

CHAPTER 12 PUBLIC PROPERTY

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ARTICLE 1 CITY PARKS

- 12-101 CITY LAWS EXTENDED TO PARK- The laws of the city shall extend to and cover all city parks.
(Code 1994; Code 2003; Code 2015)
- 12-102 POLICE JURISDICTION OVER PARKS- The city shall have police regulations governing any public parks belonging to the city and the chief of police and law enforcement officers of the city shall have full power to enforce city laws governing city parks and shall maintain order therein.
(Code 1994; Code 2003; Code 2015)
- 12-103 DAMAGING PARK PROPERTY- It shall be unlawful for any person, except duly authorized city employees, to willfully or wantonly remove, injure, tarnish, deface or destroy and building, walk, bench, tree or improvement or property of any kind belonging to any park owned by the city.
(Code 1994; Code 2003)
- 12-104 DISCHARGE OF WEAPONS NOT ALLOWED- It shall be unlawful for any person to shoot or discharge any firearm or dangerous weapon within the limits of any city parks.
(Code 1994; Code 2003; Code 2015)
- 12-105 VEHICLE REGULATIONS- (a) Motor vehicles, including any vehicle licensed to operate on public streets, roads and highways and motorbikes, go-carts, snowmobiles and other motorized off-the-road vehicles shall be operated in a safe and prudent manner at all times in park areas.
- (b) Except as provided in subsection (d), it shall be unlawful for any person to park any motor vehicle in any area not designated for such purpose.
- (c) Except as provided in subsection (d), it shall be unlawful for any person to operate any motor vehicle within any city park except upon roads, drives and parking areas established by the city.
- (d) Subsection (b) and (c) above shall not apply to authorized city employees while engaged in the maintenance and care of the park.

(e) It shall be unlawful to operate any such vehicle in any park area at a speed in excess of 20 mph.
(Code 1994; Code 2003; Code 2015)

12-106 HUNTING- It shall be unlawful for any person to pursue, catch, trap, maim, kill, or shoot or take any wildlife, either bird or animal, in any manner at any time while in any city park.
(Code 1994; Code 2003; Code 2015)

12-107 FIRES- It shall be unlawful for any person to build or kindle any fire in any city park except in the ovens, stoves, or grills provided for that purpose by the city, and such fire must be extinguished by the person, persons or parties starting such fire, immediately after use thereof.
(Code 1994; Code 2003; Code 2015)

12-108 CAMPING PROHIBITED- Overnight camping is hereby prohibited in city parks except where posted or otherwise authorized.
(Code 1994; Code 2003; Code 2015)

12-109 SANITATION- All waste material, paper, trash, rubbish, tin cans, bottles, containers, garbage and refuse of any kind whatsoever shall be deposited in disposal containers provided for such purposes. No such waste or contaminating material shall be discarded otherwise. No sticks, stones, trash or other objects shall be thrown or discarded in or on any park lands, foundations, pools, drinking fountains, sanitary facilities, or other improvements.
(Code 1994; Code 2003; Code 2015)

12-110 PROHIBITION AGAINST ALCOHOLIC BEVERAGES AND CEREAL MALT BEVERAGES- It shall be unlawful for any person or persons to use, consume, or have on the premises of any park or other city property within the city any alcoholic liquor or cereal malt beverage, unless authorized pursuant special permit issued by the City.
(Code 1994; Code 2003; Code 2015)

12-111 PRESERVATION OF NATURAL STATE- It shall be unlawful for any person, except duly authorized city employees, to take, injure, or disturb any live or dead tree, plant, shrub, or flower, or otherwise interfere with the natural state of city parks.
(Code 1994; Code 2003; Code 2015)

12-112 GENERAL REGULATIONS- The City may post such rules and regulations, as are approved by the governing body, pertaining to the use of the city parks in a conspicuous place in each city park. Violations of these posted rules shall constitute a violation of this code.
(Code 1994; Code 2003; Code 2015)

ARTICLE 1A ROADSIDE PARK

12-1A01 OVERALL MANAGEMENT AND CONTROL- The mayor and city council shall exercise overall management and control over the St. Francis Roadside Park and grounds and will make final decisions concerning operations, maintenance, improvements and personnel.
(Ord. 537, passed 8-22-06; Code 2015)

12-1A02 ROADSIDE PARK BOARD- A roadside park board is hereby established to assist the city council in the operations and maintenance of the roadside park with its directives from the council being as follows:

(a) To provide direct oversight and assistance to city council and city superintendent as to normal operations and maintenance of the roadside park.

(b) To coordinate maintenance of the grounds and facilities, authorize and schedule normal repairs and provide the council with capital spending recommendations.

(c) To serve as a direct contact with members of the public in areas of public relations, comments and concerns.

