

ORDINANCE NO. 24-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING SECTION 97.01 OF CHAPTER 97 OF TITLE IX OF ORDINANCE NO. 24-01 (COLUMBUS CITY CODE) TO ALLOW FOR THE SELLING AND DISTRIBUTION OF FOOD, DRINK, AND OTHER REFRESHMENTS IN ANY PARK THROUGH A SPECIAL EVENT PERMIT; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA:

Section 1. That Section 97.01 of Chapter 97 of Title IX of the Columbus City Code be amended and revised to read as follows:

§ 97.01 RULES AND REGULATIONS.

The following rules to regulate the use, occupancy, and the conduct of persons in or upon all parks and park properties of the city are hereby established.

- (A) It shall be unlawful for any person to drive or propel any motor vehicle or drive any horse or other animal in, over, or through any park, except along and upon the park roads or parkways, or to drive or propel along or over any park roads or parkways, any heavily laden motor vehicle or any motor vehicle carrying or ordinarily used in carrying merchandise, goods, tools, material, or rubbish or any moving van or truck except during construction of anything in any city park or for regular maintenance.
- (B) It shall be unlawful for any person to drive, operate, or propel over or along any park road any vehicle, motor vehicle, motorcycle, or to drive or ride any horse or other animal, at a greater speed than 20 miles per hour.
- (C) Except as provided below in this division, it shall be unlawful for any person to place or erect any structure, sign, bulletin board, post, pole, or advertising device of any kind whatsoever in any park or to attach any notice, bill, poster, sign, wire, rod, or cord to any tree, shrub, fence, railing, post, or other structure within any park except as follows:
 - (1) An organization or individual may make written application to the Board of Parks Commissioners for permission to sell advertising space by a permanent or seasonal display in any park. A list of the advertisers will be provided to the Board of Parks Commissioners before any signs are placed in any park. The Board of Parks Commissioners has the discretion to authorize such signage in park facilities.
 - (2) Any revenues received from such approved signage will need to be reported to the Board of Parks Commissioners in an annual financial report with separate itemizations for each advertiser. In addition, the applicant needs to report the intended uses of the revenue.
 - (3) The Board of Parks Commissioners reserve the right to order the removal

of any permitted signs which are causing damage to the park facilities or when the sign has been vandalized or damaged. The city will not be responsible for the construction, repair, maintenance, or installation of any signs. The city will not be responsible for storage of signs and will require signs to be removed in a timely manner at the end of the season.

- (4) Particular signs which are signs for a one time weekly or monthly event may be approved by the Public Property Director or the Park Superintendent.
- (D) It shall be unlawful for any person to remove, destroy, mutilate, or deface any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, tree, shrub, fern, plant, flower, or other property in any park.
- (E) It shall be unlawful for any person to allow or permit any dog to be in the following fields or stadiums of the city park system: Pawnee Park football stadium, field, and track; Pawnee Park baseball field; Wilderness Park; Bradshaw Park; Berne Square; Centennial Park ballfield area; Gerrard Park softball field area; Glur Park football field area; provided, however, that those individuals that have service dogs shall be exempt from this provision.
- (F) It shall be unlawful for any person to shoot, fire, or explode any firearms or high explosives (to include fireworks) or to carry any firearm in any park.
- (G) It shall be unlawful for any person to walk, stand, sit, or climb on any border, flower bed, monument, vase, fountain, railing, or fence in any park.
- (H) It shall be unlawful for any person in any manner to tease, annoy, disturb, molest, catch, injure or kill, or throw any stones or missile of any kind at, or strike with any stick or weapon any bird, fowl, or animal in any park.
- (I) It shall be unlawful for any person to engage in or ply the vocation of a solicitor, agent, vagrant, peddler, beggar, strolling musician, organ grinder, or showman in any park, except such persons as are authorized by the Board of Parks Commissioners.
- (J) It shall be unlawful for any person to sell or distribute food, drinks, and other refreshments in any park, except and unless such persons apply for authorization and are in fact approved through the city's special event permit application process (as may be amended from time to time).
- (K) It shall be unlawful for any person to distribute any type of flyer, either advertising, promotional or political reasons, or to make political speeches of any kind unless authorized by the Board of Parks Commissioners.
- (L) It shall be unlawful for any person to conduct or carry on any game of chance in any park.
- (M) It shall be unlawful for any person to conduct or carry on any boisterous or insulting language, or to be guilty of any disorderly, lewd, or lascivious conduct of any kind in any park.
- (N) It shall be unlawful for any intoxicated person to enter or remain within any park.
- (O) It shall be unlawful for any person to make a camp adjacent to or within any park unless authorized by the Board of Parks Commissioners, Fire Chief, or Park Superintendent. It shall also be unlawful to kindle a fire or to kindle any type of fire for purposes of cooking, except in grills located throughout the parks or in safe privately-owned barbecue grills. All such cooking fires may be temporarily banned by the Fire Chief, Police Chief, or Park Superintendent if climate conditions are deemed to create a high risk of uncontrolled fire.

- (P) It shall be unlawful for anyone to be in any city park designated in § 32.019 between the hours of 12:00 midnight and 5:00 a.m., except upon the authority of the City Council granted by resolution.
- (Q) It shall be unlawful to propel or have any wheeled vehicle except for wheel chairs and maintenance vehicles upon sidewalks at Wilderness Park.
- (R) It shall be unlawful to conduct any activities, recreational or not, on the tennis courts of Pawnee Park other than tennis and pickleball. It shall be unlawful to conduct any activities on the tennis courts of Centennial Park and Gerrard Park, recreational or not, other than tennis, pickleball, and basketball.
- (S) It shall be unlawful for any person to loiter in the parking lot of any city park. For the purposes of this section **LOITER** shall mean:
 - (1) The remaining at or being in the park's parking lot for more than ten minutes when not using said park's other recreational amenities for their approved and intended purposes (unless authorized to do so by permit);
 - (2) The remaining at or being in the park's parking lot for more than ten minutes at a time without going to or coming from said park's other recreational amenities (unless authorized to do so by permit); or
 - (3) The unreasonable obstructing of or interfering with the free passage of any person or vehicle in said parking lot.

Section 2. This ordinance shall repeal all ordinances or portions thereof and in conflict herewith.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval, and publication according to law. Publication shall be in pamphlet form as authorized by §16-405 of Nebraska Revised Statutes with distribution to be made by making copies available to the public upon request at the city office.

INTRODUCED BY COUNCIL MEMBER

Fay Schilling

PASSED AND ADOPTED THIS 4 DAY OF March, 2024.

Jan B. Bullock
MAYOR

ATTEST:

Jamelle Kline
CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

