

TITLE V - LEISURE TIME OPPORTUNITIES
CHAPTER 1 - PARKS

ARTICLE 1
PARK COMMISSION

5-1.0101 PARK COMMISSION.

There shall be a board of park commissioners for the city consisting of five (5) citizens of legal age.

(Code of Iowa, 1975, Sec. 392.1)

5-1.0102 APPOINTMENT AND TERM.

This board shall be appointed on an annual basis at the regularly scheduled January city council meeting.

(Ord. 368 (part), 2000: Code of Iowa, 1975, Sec. 392.1)

5-1.0103 ORGANIZATION.

At the January meeting of this board they shall elect/appoint one of its members as chairperson.

(Ord. 368 (part), 2000: Code of Iowa, 1975, Sec. 392.1)

5-1.0104 JURISDICTION AND AUTHORITY.

The board shall have exclusive control of all parks and pleasure grounds owned by the city and set apart for like purposes within or without the city. All ordinances of the city shall be in full force and effect in and over the territory occupied by such parks.

(Code of Iowa, 1975, Sec. 392.1)

5-1.0105 RULES AND REGULATIONS.

The board shall have power to make rules and regulations for the use of park or other facilities under its control, such rules shall be posted on the facility or otherwise publicized in a manner to provide adequate notice to the public.

(Code of Iowa, 1975, Sec. 392.1)

5-1.0106 PENALTIES.

Any person who violates a board rule or regulation which has been approved by the council and adopted by ordinance may be subjected to the penalties provided for in the ordinance adopting the rule or regulation.

(Code of Iowa, 1975, Sec. 392.1)

ARTICLE 2
PARK RULES AND REGULATIONS

5-1.0201 RULES AND REGULATIONS.

The following rules and regulations shall govern the parks and playgrounds in the city.

(Code of Iowa, 1975, Sec. 392.1)

1. Vehicles and Animals. It shall be unlawful for any person to drive or propel any vehicle, drive any horse or any other animal through any park, except along or upon park drives, or to drive or propel any heavily laden vehicle upon the park drive or ways without the written consent of the commission.

2. Speed Limit. It shall be unlawful for any person to drive or propel over or along any park drive any vehicle, horse or other animal, or bicycle at a greater speed than ten (10) miles per hour.

3. Parking of Vehicles. It shall be unlawful for any person to repair, wash or polish motor vehicles, motorcycles, or other vehicles in any park or public grounds or to park any motor vehicle, motorcycle, or other vehicle except between the hours of daylight and 10:30 P.M. where parking spaces are provided, but no parking will be permitted whatsoever between the hours of 10:30 P.M. and daylight.

4. Excavation and Advertisement. It shall be unlawful for any person to make any excavation for any purpose upon the properties under control of the park commission or to place or erect any structure, sign, bulletin board, post, pole or advertising device of any kind whatsoever in any park, or to attach any notice, bill poster, sign wire, rod or cord to any tree, fence, railing, post or structure within a park, without first securing permission from the commission.

5. Destruction of Property. It shall be unlawful for any person to remove, destroy, mutilate or deface any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, tree, shrub, fern, plant, flower, or other property in any park or playground.

6. Animals at Large: Prohibited. It shall be unlawful for any person to allow or permit any dog or animal to run at large in the park.

7. Fireworks and Firearms: Prohibited. It shall be unlawful for any person to shoot, fire or explode any firearms, fireworks, firecrackers, or explosives of any kind or to carry any firearms in any park or playground, except upon written permission of the commission.

8. Business Prohibited. It shall be unlawful for any person to be or act as or ply the vocation of a solicitor, agent, vagrant, peddler, fakir, mendicant, beggar, strolling musician, organ grinder, exhorter, showman or blackboot in any park or playground.

9. Public Meetings. It shall be unlawful for any person to hold any public meeting or gathering, or to make any public speech in any park or playground except upon written permission of the commission.

10. Disorderly Conduct. It shall be unlawful for any person to conduct or carry on any boisterous or insulting language, or to be guilty of any disorderly, lewd or lascivious conduct of any kind in any park or playground.

11. Restrictions Concerning Alcoholic Beverages.

A. Except under the circumstances authorized herein, it shall be unlawful for any person to bring into, possess or consume alcoholic beverages in any city park or playground or any building or shelter under the control of the park commission. The city council may allow the sale of alcoholic beverages during the annual Fourth of July celebration. The sale of alcoholic beverages during the annual Fourth of July celebration shall be by a civic or non-profit organization. The rules and regulations regarding the special authorization to sell alcoholic beverages during the Fourth of July celebration shall be determined by the city council on a case by case basis.

B. On a case by case basis for special events the city council may allow individuals to bring coolers containing alcoholic beverages into city parks, and to consume such beverages.

ages. The following conditions together with any other imposed by the city council on a case by case basis shall apply:

(1) Alcoholic beverages in glass containers shall not be allowed.