(d) Establish user fees and adopt such public rules and regulations as the board deems appropriate to assist in the day to day use and operation of the roadside park.

(Ord. 537, passed 8-22-06; Code 2015)

12-1A03 ROADSIDE PARK MEMBERSHIP- The roadside park board shall consist of the city council members appointed to the Parks and Recreation Committee by the mayor with the consent and approval of the council who shall serve on an annual basis from May to May. (Ord. 537, passed 8-22-06; Code 2015)

12-1A04 ROADSIDE PARK MEETINGS- The roadside park board shall meet at such time and places as its members deem appropriate. Meetings shall be open to the public.

(Ord. 537, passed 8-22-06; Code 2015)

ARTICLE 2 KELLER POND

12-201 LAWFUL FISHING- (a) Each fisherman is limited to two lines with not more than two baited hooks (single or treble) or artificial lures per line. Casting plugs, lures, and flies may be used. Fish may be hooked only in the mouth to be considered legally caught by hook and line. If hooked elsewhere, the fish shall be returned, unrestrained, to the water immediately.

(b) Any type of fishing equipment or method not set forth hereinbefore is unlawful.
(Ord. 441, Sec.1; Code 1994; Code 2003; Code 2015)

12-202 LICENSE REQUIREMENTS- Persons age 16 to 65, who have been bona fide residents of the State of Kansas for 60 days immediately prior to buying a license, must have a Kansas resident fishing license possession while fishing Keller Pond. Non-residents (except those under 16 years of age) must have a valid Kansas non-residents fishing license to fish Keller Pond.
(Ord. 441, Sec. 2; Code 1994; Code 2003; Code 2015)

12-203 LENGTH LIMITS- Length limits for fish taken from Keller Pond are hereby established as follows:

(a)	Channel catfish, blue catfish (Single species or in combination)	12"
(b)	Large mouth bass, small mouth bass, spotted bass (Single species or in combination)	8"

(Ord. 449, Sec. 3; Code 1994; Code 2003; Code 2015)

12-204 CREEL LIMITS- The following daily creel limits which apply to fish taken from midnight to midnight are hereby established:

(a)	Channel catfish, blue catfish (single species or in combination)	5
(b)	Large mouth bass, smallmouth bass, spotted bass (single species or in combination)	5

(Ord. 441, Sec. 4; Code 1994; Code 2003; Code 2015)

12-205 CONSUMPTION OF ALCOHOLIC BEVERAGE AND/OR CEREAL MALT BEVERAGE PROHIBITED- The consumption of alcoholic beverages and/or cereal malt beverages is prohibited on the premises of Keller Pond.
(Ord. 441, Sec. 5; Code 1994; Code 2003; Code 2015)

12-206 ENFORCEMENT- In addition to the normal law enforcement personnel of the city, and the Sheriff's Department of Cheyenne County, personnel with the Kansas Department of Wildlife and Parks are specifically empowered hereby to enforce this article.
(Ord. 441, Sec. 6; Code 1994; Code 2003; Code 2015)

ARTICLE 3 ST. FRANCIS WILDLIFE AREA

12-301 AREA DESIGNATED- The following area is hereby designated as the St. Francis Wildlife Area:

(a) The Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$); and

(b) The East 200 feet of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE¼SW¼NE¼); and

(c) The South 100 feet of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (NW¼SE¼NE¼) ALL in Section 21, Township 3 South, Range 40 West of the 6th P.M., Cheyenne County, Kansas. (Ord. 433, Sec. 1; Code 1994; Code 2003; Code 2015)

12-302 HUNTING PROHIBITED- Hunting, shooting, taking, killing, trapping, injuring, pursuing, molesting, or disturbing in any way, any bird or animal on or with such area is prohibited. (Ord. 433, Sec. 2; Code 1994; Code 2003; Code 2015)

12-303 DESTRUCTION OF PROPERTY PROHIBITED- The destruction of or injury to any sign, guidepost, property, vegetation or habitat in the wildlife area is unlawful. (Ord. 433, Sec. 3; Code 1994; Code 2003; Code 2015)

12-304 DESTRUCTIVE ACTS AND IMPROPER USE OF AREAS PROHIBITED- Throwing of trash, waste or refuse of any kind on the ground or in the waters, the misuse and abuse of property, or the use of any facilities as toilets or for refuse disposal except those facilities provided for these purposes is prohibited. (Ord. 443, Sec. 5; Code 1994; Code 2003; Code 2015)

12-305 FIRES- Building or starting fires in any area other than that area posted as a fire allowed area, allowing any fire to cause damage to grounds or facilities or leaving a fire unattended is prohibited. (Ord. 443, Sec. 6; Code 1994; Code 2003; Code 2015)

12-306 DOGS- Dogs are prohibited from wildlife area unless tied with chain, controlled on leash, or confined to motor vehicle, cabin or trailer. (Ord. 444. Sec. 7; Code 1994; Code 2003; Code 2015)

