

CHAPTER 82 - PARKS AND RECREATION
ARTICLE I. IN GENERAL

Sec. 82-1. Park rules generally.

(a) *Adoption; prohibited acts.* Those rules and regulations adopted by the public park board of the city on March 16, 1971, relating to conduct within the parks of the city under the control and operation of the Springfield/Greene County park board are hereby adopted and approved by the city council, which rules and regulations read as follows:

(1) *Conduct in parks.* It shall be unlawful for any person while on property or in buildings under the operation and control of the park board to:

- a. Conduct himself in an unusually loud or disturbing manner; use threatening, abusive, insulting, indecent, obscene or profane language; or harass, annoy, curse at or intentionally jostle any patron of any public park.
- b. In any way interfere, by the use of physical force or by the threat of such force, with any person peacefully moving in and about the grounds and buildings, except for a law enforcement officer or employee of the parks in the performance of his duty.
- c. Throw stones, rocks, sticks, bottles or other similar things by hand or otherwise.
- d. Mark upon, tear up, injure, deface, cut, dig or in any other way intentionally injure or impair the usefulness of structures, grass, trees, shrubs or plants, pavement, sidewalks or roadways.
- e. Attach wires, ropes, placards, notices or other contrivances to any structure, tree, shrub, plant or utility lines without prior written permission of the park board.
- f. Remove property of the parks without permission of the park board, the director of parks or the supervisor of the park.
- g. Erect, place or maintain any tent, building, booth, stand or other structure, temporary or otherwise, without the written permission of the director of parks.
- h. Drop, throw, place or discard any wastepaper, dirt, weeds, trash, refuse or other rubbish of any sort except in a receptacle provided therefor.
- i. Throw, discharge or otherwise place or cause or permit to be placed or discharged into any fountain, pool, pond, lake, stream or other body of water any substance, matter or thing which might cause the water to be harmful to persons or things or to give forth objectionable odors or to appear unsightly, or otherwise pollute the waters.
- j. Fish or remove fish or aquatic life from any stream, pond, lake or other body of water unless fishing shall be expressly permitted in the area.
- k. Carry, possess or discharge any firearm, pellet gun or pistol, BB gun or other similar device, bow and arrow, crossbow or any other device capable of projecting a missile able to inflict harm to persons or animals or to injure property, except law enforcement officers in the performance of their duty or employees of the park board, and except in such places and under such special regulations as the park board may have adopted for practicing the use of any such devices or giving exhibitions or holding competitions in the use thereof.
- l. Engage in an athletic contest or event in any public area except in areas set aside therefor, nor shall any person in any event engage in any athletic contest or event or throw any ball or engage in any game singly or with others in such a fashion as to unreasonably endanger the safety of others thereabout.
- m. Use a loudspeaker or amplifier without prior permission of the director of parks.
- n. Play a musical instrument between the hours of 9:00 p.m. of any day and 10:30 a.m. of the next day without a prior written permit of the director of parks, except this subsection shall not apply to a person who is playing a string or wood instrument between the hours of 9:00 p.m. and 11:00 p.m., provided only one person is playing such instrument in the area and that the playing

of the instrument is done in a manner and at a location so as not to disturb the peace of adjoining property owners or park patrons.

o. Conduct any organized activity or event involving more than 30 persons without a permit from the director.

p. Participate in or enter upon the grounds of any activity where charges are made without first being registered at the place provided therefor and paying the established fee, except for persons provided with exemptions by action of the park board.

q. Camp or picnic other than in an area expressly designated for camping or picnicking, nor shall any person attempt to move or relocate any benches, chairs or tables unless the benches, chairs or tables are not secured in any way whatsoever to the ground, in which case the benches, chairs or tables may be moved and relocated within the confines of the designated picnicking or camping area.

r. Start a fire for cooking purposes or otherwise within any park except in receptacles and facilities intended therefor.

