

ORDINANCE 2021-02
AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL
ADOPTING TITLE SEVEN CHAPTER 4-3 PARK REGULATIONS

WHEREAS, the South Weber City Council desires to amend certain provisions of the Municipal Code of South Weber City relating to park regulations; and

WHEREAS, the City Council has determined that the proposed amendments will promote the public welfare and safety;

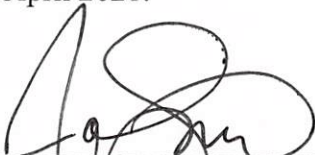
NOW, THEREFORE, BE IT ORDAINED by the City Council of South Weber City, State of Utah:


Section 1. Chapter Adopted. Chapter 7-4-3: PARK REGULATIONS of the Municipal Code of South Weber City is hereby amended to read as more particularly set forth in Exhibit A, attached hereto and incorporated herein by reference.

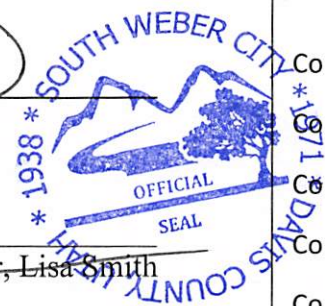
Section 2. General Repealer. Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 3. Effective Date. The City Council of South Weber City, State of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, this ordinance shall become effective immediately upon passage and publication as required by law.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 27th day of April 2021.


MAYOR: Jo Sjoblom


ATTEST: City Recorder, Lisa Smith



Roll call vote is as follows:		
Council Member Alberts	<input checked="" type="radio"/> FOR	AGAINST
Council Member Halverson	<input checked="" type="radio"/> FOR	AGAINST
Council Member Petty	<input checked="" type="radio"/> FOR	AGAINST
Council Member Soderquist	<input checked="" type="radio"/> FOR	AGAINST
Council Member Winsor	<input checked="" type="radio"/> FOR	AGAINST

EXHIBIT A

TITLE SEVEN

CHAPTER 4-3 PARK REGULATIONS

7-4-3: PARK REGULATIONS:

A. The city may purchase, lay out, establish, and maintain parks and playgrounds for the benefit of the citizens of the city.

1. For purposes of this section, a “park” shall be defined as real property owned, leased, or controlled by South Weber City and operated and maintained by South Weber City and set apart for the use of the general public, whether developed or undeveloped, and which is usually, or may be, planted with trees, lawns, and other landscaping, and which may include within its boundaries facilities for sport, pets, entertainment, dancing, recreation, picnicking, or swimming, or is planned for such future use.

2. The city may promulgate rules and regulations relating to the city parks and may amend such rules and regulations from time to time by resolution of the City Council. Any park rules and regulations adopted by resolution of the City Council shall be incorporated herein by this reference and any violation of such park rules and regulations shall be deemed a violation of this section, subject to citation, eviction, and/or repair as provided elsewhere in this chapter.

B. MOTOR VEHICLES:

1. **Motor Vehicles Specified:** For purposes of this section, motor vehicles include but are not limited to, automobiles, trucks, off road vehicles, motorcycles, motorbikes, snowmobiles, and any and all other self-propelled mechanical vehicles, excepting vehicles moved solely by human power, motorized wheelchairs, and electric bicycles and scooters operating at speeds lower than ten (10) miles per hour.

2. **Locations:** No motor vehicles may be driven at any place within a city park, other than in those areas specifically designated and posted as allowing such vehicles. This shall not apply, however, to motorized or self-propelled equipment or emergency vehicles used within the park by officers or employees of the city in the performance of their official duties.

3. **Snowmobiles and Off-Highway Vehicles:** It shall be unlawful to operate or drive any snowmobile or other off highway vehicle within any area of any city park or recreation area at any time.

4. **Speed:** It shall be unlawful to operate or drive any motor vehicle within any city park or recreation area at a speed in excess of that speed posted on the particular road, trail or pathway within the park. In the absence of a posted speed limit, no motor vehicle may be operated within any city park at a speed in excess of ten (10) miles per hour.

5. **Manner of Operation:** No motor vehicles, even though operated within the speed permitted on the places provided for such vehicles, shall be operated in a careless or reckless manner to such an extent that it will endanger the peace, health, and safety of any other person within the city park area.

C. BICYCLES AND SKATEBOARDS: Except as otherwise posted, self-propelled vehicles such as bicycles, skateboards, roller skates, rollerblades, scooters, or motorized wheelchairs, and similar types of vehicles may be used within public parks. No self-propelled vehicles or motorized wheelchairs shall be operated in a careless or reckless manner to such an extent that it will endanger the peace, health, and safety of any other person within the city park area or in any way that will damage the facilities, plants, or property within the park.