12-307 SPEED LIMIT- No person shall operate a motor vehicle at a speed in excess of 15 miles per hour in the wildlife area, except where otherwise posted. (Ord. 445, Sec. 8; Code 1994; Code 2003; Code 2015)

12-308 RESTRICTED AREAS- Horseback riding and the operation of automobiles, motorcycles or any other motorized vehicle in the wildlife area is restricted to maintained roads and parking areas unless posted otherwise. (Ord. 445, Sec. 9; Code 1994; Code 2003; Code 2015)

12-309 DISORDERLY CONDUCT PROHIBITED- Disorderly conduct in the way of drunkenness, vile language, fighting, disturbing the public peace and

personal exposure by removal or changing of clothes in any place where a person is not properly sheltered, is prohibited.
(Ord. 445, Sec. 10; Code 1994; Code 2003; Code 2015)

12-310 SWIMMING; RESTRICTIONS- Bathing, swimming or wading is unlawful except where posted areas are so designated and open. All persons enter the water at their own risk. Wading is allowed as part of fishing.
(Ord. 445, Sec. 11; Code 1994; Code 2003; Code 2015)

12-311 FISHING METHODS- Any person having proper fishing license, and person exempt by law, may fish during legal open season on or with that portion of the wildlife area which is open to fishing. Fishing is permitted in accordance with current laws and regulations governing seasons, size limits and lawful methods of taking fish. Trotlines and setlines shall not be used unless notice is posted to allow their use.
(Ord. 445, Sec. 12; Code 1994; Code 2003; Code 2015)

12-312 FIREWORKS PROHIBITED- The discharging or use of fireworks of any kind in this area is unlawful except with the written consent of the city and under conditions specified by the city for special events.
(Ord. 445, Sec. 13; Code 1994; Code 2003; Code 2015)

12-313 TAKING OF MINNOWS PROHIBITED- No person shall take minnows in this wildlife area.
(Ord. 445, Sec. 14; Code 1994; Code 2003; Code 2015)

12-314 DRINKING OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGES PROHIBITED- The drinking, display or sale of alcoholic liquors or cereal malt beverages within this area is prohibited.
(Ord. 445, Sec. 15; Code 1994; Code 2003; Code 2015)

12-315 PRIVATE CONSTRUCTION IN WILDLIFE AREA- Private construction of any building, boat dock, fishing dock, launching ramp, tables, or other equipment or facilities in this wildlife area is prohibited except as may be permitted by special permit from the city.
(Ord. 445, Sec. 16; Code 1994; Code 2003; Code 2015)

12-316 CONTROLLED SUBSTANCES PROHIBITED- Except as authorized by the Uniform Controlled Substances Act, possessing or using any controlled substance within the wildlife area is prohibited.
(Ord. 445, Sec. 17; Code 1994; Code 2003; Code 2015)

ARTICLE 4 MUNICIPAL POOL

12-401 **OVERALL MANAGEMENT AND CONTROL-** The mayor and city council shall exercise overall management and control over the St. Francis Municipal Pool and grounds and will make final decisions concerning operations, maintenance, improvements and personnel.
(Ord. 522, passed 1-20-04; Code 2015)

12-402 **POOL BOARD-** A pool board is hereby established to assist the city council in the day to day operations of the pool with its directive from the council being as follows:

- (a) To provide direct oversight and assistance to pool employees as to normal operations and maintenance of the municipal pool and grounds.
- (b) To provide immediate supervisory functions over the pool manager.
- (c) To directly assist the city council by making recommendations as to personnel and wages.
- (d) To coordinate maintenance of the facilities, authorize and schedule normal repairs and provide the council with capital spending recommendations.
- (e) To serve as a direct contact with members of the public in areas of public relations, comments and concerns.
- (f) Establish user fees and adopt such public rules and regulations as the board deems appropriate to assist in the day to day use and operation of the municipal pool.

(Ord. 522, passed 1-20-04; Code 2015)

12-403 **POOL BOARD MEMBERSHIP-** The pool board shall consist of five members appointed by the mayor with the consent and approval of the council who shall serve on an annual basis from May to May. The board shall consist of one council person, the city superintendent, and three members at-large from the community. To the extent feasible, the at-large members shall be individuals who either utilize the pool or have family members who utilize the pool.
(Ord. 522, passed 1-20-04; Code 2015)

12-404 **POOL BOARD MEETINGS-** The pool board shall meet at such time and places as its members deem appropriate.
(Ord. 522, passed 1-20-04; Code 2015)

12-405 **REPORTS TO COUNCIL-** A member of the pool board shall provide the city council with monthly reports during the months of pool operations and present pool board recommendations for consideration and further action by the city council.
(Ord. 522, passed 1-20-04; Code 2015)