WELLSVILLE CITY

RESOLUTION

RESOLUTION NUMBER 2009-07 ADOPTED 12-02-2009

WHEREAS, the City Council of the City of Wellsville, Cache County, State of Utah, as authorized by law, Section 10-8-84 Utah Code Annotated, is authorized to prescribe Rules and Regulations which are not inconsistent with law and as it deems best for the efficient administration, organization, operation, conduct and business of the municipality; and

WHEREAS, the City Council determined that it would be in the best interest of the City of Wellsville to adopt policies and procedures providing for rules and regulations for governing City parks, playgrounds, recreational facilities and other City owned facilities; and

NOW, THEREFORE, pursuant to Sections 10-8-84 and 10-3 Part 7 of the Utah State Code, Annotated, 1953, as amended, and all other applicable laws and regulations, and in the best interests of the City and its residents, the City Council of the City of Wellsville, Cache County, State of Utah, hereby adopts, passes and posts the following:

A RESOLUTION ESTABLISHING RULES AND REGULATIONS GOVERNING CITY PARKS, PLAYGROUNDS, RECREATIONAL FACILITIES AND OTHER CITY OWNED FACILITIES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WELLSVILLE, CACHE COUNTY, STATE OF UTAH AS FOLLOWS:

Penalties for Violations.
A. Any person found to be in violation of this Wellsville City Resolution may be evicted immediately from the public park, playground or recreational facility by an Officer of the Cache County Sheriff's Office or the Utah Highway Patrol.
B. It shall be unlawful for any person to remain in and/or return to any public park, playground or recreational facility after such person has been given direction to leave such public park, playground or recreational facility.
C. The violation of any of provision of this Title shall constitute a Class C Misdemeanor.

Wellsville Reservoir Fishing.
Fishing shall be permitted in the Wellsville Reservoir in accordance with rules and regulations established by the Utah Department of Wildlife Resources. Under no circumstance shall the cleaning of fish be allowed in any park, playground or recreation Facility.

Wellsville Reservoir Boating.
No motorized boats or motorized floating conveyances of any kind shall be allowed on the Wellsville Reservoir.

Night Closure.
All Wellsville City parks, playgrounds and recreation Facilities shall be closed between the hours of dark and one hour prior to dawn.

Temporary Closure.
The Wellsville City Manager or his designee shall have the authority to temporarily close and/or restrict access to any park, playground, or recreation Facility any portion thereof when such closure and/or restriction is determined by the Mayor or designee to be necessary for: (1) the reasonable and proper protection of the park, playground or recreation facility; (2) the reasonable and proper protection of City residents or any other potential user from any existing or potential hazard; and/or (3) any other emergency circumstance or situation which may arise.

Special Events.
Special events shall be defined as an activity at any park, playground or recreation facility involving a group of more than fifty people. Prior to holding a special event, the event sponsor must coordinate with the Wellsville City Manager or designee. Examples of activities considered to be a special event include; family reunions, church group dinners, and scouting activities.

Public Elimination.
It shall be unlawful for any person to expectorate, urinate or defecate at any public park, playground or other recreational facility, except into a toilet provided for that purpose.

Use of Restroom Facilities and Drinking Fountains.
A. No person over six (6) years of age shall enter into or use any toilet facility designated for members of the opposite sex at any park, playground or other recreational facility.
B. It shall be unlawful for any person to put any object in any sinks, toilets or drinking fountains, which is not normally used in those receptacles, which is reasonably likely to clog or plug the plumbing.

Restrictions on Animals.
A. It shall be unlawful for any person to permit any dog to enter or remain in a park, playground or recreational facility unless it is contained on a leash.
B. Any owner or person having control of a dog must properly dispose in a waste receptacle or other designated place, any waste left by such dog in the public park, playground or recreational facility.

C. No person shall at any time let loose any of the bovine species, any horse, mule, goat, sheep, swine, cat, or fowl of any kind within a park, playground or other recreational facility.
D. It shall be unlawful for any person to ride or drive any horse or other animal onto the grass in any park, playground or recreational facility, except as specifically authorized by the City Manager or his designee.
E. It shall be unlawful for any person to hitch or fasten any dog, horse or other animal to any tree or other place or structure in any public park, playground or recreational facility not especially designated and provided for such purpose.
F. It shall be unlawful for any person to annoy, injure or in any way interfere with any bird or animal in any public park, playground or recreational facility without the authorization and consent of the City Manager or his designee.
G. It shall be unlawful to drop or deposit any live or dead any animal, bird, or fish in any park, playground or recreational facility. This includes Ducks and Geese.

Consumption of Illegal Drugs or Alcohol.
It shall be unlawful for any person to consume illegal drugs, beer or any alcoholic beverage or to have in his or her possession any illegal drugs, beer or alcoholic beverage within any park, playground or recreational facility.

Smoking.
No smoking is permitted in any park, playground or recreation facility property.

Firearms and Explosives.
It shall be unlawful for any person to carry or discharge any firearms, firecrackers, rockets, torpedoes, powder or any other fireworks or explosives in any park or playground with the exception of persons carrying a concealed weapon as allowed by a Utah State issues Concealed Weapons Permit. This section is not applicable to a fireworks display or firearms specifically authorized by Wellsville City.

Sprinkling Systems.
It shall be unlawful for any person to adjust or tamper with any sprinklers, sprinkling valves, or sprinkling or irrigation systems at any public park, playground or recreational facility, without the express consent of the City Manager or his designee.

