

Chapter 30 PARKS AND RECREATION¹

ARTICLE I. IN GENERAL

Sec. 30-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplified sound means music or speech projected or transmitted by artificial means, including, but not limited to, amplifiers, loudspeakers or any similar devices.

City-owned park means any park, recreation or playground area, or building or facility thereon, within the city, owned or controlled by the city.

Director means the director of ~~the parks and recreation department~~ ~~public services~~, or his designated representative, of the city.

Law enforcement officer means any member of the public safety department authorized to enforce all criminal and traffic laws and ordinances within the city.

Park guard means any employee of the city under the supervision of the director and authorized to enforce all park rules and regulations.

Park owner means the city council.

Parking area means any designated parking lot or any private park road, drive or special area contiguous thereto that is set apart for the standing or stationing of vehicles and is marked accordingly.

Permit means the written permission that must be obtained from the director or the director's designated agent to carry out a given activity in a city park.

Pollution means the contamination or other alteration of the physical, chemical or biological properties of park waters, including changes in the temperature, taste, color, turbidity or odor of the water, or such discharge of any liquid, gas, solid, radioactive or other substance into any park waters that will or is likely to create a public nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, recreational or other beneficial uses, or to wild animals, birds, fish or other aquatic life.

Vehicle includes any device or conveyance, whether propelled by motor, animal or human power. The term shall include any trailer in tow of any kind, size or description.

(Code 1975, § 2-12-1; Code 1997, § 58-1)

¹State law reference(s)—Authority to operate recreation areas and playgrounds, MCL 123.51 et seq.; playground equipment safety act, MCL 408.681 et seq.

Sec. 30-2. Direction of traffic.

All law enforcement officers and park guards shall direct traffic whenever needed on highways, streets or roads immediately adjacent to a city park in accordance with the provisions of this chapter or any other applicable laws and ordinances.

(Code 1975, § 2-12-2; Code 1997, § 58-2)

Sec. 30-3. Operation of vehicles.

- (a) No person shall trespass with a vehicle in a city park except upon designated paved or improved park roads or driveways, or in and upon designated areas or trails set aside for use by such vehicles, unless directed by a law enforcement officer or park guard to do so, or by official signs or markings.
- (b) Where a public road, street or highway crosses a city park, such road, street or highway shall be open to all through traffic normally permitted on any road, street or highway, but such traffic shall conform to park traffic regulations, and vehicles not otherwise permitted to operate within a city park shall not stop along such road, street or highway except in an emergency.
- (c) No person shall operate a vehicle in a city park in such a way that traffic is obstructed. If a vehicle must be stopped or parked along a city park road or driveway because of an emergency for more than 15 minutes, the operator shall notify a law enforcement officer or park guard of the location of the vehicle and of its description.
- (d) No person shall operate a vehicle within a city park in excess of ten miles per hour except upon those roads or driveways where official signs or markings designate a different speed limit.

(Code 1975, § 2-12-3; Code 1997, § 58-3)

State law reference(s)—Michigan vehicle code, MCL 257.1 et seq.

Sec. 30-4. Bicycles, tricycles, motorcycles, scooters and minibikes.

- (a) The director may, in his reasonable discretion, set aside or designate areas, paths, trails or roads in a city park where operating bicycles, tricycles, motorcycles, scooters and minibikes shall be allowed.
- (b) Bicycles and tricycles shall be operated on the right-hand side of a roadway, as close to the edge of the paving as conditions permit. When two or more such vehicles are operated in a group, they shall keep in a single file.

(Code 1975, § 2-12-4; Code 1997, § 58-4)

Sec. 30-5. Parking.

- (a) No person shall park a vehicle on city park property other than in areas designated for parking that type of vehicle, unless there is an emergency or unless directed to do otherwise by a law enforcement officer or a park guard. Parking shall conform to officially posted signs or markings unless other instructions are given by a law enforcement officer or a park guard.
- (b) No vehicle shall be left parked on city park property after park closing hours without obtaining a permit from the director.
- (c) There shall be no loitering within a parked car for any purpose.

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(Code 1975, § 2-12-5; Code 1997, § 58-5)

Sec. 30-6. Damaging or removing park property; erecting building or other structure.

