____
ADDRESS _____
CITY PHONE _____
DATE OF RESERVATION _____
DRIVERS LICENSE NUMBER _____

OFFICE USE ONLY

PAVILION RESERVED CASH _____ CHECK _____ # _____
FISHING PIER RESERVED CASH _____ CHECK _____ # _____
BALL FIELD RESERVED (# ____) CASH _____ CHECK _____ # _____
LICENSE FEE DUE: _____
LICENSE FEE PAID: _____
PARKS AND RECREATION REPRESENTATIVE: _____
(Ord. No. 2013-03, Sec. 3.)

CHAPTER 12.12

SENIOR CITIZENS' FACILITY

Sections:

12.12.01 Programs and services

12.12.01 Programs and services The City Council of Clinton hereby declares that the Senior Citizens' Facility, to be funded in part with ADED funds, be dedicated exclusively for programs and services benefiting senior citizens. (Ord. No. 03-10, Sec. 1.)