

ORDINANCE NO.: 2019-03-22

AN ORDINANCE OF THE CITY OF ARGO, ALABAMA TO ESTABLISH RULES AND REGULATIONS AT THE CITY PARK TO ESTABLISH CRIMINAL PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the City of Argo is committed to serving park visitors with integrity, fairness and respect:

WHEREAS, it has become necessary and desirable to consider adopting rules to provide for the safe enjoyment of the City's Public Park and recreational areas by residents and guests while fostering a stewardship ethic and encouraging the protection of its resources: and

WHEREAS, the Mayor and City Council are of the opinion that the following rules be applicable to use of and conduct within all areas of the Public Park owned or maintained by the City of Argo; and

WHEREAS, it is the Mayor and City Council's intent that park visitors follow these rules at all times while using the City's Public Park; and

WHEREAS, it is the intent of the Mayor and City Council's that implementation of these rules will provide for the orderly and safe use of the Public Park.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Argo, Alabama as follows:

Section 1: Definitions.

As used herein, the following term(s), whether singular or plural, shall be given the following respective meanings:

"Public Park" shall mean any land or facility owned or operated by the City of Argo and used as a park, playground, recreational facility, or other recreational activity or purpose.

Section 2: Alcoholic Beverages / Controlled Substance Prohibited.

- a. It shall be unlawful to possess or consume any alcoholic beverage at the park owned, operated or maintained by the City of Argo.
- b. No person shall possess or consume any controlled substance of which constitutes a crime under federal, state or local law.

Section 3: Additional Rules Regarding the Use of Public Park.

- a. No person shall remain in or enter into a park before or after the posted hours of the park, except as authorized by park rules, city park will be open from Daylight to Dark.
- b. Motor vehicles must be driven and parked only in designated areas. Damage to vehicles is the sole responsibility of the vehicle owner, and not the City of Argo.
- c. No person shall operate an ATV, ORV, motorcycle, mini-bike, go-cart, golf cart, skateboard, roller-skates, in-line skates, bicycles or similar devices/ cycles/vehicles in the park except to provide access for disabled persons.
- d. No person shall start or maintain a fire except in a picnic stove. All fires must be extinguished before leaving the park.
- e. No person shall possess or use a firearm, explosive material, dangerous substance, or any device which discharges projectiles by means of air pressure, explosive device, chemical reaction or similar means, in any facility, unless carried by a duly authorized law enforcement officer.
- f. Disruption, fighting, argumentative and abusive behavior will not be tolerated, and is grounds for expulsion from the City Park.
- g. No person shall deposit or abandon any litter, garbage, sewage, refuse, trash, waste or similar material in the park except in receptacles. No person shall deposit such material in a receptacle, if the material was generated outside the geographical boundaries of the facility.
- h. Domestic pets are permitted in the Park. In addition, the following shall apply to any domestic pet:
 1. All dogs must be legally licensed and vaccinated and to show proof if necessary
 2. Dogs must be under control of their handlers and in view of their handler at all times.
 3. Handlers must have dogs on a leash at all times.
 4. Handler is limited to a maximum of two dogs.

5. Handlers are responsible for any injuries caused by the dogs under their control.
6. Handlers must pickup solid waste after their pets.

i. Non-Smoking Areas:

The Park and Pavilion area including the walking track.

- j. Peddling, soliciting, advertising or carrying on of any business or commercial enterprise is prohibited in the Park except in connection with a special event. Such activities must be directly related to the special event occurring at the Park and may only occur during the special even, with the prior approval of City Hall.

Section 4: Penalties.

A person who violates any provision of these rules may be summarily evicted from the park. A person who shall violate any provision of this ordinance shall, upon conviction thereof, be fined up to five hundred and no/100 dollars (\$500.00).

Section 5: Severability Clause.

It is hereby declared to be the intention of the Mayor and City Council of the City of Argo, that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of same shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such clauses, phrases, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Mayor and City Council without the incorporation in the ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6: Conflicting Ordinances.

That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7: Publication.

This Ordinance shall become effective upon its passage and publication as provided by law.

ADOPTED and APPROVED this the 25 day of March, 2019.

CITY OF ARGO, ALABAMA:


BETTY BRADLEY MAYOR

3/25/19
DATE

ATTEST:


CASIE BETHUNE, CITY CLERK

AYES:	<u>5</u>
NAYS:	<u>1</u>
ABSENT FROM VOTING:	<u>0</u>
ABSTAIN:	<u>0</u>

I, Casie Bethune, City Clerk of the City of Argo, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Argo at a regular meeting held on the 25 day of March, 2019.


Casie Bethune, City Clerk