City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Mike Pogge-Weaver, City Manager MTPW

FROM: Jack Wardell, Director of Parks and Recreation JW

DATE: December 7, 2017

SUBJECT: Memo to City Council – Chapter 47.05 Park Regulations

- AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLL, IOWA, BY AMENDING PROVISIONS PERTAINING TO PARK REGULATIONS

The current Ordinance 47.05 reads:

47.05 PARKS CLOSED: No person, except those camping in designated areas, shall enter or remain within any park between the hours of 12:00 midnight and 6:00 am, except by special permission of the Council.

Residents around North East Park have concerns with having the park open that late. Their request is to have the park close earlier in the evening. This request was presented to the Parks, Recreation and Cultural Board at their meetings on November 20, 2017 and December 4, 2017. By a vote of 7-0 the Parks, Recreation and Cultural Board voted for the hours to be:

(1) All enclosed shelter houses will close at 12:00 midnight and will remain closed until 6:00 am.
(2) All Parks along with open shelter houses will close at 11:00 pm and will remain closed until 6:00 am with the exception of North East Park which will close at 10:00 pm and will remain closed until 6:00 am.

City staff does support this modification to the ordinance. If approved by City Council the new ordinance will read:

No person, except those camping in designated areas, shall enter or remain within any park between the hours of 11:00 pm and 6:00 a.m., with the exception of North East Park where the hours will be 10:00 pm and 6:00 am, except by special permission of the City Council. Renters of the enclosed shelter houses may remain in the shelter house until 12:00 midnight.

RECOMMENDATION: For the Mayor and City Council consideration and approval of the proposed new Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARROLL, IOWA, BY AMENDING PROVISIONS PERTAINING TO PARK REGULATIONS.

BE IT ENACTED by the City Council of the City of Carroll, Iowa:

SECTION 1. SECTION MODIFIED. Section 47.05 PARKS CLOSED. the Code of Ordinances of the City of Carroll, Iowa, is repealed and the following adopted in lieu thereof:

No person, except those camping in designated areas, shall enter or remain within any park between the hours of 11:00 pm and 6:00 a.m., with the exception of North East Park where the hours will be 10:00 pm and 6:00 am, except by special permission of the City Council. Renters of the enclosed shelter houses may remain in the shelter house until 12:00 midnight.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.

Passed by the Council the ____ day of _____, 20 __, and approved this _____ day of _____, 20 __.

_____
Eric P. Jensen, Mayor

ATTEST:

_____
Laura A. Schaefer, City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 20 __.

_____
Laura A. Schaefer, City Clerk