s. Operate, park or race a motor vehicle or bicycle upon the grounds or within the buildings other than in areas designated for the operation of such vehicles, or leave any nonoperable vehicle within a park for a period to exceed six hours.

t. Allow cattle or horses to be driven through, run loose, be staked out, or in any other way to be in a park except in such an area as designated for showing or riding such animals.

u. Annoy, harass, poke at, spit on, throw objects at or otherwise intentionally disturb any animal in the zoo of the city, nor shall any person throw or place any object in any of the cages or animal enclosures within reach of any animal in any such cage or enclosure except employees of the city, except and unless the officials in charge of the zoo shall have provided expressly that certain foods may be given by the public to certain animals.

v. Enter on or in any portion of any grounds or buildings of a park where signs have been previously posted by the park board prohibiting such entry.

w. Solicit business, sell or offer to sell goods, merchandise or services, post any commercial signs, advertisements or circulars without the written permission of the Springfield/Greene County Park Board or the director of parks, or take photographs, motion pictures or videotapes for commercial purposes when the park board has entered into a contract with another person for such activity.

(2) Closing of parks; hours.

a. Whenever the director of parks shall find that there has been and is continuing a disturbance of the peace of persons within or near the vicinity of any park, or he shall find that the safety of persons or property within a park or within the vicinity thereof has been or is being threatened by the conduct of persons in or about a park, the director is hereby authorized to close to the public such park for such period of time not exceeding 12 hours as to him shall seem reasonably necessary to quell the disturbance or threat to life or property, and no person shall enter any park so closed, save employees of the park board and officers and employees of the city, if the notice of the closing thereof shall be posted in conspicuous places thereabout, nor shall any person remain in such park after it shall have been closed after knowledge of the closing shall come to him by signs posted in the vicinity of the park or otherwise.

b. It shall be unlawful for any person other than an employee of the park board or other officers or employees of the city to enter or remain in or upon the grounds or buildings of any public park of the city between the hours of 1:00 a.m. and 5:30 a.m. of any day, except that an activity or event approved by the park board may be continued to its normal conclusion and observers thereof and participants therein shall leave the park within one-half hour following the conclusion of the event.

c. No outdoor athletic event shall begin after 11:30 p.m. or before 7:00 a.m., and use of the public address system at outdoor athletic events shall not occur between the hours of 11:00 p.m. and 7:00 a.m. The provisions of this section shall not apply if the game involves out-of-town participants in a district, state, regional or national tournament.

(3) *Exception.* None of the rules and regulations contained in subsection (a)(1) or (2) of this section shall be applicable to that property known as the fairgrounds and under lease to the Greene County Agricultural and Mechanical Society.

(4) *Standards for issuance of permits.* Whenever, under any of the rules and regulations contained in subsection (a)(1) of this section, a permit is required or provided for, the person charged with the issuance of the permit shall issue the permit only upon a proper application and when he finds that:

a. The proposed activity or use of the park will not unreasonably interfere with or detract from the general enjoyment of the park.

b. The proposed activity or use will not unreasonably interfere with or detract from the promotion of the public health, welfare, safety and recreation.

c. The proposed activity or use will not entail unusual, extraordinary or burdensome expense by the public or unusual or burdensome police protection or activity.

d. The facility desired has not been previously reserved for other use at the day and hour required in the application therefor.

e. The use will not unreasonably interfere with another use previously permitted at the day and hour required in the application.

f. The use is not intended for the advancement of a commercial enterprise.

g. The use or frequency of the use applied for will not unreasonably deprive the public of the general use of the park or its facilities or unreasonably deprive or interfere with use of the remainder of the park or its facilities by the public.

(b) *Penalty.* Any person violating any of the provisions of the rules and regulations shall, upon conviction thereof, be punished as provided by the provisions of section 1-7.