Excessive Noise.
It shall be unlawful for any person to play or cause to be played amplified sound or music in any public park, playground or recreational facility without obtaining a Special Event permit in accordance with the provisions of the Wellsville City Code. It shall be the responsibility of any person obtaining such permit to insure that the permit is available for inspection at the location for which the permission is granted and during the time for which it was granted. The issuance of a permit does not exempt the holder thereof from City ordinances or the rules and regulations regarding noise emissions.

Unlawful Conduct.
No person shall engage in fighting or in riotous, boisterous, threatening or indecent conduct or use any abusive, threatening, profane or indecent language in any public park, playground or recreational facility.

Defacing or Destruction of Property.
No person shall cut, break, remove, injure, deface, destroy or disturb any wood, turf, grass, soil, sand, gravel, tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property, or pluck, pull up, cut, take or remove any shrub, bush, plant, flower, or mark or write upon any building, monument, fence, bench or other structure in any public park, playground or recreational facility.

Fires.

A. No person shall make or kindle a fire within any public park, playground or recreational facility for any purpose except in a designated fireplace, fire pit or facility specifically designed and set apart for that purpose.
B. No hot ashes or briquettes are to be placed in garbage receptacles located in any public park, playground or recreational facility.
C. Gas grills and other self-contained barbeques may be used within any public park, playground or recreational facility, provided that such grills and self-contained barbeques shall not be placed on picnic tables.

Roads, Trails, Paths and Pathways.
A. When a road, trail, path or pathway within a park, playground or recreational facility is designated for any specific purpose or purposes, such as an equestrian trail, bicycle path, or other use, then such trail may only be used for the specific purposes designated or for incidental uses in connection therewith that are necessary to accomplish the use permitted.

B. It shall be unlawful for any person to create or construct any path or pathway within any public park, playground or recreational facility without the express written consent of the City Manager or his designee.

Swimming in Lakes, Ponds or Streams.
A. It shall be unlawful for any person to swim or bathe in any lake, pond, or stream located within a park, playground or recreational facility and not specifically set aside by the City for that purpose.
B. It shall be unlawful for any person to pollute the waters of any pond, lake or stream in any park, playground or recreational facility.

Restrictions on Certain Recreational Activities.
A. Unless otherwise specifically authorized by the City, it shall be unlawful for any person within a park, playground or recreational facility to:
1. Hit or throw balls or other hard objects against fences, or against baseball, soccer or other backstops;
2. Golf or drive golf balls.
3. Shoot any projectile, paint ball or participate in archery.
4. Play on or otherwise use an athletic field or ball diamond that has been prepared for a scheduled game or tournament.

No structure of any kind is to be erected in any public park, playground or recreational facility without the written consent of the City Manager or designee.

Camping.
It shall be unlawful for any person to camp or lodge in any park, playground, or recreation facility with the exception of:

1) The designated camping area East of 200 East Street at the North end of the Wellsville Reservoir – Limit is 3 days.
2) The Rodeo Grounds for 24 hours prior to a Rodeo or Roping Event – Limit is 3 days.

Littering in a Public Park, Playground or Recreational Facility.
No person shall throw or deposit any bottles, tin, tin cans, broken glass, nails, tacks, crockery, wire, paper, clothes, scrap or sheet iron, boxes, boards, lumber, stone, grass clippings, rubbish or garbage of any kind on the property of a park, playground or recreational facility, except in receptacles set out for that purpose.

Restrictions relating to Motor Vehicles; including Motorcycles, ATV's, or Go Carts.
A. Operation of Motor Vehicles in Designated Areas. No person shall operate a motor vehicle within a public park, playground or recreational facility in areas except on streets or in parking lots specifically designated for that particular purpose. This shall not apply, however, to motorized or

self-propelled equipment used by on-duty City or City employees or emergency personnel for transportation, maintenance or service of facilities, or in performance of their duties.
B. Speeding. It is unlawful for any person to operate or drive a motor vehicle within any public park, playground or recreational facility upon any road, trail or pathway at a speed in excess of 10 miles per hour.
C. Careless, Reckless or Hazardous Operation. No person shall operate a motor vehicle within a public park, playground or recreational facility, even within the permissible speed limit or within the area designated for such vehicle's use, in a careless or reckless manner, or in a manner which causes significant hazard to life, safety or property.

Trees and Landscape.
No person shall cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower or to make or write upon any building, monument, fence, bench or other structure. No person shall cut wood; remove turf, soil, etc. or remove any wood, turf, grass, soil, rock, sand or gravel.

This resolution shall be effective upon adoption.

ADOPTED AND PASSED by the Wellsville City Council this day of

WELLSVILLE CITY

_____
Ruth P Maughan
Mayor

ATTEST:

_____
Don Hartle
City Manager/Recorder

Voting Status:
Thomas G Bailey _____
Gary Bates _____
Ron Case _____
Marcene Parker _____
Jackie D Orton _____

I, Don Hartle, City Recorder of Wellsville, Cache County, Utah, hereby certify that I, on the _____ day of _____, 2009 in the City Of Wellsville, County of Cache, State of Utah, posted the foregoing Resolution _____ in a likely manner, a copy of which is hereto attached, in each of 3 of the most public places in the said City of Wellsville, to-wit:

1. City Office
2. City Bulletin Board
3. Toms Service

_____
Don Hartle
City Recorder