

PARKS AND RECREATION REVISIONS

BILL NO. _____

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2, SECTION 2.12.060 “POWERS AND DUTIES” and CHAPTER 12, SECTION 12.24.010 “DEFINITIONS”, 12.24.030 “TIMES WHEN PARKS OPEN”, and 12.24.090 “PARK RULES” OF THE SPARKS MUNICIPAL CODE; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

Section 1. Section 2.12.060: “Powers and duties” is hereby amended as follows:

Section 2.12.060 - Powers and duties.

The parks and recreation commission shall:

- A. ~~Hold not less than one meeting per quarter~~ Meet on the fourth Wednesday of each month or on a different date or as determined by the chairman of the commission, the city manager or the parks and recreation director. ~~The commission shall hold not less than one meeting per month.~~ Notice of meetings must be given and meetings must be held in compliance with the Nevada Open Meeting Law;
- B. Review the tentative budget of the parks and recreation department and make recommendations concerning the tentative budget to the parks and recreation director;
- C. Recommend park and playground improvements to the city council and institute studies to determine the need of additional playground equipment, lights, structures and other matters relating thereto;
- D. Recommend to the city council any names or name changes to new or existing parks and recreation facilities in accordance with the Park Naming Policy adopted by the city council;
- E. Approve conceptual park design;
- F. Provide guidance to the parks and recreation director on a parks and recreation program for the city.
- G. Approve "Adopt - a - Park" or similar agreements with private entities to clean up, maintain, or improve parks or recreational facilities;
- H. The mayor or any member of the city council may request review by the ~~the~~ city council of a parks and recreation commission action or decision (other than a recommendation) by giving a written notice to the city clerk or orally at a meeting of the city council. Any such notice must be made within fifteen days after such action or decision and the review must occur within 30 days after the notice was given. The city council shall review the matter de novo, and may affirm, modify, remand for further consideration, or reverse the action or decision.
- I. *Approve facility use fees, park use fees and registration fees recommended by the parks and recreation director.*

(Ord. 1502 § 1985; Ord. 842 § 1, 1971; 1962 Code § 45.050.) (Ord. 2091, Amended, 12/26/2000)

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Section 2. Section 12.24.010: "Definitions" is hereby amended as follows:

Section 12.24.010 - Definitions.

For purposes of this chapter, the following terms shall have the meaning ascribed to them in this section, unless the context requires otherwise:

- A. "City park" means any area designated by the city council as a public park, playground or recreation facility.
- B. "Park ranger" means a person employed by the Parks and Recreation Department whose primary responsibility is to enforce ~~regulations~~ *rules* in city parks.

(Ord. 1855, 1995; Ord. 1669, 1990; Ord. 1383 § 1 (part), 1983.) (Ord. 2339, Amended, 09/11/2006; Ord. 2069, Amended, 04/24/2000)

Section 3. Section 12.24.030: "Times when parks open" is hereby amended as follows:

Section 12.24.030 - Times when parks open.

Except as otherwise provided herein, city parks shall be closed to the public between the hours of ten p.m. and six a.m., every day. Shadow Mountain and ~~Don Mello Parks~~ *Golden Eagle Regional Park* shall ~~remain open at all times~~ *be closed to the public between the hours of twelve a.m. and six a.m., every day.* ~~Park hours may be extended by permits issued by the director of the department of parks and recreation or his designee.~~ It is unlawful for any person ~~not possessing such a permit~~ to be present within a city park during any period when said park is closed to the public, except that authorized employees of the department of parks and recreation and peace officers may be within the city parks during such periods.

(Ord. 1669, 1990; Ord. 1383 § 1 (part), 1983; Ord. 1227 § 2, 1979; 1962 Code § 50.070 (part).) (Ord. 2339, Amended, 09/11/2006; Ord. 2318, Amended, 04/10/2006)

Section 4. Section 12.24.090: "Park regulations" is hereby amended as follows:

Section 12.24.090 - Park ~~regulations~~ *rules*.

The director of the department of parks and recreation shall, after consultation with the park and recreation commission and following approval by the city manager, adopt, amend or repeal such ~~regulations~~ *rules*, consistent with the policies, objects and purposes of the city council, as he or she may deem necessary or desirable in the public interest in regulating the safe, enjoyable and equitable use of city parks. ~~Regulations~~ *Rules* pertaining to specific activity areas shall be displayed in a prominent and public location in or near such area or shall be communicated orally or in writing to program participants as circumstances require. Principal ~~regulations~~ *rules* pertaining to an entire park shall be publicly and prominently displayed at the entrance to the city park.

(Ord. 2339, Amended, 09/11/2006)

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law.

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SECTION 7: This ordinance shall become effective upon passage, approval and publication.

SECTION 8: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 9: If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 10: The City Council finds that this ordinance is **not** likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this ____ day of _____, 2012, by the following vote of the City Council:

AYES: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

APPROVED this ____ day of _____, 20__, by:

GENO MARTINI, Mayor

ATTEST:

LINDA K. PATTERSON, City Clerk

APPROVED AS TO FORM AND LEGALITY:

CHESTER H. ADAMS, City Attorney