No person shall, in any city park, do or cause to be done any of the following without first obtaining a permit from the director:

- (1) Willfully mark, deface or injure in any manner, or displace, remove or tamper with, any park building, bridge, table, bench, fireplace, railing, paving or paving materials, water line or other public utility or parts thereof, park sign or marking whether temporary or permanent, monument, stake, post or other structure or equipment, facility, or other park property of any kind.
- (2) Willfully dig, cut, move or remove from any park or park area any sand, wood, turf, grass, gravel, shrub or other material, or make any excavation by hand, tool, equipment, blasting or any other means.
- (3) Construct or erect any building or structure of any kind, whether permanently or temporarily, or run or string any public utility into, upon or across a park.

(Code 1975, § 2-12-6; Code 1997, § 58-6)

State law reference(s)—Malicious mischief generally, MCL 750.377a et seq.

Sec. 30-7. Protection of trees, shrubbery and lawns, fences, monuments and other structures.

No person shall, in any city park, do or cause to be done any of the following without first obtaining a permit from the director:

- (1) Willfully pick, saw, chop, cut, carve, remove or injure any flowers, seeds, blooms, bark, branches, twigs or leaves of any tree, plant, shrub, vine, bush or other vegetation.
- (2) Willfully drive any nail or staple into or attach or fasten any wire, rope or other device to any tree or plant, or tie or hitch any animal to any tree or plant.
- (3) Willfully dig in or disturb any grass areas, or in any way injure or impair the natural beauty or usefulness of any park area.
- (4) Willfully climb any tree, or walk, stand or sit upon any monument, vase, fountain, railing, fence or any other park property not designated or normally used for such purposes.

(Code 1975, § 2-12-7; Code 1997, § 58-7)

Sec. 30-8. Protection of wild animals and birds.

No person shall, in any city park, do or cause to be done any of the following without first obtaining a permit from the director:

- (1) Willfully capture, attempt to capture, hunt, molest, injure, trap or administer or set out any bait or harmful substance for any wild or domestic animal, reptile or bird, or remove or have in their possession the young, eggs or nest of any animal, reptile or bird. Exception is made to this subsection in that any person may kill on sight a reptile known to be deadly poisonous.
- (2) Willfully give or offer, or attempt to give or offer, to any wild or domestic animal, reptile, bird or fish any tobacco, alcohol or other potentially harmful substance.

(Code 1975, § 2-12-8; Code 1997, § 58-8)

State law reference(s)—Cruelty to animals, MCL 750.50; wildlife conservation, MCL 324.40101 et seq.

Sec. 30-9. Sanitation; disposal of refuse.

No person shall, in any city park, do or cause to be done any of the following without first obtaining a permit from the director:

- (1) Willfully throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream or other body of water in or adjacent to any park any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters.
- (2) Willfully have brought in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash. Such materials shall be placed in the proper receptacles when these are provided. When receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(Code 1975, § 2-12-9; Code 1997, § 58-9)

State law reference(s)—Natural Resources and Environmental Protection Act, MCL 324.101 et seq.; littering, MCL 324.8901 et seq.

Sec. 30-10. Firearms and other dangerous instruments.

- (a) No person, except an authorized park employee, park guard or law enforcement officer, shall bring into the city park property or have in their possession on city park property any explosive, dynamite cap, fireworks, airgun, pellet gun, spring gun, slingshot, cross bow, bow and arrow, any device by means of which a projectile can be propelled, any trapping device, any incendiary bomb or material, any smoke or stink bomb, any tear gas or other disabling chemical or agent, any acid or caustic substance, or any inflammable liquid except fuel contained in a fuel tank of a motor vehicle or camp stove, or fuel contained in cans properly marked, or charcoal lighter fluid.
- (b) No person shall discharge any of the weapons or instruments listed in subsection (a) of this section into any city park from outside the park.
- (c) The director may designate areas within a city park where bows and arrows can be used. In such cases, the director shall promulgate regulations for the safe use of such devices, and no person shall fail to abide by such regulations.

(Code 1975, § 2-12-10; Code 1997, § 58-10; Ord. No. 859, 6-16-2014)

State law reference(s)—Firearms and weapons, MCL 750.222 et seq.

Sec. 30-11. Use of picnic areas.

