Ordinance 12-24(A) Adopt Homer City Code 1.16.040 & 19.20 Parks and Recreational Facilities to Provide Regulations for Use of City Parks & Penalties for Violations

Ordinance ID: 12-24(A)
Ordinance Status: Adopted
Ordinance Summary:
An Ordinance of the City Council of Homer, Alaska, Adopting Homer City Code 1.16.040, Disposition of Scheduled Offenses—Fine Schedule; and Homer City Code Chapter 19.20, Parks and Recreational Facilities; to Provide Regulations for the Use of City Parks and Penalties for Their Violation. City Manager.

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 12-24(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ADOPTING HOMER CITY CODE 1.16.040, DISPOSITION OF SCHEDULED OFFENSES—FINE SCHEDULE; AND HOMER CITY CODE CHAPTER 19.20, PARKS AND RECREATIONAL FACILITIES; TO PROVIDE REGULATIONS FOR THE USE OF CITY PARKS AND PENALTIES FOR THEIR VIOLATION.

WHEREAS, It is in the best interest of the City to protect park resources and infrastructure and to insure public safety within the parks; and

WHEREAS, It is in the interest of the City to collaborate with other organizations that support City parks in order to maximize resources and protect and improve these valuable public assets.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. HCC 1.16.040, Disposition of Scheduled Offenses—Fine Schedule, is adopted to read as follows:

1.16.040 Disposition of Scheduled Offenses—Fine Schedule.
(a) A person cited for an offense for which a fine is established in subsection (c) of this section may mail or personally deliver to the Finance Director the amount of the fine indicated on the citation for the offense plus any surcharge required to be imposed by AS 29.25.074, together with a copy of the citation signed by the person indicating the person's waiver of court appearance, entry of plea of no contest, and forfeiture of the fine. A citation for a scheduled offense may be mailed or personally delivered within fifteen (15) days after the date of the citation. The payment of a fine under this subsection shall be treated as a judgment of conviction. The fine paid is complete satisfaction for the offense.
(b) If a person cited for an offense for which a fine amount is established in subsection (c) of this section appears in court to contest the citation and is found guilty, the maximum sentence which may be imposed is the scheduled fine amount plus any surcharge required to be imposed by AS 29.25.074.
(c) The following violations of this code are amenable to disposition without court appearance upon payment of a fine in the amount listed below.

CODE SECTION DESCRIPTION OF OFFENSE FINE
HCC 19.20.020 General rules $300
HCC 19.20.030 Park closure $150

Section 2. HCC Chapter 19.20, Parks and Recreational Facilities, is adopted to read as follows:
Chapter 19.20
PARKS AND RECREATIONAL FACILITIES

Sections:
19.20.010 Definitions.
19.20.020 General Rules.
19.20.030 Park Closure.
19.20.040 Park Use Agreements.
19.20.050 Campground Host Program.
19.20.060 Regulations.
19.20.070 Remedies and Penalties.

19.20.010 Definitions. In this chapter:
“Camp” means using an outdoor area or motor vehicle for sleeping or temporary living quarters, including without limitation erecting a tent or other temporary shelter.
“Park” means an area designated as a park, reservation, playground, beach, recreation area, owned or managed by the city and devoted to active or passive recreation.

19.20.020 General Rules. The following general rules govern the public use of parks:
a. No person may deface, disfigure, damage, tamper with, or displace or remove, any building, structure, table, bench, fireplace, sign, notice, vegetation, or placard in a park.
b. No person may cut, pick or damage trees, flowers or other vegetation in a park.
c. No person may camp in a park except in an area and at a time designated for that purpose by the city manager.
d. No person may light, build, use or maintain an open fire or portable camp stove in a park except in a receptacle or area designated for that use. No person may leave an open fire or operating portable camp stove unattended. No person may use a flammable liquid other than charcoal lighting fluid to start or accelerate a fire.
e. No person may operate, or stop, stand or park, a motorized vehicle in a park except:
1. In an area designed for the use, and in a manner permitted by the designation; or
2. Construction, enforcement, maintenance or emergency vehicles operated by the state, the Kenai Peninsula Borough, the city or their respective contractors.
i. Where the operation of motor vehicles is permitted in a park, motor vehicles shall be operated in accordance with posted speed limits, in a prudent and safe manner, and at a speed not exceeding ten (10) miles per hour in parking areas.
j. A person having control or supervision of an animal that excretes feces in a park shall immediately collect and properly dispose of the feces.
k. No person may dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash, or water, sewage or effluent from sinks, portable toilets or other plumbing fixtures, directly upon the surface of land or water in a park.
l. Dumpsters provided at park facilities are intended for park use only.

19.20.030 Park Closure.
a. The city manager may designate times during which a park is closed to the public.
b. The city manager shall notify the public of times during which a park is closed to the public by the placement of signs at entrances to the park or within the closed area. No person may enter or remain in a park during the hours of closure designated on such a sign.

19.20.040 Park Use Agreements.
The council by resolution may authorize an agreement between the city and an organization providing for the organization’s use, operation and maintenance of facilities within a park. The agreement will address such issues as scheduling, litter, sanitary facilities, damage, crowd control, traffic control, noise, insurance and public notice.

19.20.050 Campground Host Program.
The council by resolution may authorize the city manager to establish a campground host program for designated city parks, under which volunteers will provide campground host services to park users.

19.20.060 Regulations.
The city manager is authorized to promulgate regulations, in addition to the rules stated in this chapter, to regulate the use of park and recreational facilities.

19.20.070 Remedies and Penalties.
Remedies and penalties for violations of this chapter are as provided in Chapter 1.16.

Section 3. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 25th day of June, 2012.

CITY OF HOMER

_____
JAMES C. HORNADAY, MAYOR

ATTEST:

_____
JO JOHNSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:
First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

_____ _____
Walt E. Wrede, City Manager Thomas F. Klinkner, City Attorney

Date: _____ ____ Date: _____

Ordinance Dates**Ordinance Introduction Date:** Mon Jun 11th, 2012
Ordinance Public Hearing Date: Mon Jun 25th, 2012
Ordinance Second Reading Date: Mon Jun 25th, 2012
Ordinance Effective Date: Tue Jun 26th, 2012
Ordinance Files Ordinance 12-24(A)

Source URL (retrieved on *2014-10-26 00:48*):
http://www.cityofhomer-ak.gov/ordinance/ordinance-12-24a-adopt-homer-city-code-116040-1920-parks-and-recreational-facilities-provi