

## **ORDINANCE NO. 333**

### **AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE CITY PARK AND RECREATION PARK; PROVIDING A PENALTY FOR VIOLATIONS THEREOF; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City Council for the City of Foreman, Arkansas has determined that there is significant need for the establishment of various rules and regulations that shall be applied to persons entering and being upon the premises of the Foreman City Park and Foreman Recreation Park (“City Parks”);

**AND WHEREAS** it is the finding of the City Council that it would be in the best interest of its citizens that certain activities and/or items should be prohibited to allow for the peaceful enjoyment of the park by others

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FOREMAN, ARKANSAS:**

SECTION 1: Listed below herein are various rules and prohibitions which shall be known as the “Foreman Park Rules and Regulations” and same are itemized and set forth as the following:

- a) The City of Foreman or the Foreman Parks and Recreation Department does not assume any liability or responsibility for injury or damage to persons or property. In the event such claims or causes of action are asserted against the City, the City will assert immunity from suit when applicable. The Foreman Parks and Recreation Department and the City of Foreman requires that you sign an agreement to indemnify and hold harmless the City, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the special event or public amusement and that you provide a signed statement promising to clean up the city property and restore the property to the pre-event condition.
- b) The City of Foreman and/or the Foreman Parks and Recreation Department also has provided that you may be required to furnish the City with a certificate of insurance in a sufficient amount as determined by the City to protect city-owned property and that you acknowledge that you may be required to fully reimburse the City for any city resources expended before, during, or after the special event to handle any matter related to the special event, including time spent by city personnel, city equipment, or other city resources.
- c) The sale, possession or consumption of alcohol is prohibited in all parks. Individual consumption of alcohol during small private/family gatherings will not be allowed.
- d) Amplified music or speaking is prohibited except as authorized by the Parks and Recreation Director or designee. Small stereos, compact disk players, instruments, etc. may used as long as they are not amplified and do not disturb other park users.
- e) Fund raising activities are allowed on park property only when the event is sponsored by a non-for profit (501c3) organization and/or co-sponsored by the City.

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- f) All special events (parties, dances, parades, weddings, festivals, celebrations, tournaments, or other gatherings which would likely result in traffic congestion, parking problems, crowds, sanitation problems, excessive noise, security or safety concerns, violations of any city ordinance, or any other circumstances likely to cause a breach of the peace or adversely affect the health and safety of the public or any participant at the special event) must be submitted to the Parks and Recreation Director or designee for review at least 20 business days before the date of the special event. If the event is deemed by the Parks and Recreation Director or designee a special event, the applicant must submit the appropriate Special Event application. The application will be forwarded to the Mayor to be reviewed and presented to the City Council for approval.
- g) Small private/family gatherings or other events which do not meet the definition of “special event” as defined in Section 1(f) may be approved by the Parks and Recreation Director or designee.
- h) Small shade covers may be used for outings, no tents may be erected without approval of the Parks and Recreation Director or designee.
- i) Vehicles must remain on roads and be parked in designated parking areas.
- j) No hunting, trapping, of any kind is allowed including hunting or shooting with any bow/arrows, air rifles of any type, or a sling on park property.
- k) No Firearms and/or air rifles of any type are allowed in the City Parks except by authorized law enforcement officers.
- l) No person shall build or attempt to build a fire except in designated picnic areas with outdoor cookers available except with the prior approval of the Fire Marshall and the Parks and Recreation Director.
- m) No person shall gamble, participate in, or a bet any game of chance.
- n) No glass containers or bottles are allowed in the park except authorized by written permission issued by the Parks and Recreation Director.
- o) No commercial vending except authorized by contract or written permission issued by the Parks and Recreation Director. City facilities shall not be used to host activities which may result in profit for any private sector business. It shall be prohibited for any person in a park to expose or offer for sale any article or thing, or to station or place any stand, cart, or vehicle for the transportation, sale or display or any such article or thing. An exception is made as to any regularly licensed concessionaire acting by and under the authority and regulation of the director.
- p) No Fireworks or explosives of any kind are allowed in the City Parks with the exception of Section 1(f).
- q) No overnight camping including camping in any type of structure or vehicle is allowed without approval of the Parks and Recreation Director or designee.
- r) No person shall intentionally harm or injure wildlife in any park.
- s) The City Parks shall be closed from 11:00p.m. until 5:00a.m..
- t) Radio-controlled model airplanes or drones are only allowed in designated areas of the parks. Absolutely no flying over persons inside or outside the designated areas.
- u) The Parks and Recreation Department may establish and post maximum occupancies for any park area. Patrons shall not enter or remain in the area or facility for which an occupancy limit has been established when such action will have the effect of exceeding the established occupancy limits.

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- v) All-terrain vehicles (ATV), golf carts, utility vehicles, motorcycles, dirt bikes, similar motor-driven vehicles, as well as, horses, ponies and mules are not allowed to be ridden on park property except authorized by written permission issued by the Parks and Recreation Director.
- w) Park Pavilion Rental – Use of the City Parks pavilions shall be by permit only. A permit may be obtained and upon signing a rental agreement at Foreman City Hall. The renting party will be responsible for returning the pavilion to the condition which it was found (i.e. cleaning up). The renting party will be responsible for any and all damages that they or their guests cause. The City shall not be liable for property loss or personal injury sustained by any person as a result of the use of the pavilion.

**SECTION 2:** Listed below herein are various rules and prohibitions which shall be known as the “Foreman Park Rules and Regulations – Ball Fields” and same are itemized and set forth as the following:

- a) All parts of Section 1 and 3 also apply to this Section 2.
- b) No Soft toss against the fence.
- c) No alcohol, drugs nor tobacco products, including vaping inside our facilities including ball fields is allowed.
- d) All practices, games, and tournaments requests will need to be approved in advance by the Parks and Recreation Director or designee.

**SECTION 3:** Listed below herein are various rules and prohibitions which shall be known as the “Foreman Park Rules and Regulations - Dogs” and same are itemized and set forth as the following:

- a) All parts of Section 1 and 2 also apply to this Section 3.
- b) All pets must be on a leash, be current on all required vaccinations, with current rabies vaccination and license tags clipped to their collars at all times.
- c) Aggressive dogs are not allowed in the parks. Any dogs showing signs of aggression should be removed from the premises.
- d) Female dogs in heat are not permitted in the parks.
- e) Owners must clean up any dog droppings made by their pets. Bag all droppings before depositing them in provided receptacles.
- f) Dog bites to a person must be reported to Little River County Sheriff’s office – call 911.

**SECTION 4:** That all ordinances and/or parts of ordinances in conflict with ordinance are hereby repealed.

**SECTION 5:** That the provisions of this Ordinance are severable and if a section, phase or provision shall be declared invalid; such declaration shall not affect the validity of the remainder of this Ordinance.

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EMERGENCY CLAUSE: It is hereby determined by the City Council, City of Foreman, Arkansas that the immediate need for rules and regulations exists at the Foreman Recreation Park and the City Park of Foreman, Arkansas and therefore an emergency exists and this Ordinance being necessary to preserve the health, safety, and peace of the citizens of the City of Foreman, Arkansas shall be in full force and effect from and after its passage.

This Ordinance passed and adopted this 20<sup>th</sup> day of May, 2019.

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William B. Harp, Mayor

ATTEST:

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Theresa Woods  
Deputy Recorder/Treasurer