- (a) The director shall designate and post those areas of a city park where picnicking is permitted. No person shall picnic other than in a designated area.
- (b) Picnickers shall not leave a picnic area before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in a disposal receptacle, where provided. If no trash receptacles are available, then refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(Code 1975, § 2-12-11; Code 1997, § 58-11)

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State law reference(s)—Littering, MCL 324.8901 et seq.

Sec. 30-12. Fires.

- (a) No person shall start or maintain, in any city park, any outdoor fire except in designated picnic areas. Fires shall be limited to cooking fires.
- (b) Cooking fires shall be started and maintained only in a stove, fireplace or barbecue pit maintained by the park owner, or in a portable camp stove. Fuels used in cooking fires shall not produce any noxious fumes or smoke.
- (c) No person starting or maintaining any fire in a city park shall leave the area where the fire is located without first completely extinguishing the fire or placing hot coals in a receptacle provided and designated for that sole purpose.

(Code 1975, § 2-12-12; Code 1997, § 58-12)

State law reference(s)—State fire prevention code, MCL 29.1 et seq.; crimes relating to fires, MCL 750.240 et seq.

Sec. 30-13. Domestic animals and pets.

- (a) No domestic animals or pets shall be permitted in a city park unless special permission is granted by the city administrator.
- (b) As used in this section, the term "handicapper" means a person who is audibly impaired, blind, deaf or otherwise physically limited as those terms are defined in MCL 750.502c.
- (c) This section shall not apply to a handicapper being led or accompanied by a guide, hearing or service dog if the guide dog is wearing a harness or if the hearing or service dog is wearing a blaze orange leash and collar, and if the handicapper being led or accompanied has in their possession a picture identification card certifying that the dog was trained by a qualified organization or trainer.
- (d) This section shall not apply to dogs or cats at the Lakefront Park if taken and kept on boats at the park marina.

(Code 1975, § 2-12-13; Code 1997, § 58-13; Ord. No. 729, 11-3-1998)

Sec. 30-14. Games.

No person in a city park shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, kites, rockets or model airplanes except in areas set apart for such forms of recreation. The playing of organized games, such as football, baseball and the like, is prohibited except on fields, courts or areas designated for such use.

(Code 1975, § 2-12-14; Code 1997, § 58-14)

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Sec. 30-15. Alcoholic beverages.

No person shall possess, consume or sell alcoholic beverages in a city-owned park except as authorized by the city administrator. However, reasonable consumption and possession of alcohol is allowed at Lake Front Park except in the following areas: pool and pool deck, bathhouse, activities center, and motor vehicles.

(Code 1975, § 2-12-15; Code 1997, § 58-15; Ord. No. 863, 5-18-2015)

State law reference(s)—Michigan Liquor Control Code of 1998, MCL 436.1101 et seq.

Sec. 30-16. Intoxicated persons.

No intoxicated person shall enter, be or remain in any city park.

(Code 1975, § 2-12-16; Code 1997, § 58-16)

State law reference(s)—Intoxicated person deemed a disorderly person, MCL 750.167(1)(e).

Sec. 30-17. Soliciting contributions.

No person shall solicit contributions in a city park for any purpose without the express consent of the city administrator.

(Code 1975, § 2-12-17; Code 1997, § 58-17)

Sec. 30-18. Use of restrooms and dressing rooms.

No person over the age of eight years shall enter or use restroom or dressing room facilities designated for the use of the opposite sex. No person shall loiter in or around any restroom or dressing room for the purpose of soliciting another to engage in deviate sexual behavior.

(Code 1975, § 2-12-18; Code 1997, § 58-18)

State law reference(s)—Soliciting or accosting, MCL 750.448.

Sec. 30-19. Noise.

No person having the control of any device producing amplified sound, except automobile radios and portable radios, shall operate or permit such device to be operated in any city park without written permission from the director.

(Code 1975, § 2-12-19; Code 1997, § 58-19)

Sec. 30-20. Exhibition of permits.

No person in a city park shall refuse or fail to produce and exhibit any permit the person claims to have upon the request of any law enforcement officer, park guard or other authorized park employee who wishes to inspect the permit for the purpose of determining that the provisions of this chapter have been complied with.