(c) *Park rangers; enforcement.* The park rangers for the Springfield-Greene County Parks Department shall have upon appointment the authority to enforce city parking ordinances, enforce rules, regulations, and ordinances pertaining to handicapped parking, and enforce all park rules, regulations, and ordinances while on park property.

(Code 1981, § 27-1; G.O. No. 4907, § 1, 6-21-1999; G.O. No. 5724, § 1, 12-17-2007)

Sec. 82-2. Through truck traffic prohibited in parks.

Through truck traffic is prohibited on any public park roadway.

(Code 1981, § 27-2)

Cross references: Traffic and vehicles, ch. 106.

Sec. 82-3. Parking of vehicles in parks.

(a) No person shall park a vehicle in any street, roadway, driveway or parking area that is marked for parking in any public park at any time or in any manner except as designated by lines or markings upon the pavement or ground. No person shall park any vehicle in front of or across any driveway or entranceway or within five feet of any driveway or entranceway to any picnic area or filter building located in any public park, nor shall any person park a vehicle at any place within a public park where, by signs duly erected, parking is prohibited.

(b) No person shall park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions and with the instructions of any attendant who may be present. The park director shall have the authority to restrict the parking of

vehicles in certain areas of the parks to those individuals who are using that particular area by posting regulations, and no person shall park in those areas except as so designated.

(Code 1981, § 27-3)

Cross references: Traffic and vehicles, ch. 106.

Sec. 82-4. Intoxicated persons in parks.

A person who appears in a public park in what appears to be an intoxicated condition may be taken, pursuant to RSMo 67.315, by a peace officer, to the person's residence, to any available treatment service, or to any other appropriate local facility, which may if necessary include a jail, for custody not to exceed 12 hours.

(Code 1981, § 27-1(A)(1)(a))

Cross references: Alcoholic beverages, ch. 10.

State law references: Similar provisions, RSMo 67.315.

Sec. 82-5. Rules and regulations for recreational areas operated by board of public utilities.

(a) *Established.* The park and recreation regulations pertaining to and governing the recreational areas owned by the city and operated by the board of public utilities as city utilities shall be the rules and regulations fixed, determined, adopted and promulgated by the board of public utilities, as such park and recreation regulations may be from time to time altered, amended, changed, modified, repealed or reenacted by the board of public utilities and approved by the city council.

(b) *Compliance; enforcement.* The city council finds, determines, declares and ordains that no person shall be entitled to use and enjoy the recreational areas regulated by this section except upon strict compliance with all of the park and recreation regulations pertaining to and governing such use or enjoyment which may have been fixed, determined, adopted and promulgated by the board of public utilities and approved by the city council, and which may be at the time in full force and effect. The city manager is hereby empowered, authorized and directed to cooperate with the board of public utilities and its officers, agents and employees in strict enforcement of all such rules and regulations pertaining to and governing the operation of the recreational areas by the city utilities and their use by the public, and to take all action and to do all things which may be necessary, desirable or convenient in strict enforcement of all such rules and regulations.

(c) *Applicability to property outside city limits.* The city council finds, determines, declares and ordains that the provisions of this Code and other ordinances of the city shall apply to the recreational areas owned by the city and operated by the board of public utilities as city utilities, with the same purpose and to like effect as if the recreational areas were situated within the corporate limits of the city.

(d) *Revocation of permits for violations.* Upon the conviction of any person for the violation of any of the regulations adopted by this section, the court may, in addition to any other penalty imposed, upon proof of prior violation or failure to comply with such regulations, cancel, suspend or revoke for a period not to exceed one year any permit or registration issued or made by the city utilities.

(Code 1981, §§ 34-61--34-64)

Secs. 82-6--82-30. Reserved.

//Springfield, Missouri/CODE City of SPRINGFIELD, MISSOURI Codified through Ordinance No. 5741, enacted February 25, 2008. (Supplement No. 6, Update 3)/Chapter 82 PARKS AND RECREATION*/ARTICLE I. IN GENERAL