D. GOLF: It shall be unlawful to play or practice golf within any city park except as part of classes or programs approved by the city.

E. SKIING: It shall be unlawful to ice skate, snowboard, or ski within any city park, except in specific areas as designated by the city.

F. PATHS, TRAILS OR ROADS: When a trail, path, or road is designated for any specific purpose or purposes, such as an equestrian trail, bicycle path, or other use, then such trail may, unless the city shall otherwise permit, only be used for the specific purposes designated or for incidental uses in connection therewith which are necessary to accomplish the use permitted.

G. ANIMALS:

1. Certain Animals Prohibited: No pets are allowed in any city park except as provided herein. Dogs may be allowed within a designated dog park. See separate dog park rules and regulations.

2. Animal Control: No person shall bring or drop off any animal in any city park for the purpose of allowing such animal to urinate or defecate upon the park property. If any animal deposits its feces on any park areas, the owners of such animal shall immediately clean up and remove such feces from the park premises. Unattended or unlicensed animals found within any city park are subject to impound by the animal control officer.

3. Tethering Animals: No person shall hitch or fasten any animal to any tree or any other place or structure on park property.

H. FIREARMS AND EXPLOSIVES: No person shall carry or discharge any weapon, firearms, firecrackers, rockets, or any other fireworks or explosives within a city park, except persons who have obtained a special permit from the city to put on a firework show or as otherwise may be allowed under state law.

I. FIRE MAKING: No person shall make or kindle a fire within a city park for any purpose, unless such person shall do the same in designated areas and at designated times where a fireplace or other facility intended to contain a fire is available. The City Council shall designate permitted hours and seasons for permissible fireplace or fire facility use within city parks in the park rules and regulations or other resolution of the City Council.

J. CAMPING: No person shall camp or lodge in any city park or playground. This section shall not apply to authorized city personnel for official city business or security purposes.

K. DEFACING OR DESTRUCTION OF PROPERTY: Except as permitted by the city, no person shall remove, injure, deface, destroy, or disturb any wood, turf, grass, soil, sand, gravel, tree, shrub, plant, rock, building, sign, fence, bench, or other structure, apparatus, or property within a city park; or cut, take, or remove any plant, or mark or write upon any building, sign, fence, bench, or other structure within a city park.

L. LITTERING: No dumping or littering shall be allowed on any city park premises. No garbage generated outside of the park premises shall be transported to or dumped within the park or within any garbage receptacles belonging to the city and located within the park. Any garbage generated through use of the park premises shall be deposited within designated garbage receptacles.

M. RESTROOM FACILITIES: No person over six (6) years of age shall enter or use any restroom designated and marked for use by members of the opposite sex in a city park or playground, except that city personnel may for maintenance purposes enter any restroom.

N. PROHIBITED CONDUCT: No person shall engage in fighting or indulge in riotous, boisterous, intoxicated, threatening, promiscuous, or indecent conduct or use any abusive, threatening, profane, or indecent language in a city park. No person shall conduct any activity within a city park that poses a risk to public health and safety or which endangers the peace, health, and safety of any other person within the city park area.

O. HUNTING AND FISHING: No person shall hunt or fish in any city park.

P. PARK HOURS: Unless otherwise provided by ordinance or resolution of the City Council, city parks may be used between the hours of six o'clock (6:00) A.M. and ten o'clock (10:00) P.M. City parks shall not be used or occupied between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M., except by special permission of the city.

Q. CONCESSIONS: No person may sell food, drinks, or other items in city parks, except as may be permitted by special permit approved by the City Council.

R. ALCOHOLIC BEVERAGES: No person shall consume, sell, or have in their possession any alcoholic beverage within a city park.

S. VIOLATIONS: Any person who violates any provisions of this chapter shall be guilty of a class B misdemeanor, subject to fines, forfeitures, penalties, and/or imprisonment as provided by law.

T. EVICTION: In addition to other remedies provided by law, any person violating any of the instructions, signs, or rules established by the city may be forthwith evicted from the park by any police officer of the city.

U. PARK RESERVATIONS: Certain facilities and areas within the city parks as designated by the city may be reserved by any person upon payment of an applicable park reservation fee

established by the city. Park reservation policies may be adopted and amended from time to time by resolution of the City Council. The city may add conditions to the use of city parks by organized groups, clubs, or teams including requirements for insurance, waivers, and/or releases of liability as established in the reservation policies or rules and regulations. No individual, group, or team may occupy more than twenty-five percent (25%) of the grass area in a city park without renting the space from the city.

CERTIFICATE OF POSTING

I hereby certify that Ordinance 2021-02 was passed and adopted the 27th day of April 2021, and that complete copies of the ordinance were posted in the following locations within the City this 28th day of April 2021.

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive


Lisa Smith, City Recorder