(2) Alcoholic beverages shall not be possessed or consumed on or near ball fields, including bleachers surrounding ball fields, when juvenile ball teams are playing, practicing or gathering.

(3) Alcoholic beverages shall not be possessed or consumed on or among carnival rides, games and shows, including, but not limited to any carnival midway.

(4) Alcoholic beverages shall not be possessed or consumed on or about playground equipment.

(5) In no case shall alcoholic beverages be possessed or consumed prior to the beginning of any special event, or later than 10:30 p.m. or the hour at which the special event is to end whichever first occurs.

(6) All rules and regulations set down by the state of Iowa, the city of Buffalo, and the Alcoholic Beverages Division of the Iowa Commerce Department shall be complied with.

(7) Individuals possessing or consuming alcoholic beverages agree to defend, indemnify and hold the city of Buffalo, its officers, agents and employees, harmless from any and all claims, demands or suits for bodily injury, including death, and property damage that may result or is alleged to arise out of the possession or consumption of alcoholic beverages in any city park or playground or any building or shelter under the control of the park commission.

C. It shall be unlawful for any intoxicated person to enter or remain within any park, playground or building or shelter under the control of the park commission. Such persons may be ejected by the police department.

D. It shall be unlawful for any person to violate any of the provisions of this section or any further conditions

imposed by the city council. Alcoholic beverages possessed or consumed in violation of this section or in violation of any further conditions imposed by the council may be seized by the city of Buffalo and appropriately disposed of if the person possessing or consuming the same refuses to remove the beverages, upon being ordered to do so.

12. Sports and Games Limited. It shall be unlawful for any person to play football, golf, cricket, baseball or other like games in any park except in places designated for such purposes; it shall be unlawful for any person not participating in any games to interfere with any part of the sport.

13. Littering. It shall be unlawful for any person to drop or deposit any materials whatsoever upon any park or public grounds including parking facilities or drives therein without first having written consent of the park commission.

14. Clean-up After Usage. The public is requested to aid the park authorities in keeping the parks free from all waste paper, boxes, packages etc. Waste containers will be provided to receive all such debris. Any organization scheduling events as per Section 5-1.0105 shall be responsible for the condition of the park upon the ending of such event. Any necessary clean up or repairs will be charged to this organization.

15. Scheduling of Facilities. All buildings and activities of a large nature shall be scheduled through the commission. Only non-profit organizations may have the use of any of the buildings for the sale of refreshments. All organizations must make application to the commission for each day they wish to use the facilities.

(Ord. 401, 2005; Ord. 266, Sec. 1, 1990)

ARTICLE 3 BUFFALO RIVER PARK RULES AND REGULATIONS

5-1.0301 ESTABLISHED.

The city hereby establishes a new city park, to be known as the "Buffalo River Park."

(Ord. 276, Sec. 1, 1991)

5-1.0302 LOCATION.

Buffalo River Park shall be located on the land owned by the city between Highway 22 and the Mississippi River, within the city limits of the city. From time to time the city council may expand, contract or otherwise modify the boundaries of Buffalo River Park.

(Ord. 276, Sec. 2, 1991)

5-1.0303 APPLICATION.

The terms of this chapter shall apply only to the Buffalo River Park, and not to any other park or facility owned or operated by the city.

(Ord. 276, Sec. 3, 1991)

5-1.0304 GENERAL PARK PROVISIONS TO APPLY-EXCEPTIONS.

With the exception of the provisions in this chapter concerning overnight camping and the allowance of canned alcoholic beverages, all existing and future city ordinances which generally govern city parks and facilities shall apply to the Buffalo River Park.

(Ord. 276, Sec. 4, 1991)

5-1.0305 OVERNIGHT CAMPING-PERMITTED.

Overnight camping shall be allowed in Buffalo River Park, subject to the rules and regulations pursuant to the Buffalo City Code.

(Ord. 276, Sec. 5, 1991)

5-1.0306 OVERNIGHT CAMPING-GEAR REQUIRED.

All persons camping overnight in Buffalo River Park shall be equipped with tents and other gear suitable for overnight camping.

(Ord. 276, Sec. 6, 1991)

5-1.0307 QUIET PERIOD.

The hours of ten P.M. to six A.M. shall be designated as a quiet period in Buffalo River Park. During such quiet period, overnight campers shall not engage in or produce any excessive noise. "Excessive noise" is defined to include, but is not limited to: any loud or unusual noise, by music, radios or any type of speaking devices or noise makers, blowing horns or ringing bells, any type of machine, mechanical device or vehicle, screaming or fighting, or any other type of noise which is reasonably likely to disturb other overnight

campers and/or any other persons nearby. Any violation of this section shall be unlawful, and the penalty for such violations shall be a scheduled fine of one hundred dollars (\$100.00).

(Ord. 363, 1999; Ord. 276, Sec. 7, 1991)

5-1.0308 ALCOHOLIC BEVERAGES.

Persons may bring individual serving sized aluminum or plastic cans containing alcoholic beverages into Buffalo River Park and may consume such beverages without obtaining prior permission from the city council. No kegs of any type will be allowed at any time. All other city ordinances which generally govern the possession and consumption of alcoholic beverages in city parks and facilities, including, but not limited to City Code, Section 5-1.0201(11), shall fully apply to the possession and consumption of alcoholic beverages in Buffalo River Park. Any violation of the alcoholic beverage container provision in this section shall be unlawful, and the penalty for such violations shall be a scheduled fine of one hundred dollars (\$100.00).

(Ord. 363, 1999; Ord. 294, 1992; Ord. 276, Sec. 8, 1991)

5-1.0309 LITTER.

Persons shall not leave any litter in the Buffalo River Park. All litter shall be removed that a person has brought into the park. Persons leaving any litter in the park upon leaving shall be unlawful, and the penalty for such violation shall be a scheduled fine of one hundred dollars (\$100.00), per this section.

(Ord. 363, 1999; Ord. 276, Sec. 9, 1991)

5-1.0310 GLASS CONTAINERS.

No glass food or beverage containers shall be brought into the Buffalo River Park or possessed in the Buffalo River Park. Any violation of this section shall be unlawful, and the penalty for such violation shall be a scheduled fine of one hundred dollars (\$100.00).

(Ord. 363, 1999; Ord. 276, Sec. 10, 1991)

5-1.0311 SWIMMING.

The city shall post at Buffalo Riverside Park signage which informs persons swimming, entering the Mississippi River from Buffalo Riverside Park, that they are swimming at their own risk and that the Mississippi River contains dan-

gerous currents. Such signage shall be placed at intervals such that a person standing by one sign would see further down the beach that there is an additional sign.

(Ord. 363, 1999)

CHAPTER 2 - COMMUNITY CENTER COMMISSION

5-2.0101 COMMISSION ESTABLISHED.

There shall be a city community center commission for the city consisting of nine (9) members who shall be of legal age and who shall be residents of the city or an area within ten (10) miles from the city limits of Buffalo, Iowa.

(Ord. 405 § 1, 2006: Ord. 306, 1995: Ord. 218 (part), 1983)

5-2.0102 APPOINTMENT AND TERM-VACANCIES.

Members of the commission shall be appointed by the mayor, subject to approval by the city council. The term of office for commission members shall be three (3) years, and one-third (1/3) of said terms shall expire annually. A successor to any vacancy occurring on the commission shall be appointed for the remainder of the term in the same manner as the original appointee.

(Ord. 218 (part), 1983)

5-2.0103 COMPENSATION.

Members of the commission shall serve without compensation, except for reimbursement of actual expenses incurred, subject to approval by the council.

(Ord. 218 (part), 1983)

5-2.0104 ORGANIZATION.

Commission members shall elect from the membership a five (5) person executive board, consisting of a chairman, vice-chairman, alternate vice-chairman, secretary-treasurer, and an individual who is a chairman of one (1) of the permanent committees. There shall be four (4) permanent committees, with respective responsibilities for (1) the community center building and grounds, (2) community center programs and activities, (3) the bar, and (4) the kitchen. Membership and size of the permanent committees shall be determined by the executive board. The executive board may, from time to time, establish and abolish additional, temporary committees

as needs for the same may arise. The membership of each individual committee shall be responsible for the selection of its own chairman.

(Ord. 218 (part), 1983)

5-2.0105 POWERS AND DUTIES.

1. Ultimate authority over the community center building and property rests with the city council. The commission, through its appropriate officers, committees, and members shall have responsibility for the day-to-day operation, administration, management, and maintenance of the community center building and property, and the programs and activities conducted in association therewith.

2. The executive board, or its designee, shall act as liaison between the commission and the mayor and council, and shall regularly apprise, consult with, and make recommendations to the council regarding all matters involving the community center.

3. The executive board shall be responsible for establishing and maintaining appropriate procedures for the management and handling of funds, and for insuring compliance therewith. The commission secretary-treasurer shall provide to the council at its first meeting each month a written financial statement detailing the receipts, disbursements, and current balance of all moneys under commission control. Any expenditure of more than one thousand five hundred dollars (\$1,500.00) for any one (1) item must receive prior approval of the council.

4. The commission shall establish written rules and regulations governing utilization of the community center by the public. Said rules and regulations shall be subject to council approval.

5. The commission shall keep detailed minutes of all commission meetings, and shall post the same at such locations as are designated by the council.

6. The commission shall have authority to adopt such rules as it deems necessary for purposes of governing its procedure, scheduling and conduct of meetings, election and

terms of executive board members, and other similar internal matters.

(Ord. 296, Sec. 1, 1992; Ord. 219(part), 1983)