(Code 1975, § 2-12-20; Code 1997, § 58-20)

Sec. 30-21. Merchandising, advertising and signs.

No person in a city park shall:

- (1) Expose or offer for sale or hire any article, thing or service, or station or place any stand, cart or vehicle for the transportation, sale or display of any article, thing or service, unless a permit has been obtained from the director.

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- (2) Announce, advertise or call the public's attention in any way to any article, thing or service for sale or hire, unless done pursuant to regulations promulgated by the director.
 - (3) Paste, glue, tack or otherwise place any sign, placard, advertisement or inscription in a city park, or erect or cause to be erected any sign on any public lands, highways or roads adjacent to a city park, unless done pursuant to regulations promulgated by the director.

(Code 1975, § 2-12-21; Code 1997, § 58-21)

Sec. 30-22. Obscene language and abusive conduct.

No person within a city park shall, with the purpose of causing public danger, alarm, disorder or nuisance, or if such person's conduct is likely to cause public danger, alarm, disorder or nuisance, willfully use abusive or obscene language or make an obscene or abusive gesture to any other person when such words, by their very utterance, or such act, by its very performance, inflicts injury or tends to incite an immediate breach of the peace.

(Code 1975, § 2-12-22; Code 1997, § 58-22)

Sec. 30-23. Exhibits, performances and group events.

In addition to any other provision of this chapter that requires the obtaining of a permit prior to engaging in a given activity, no person in a city park shall conduct, operate, present, manage or take part in any of the following activities unless a permit is obtained prior to the start of the activity:

- (1) Any contest, exhibit, dramatic performance, play, motion picture, radio or television broadcast, fair, circus, musical event or any similar event.
- (2) Any public parade, drills, maneuvers or ceremonies to which the public has been invited by prior advertisements.
- (3) Any use of any city park facility by a certain person or group of persons to the exclusion of others.

(Code 1975, § 2-12-23; Code 1997, § 58-23)

Sec. 30-24. Remaining in park after closing hours.

No person shall enter or remain in any city park after park closing hours unless a permit has been obtained. Park closing hours shall be posted at park entrances and within adjoining parking lots.

(Code 1975, § 2-12-24; Code 1997, § 58-24)

State law reference(s)—Trespassing generally, MCL 750.546 et seq.

Sec. 30-25. Closing of areas to public use.

Any section or part of any city park may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and either entirely or merely to certain uses, as the director shall find reasonably necessary.

(Code 1975, § 2-12-25; Code 1997, § 58-25)

Sec. 30-26. Entrance to parks.

No person shall enter upon a city park without first complying with the requirements for entry as may be established from time to time by the director.

(Code 1975, § 2-12-26; Code 1997, § 58-26)

Sec. 30-27. Ejection from park.

Any person found violating any provision of this chapter shall be either arrested or ejected from the park and have their permit confiscated and park privileges suspended for a period to be determined by the director.

(Code 1975, § 2-12-27; Code 1997, § 58-27)

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Secs. 30-28—30-57. Reserved.

ARTICLE II. LAKE FRONT PARK

Sec. 30-58. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Lake Front Park means that real property owned by the city and located within the city limits of the City of St. Clair Shores, Macomb County, Michigan, and devoted to recreational uses by the city.

Nonresident taxpayer means those persons whose domicile is not within the boundaries of the city but who pay taxes to the city for its use and benefit on property located within the boundaries of the city.

Resident means those persons having their domicile within the territorial limits of the city. For the purposes of this definition, any residence through which the boundary lines of the city passes shall be considered within the territorial limits of the city if a minimum of 51 percent of the residence is within the boundary of the city.

(Code 1975, § 2-10-1; Code 1997, § 58-51)

Sec. 30-59. Entrance to park and use of facilities.

In accordance with the deed restrictions contained in the deed of acquisition of Lake Front Park and in order to provide for the continued use and enjoyment for the greatest number of residents of the city, entrance to Lake Front Park and the use of the facilities contained therein, excluding the boat docking facilities, shall be limited and restricted to the following persons:

- (1) A resident of the city.
- (2) Any guest of any resident of the city when such guest is accompanied by such resident, subject to the limitation on the maximum number of guests permitted as shall be provided by resolution of the city council as may be adopted or amended from time to time.
- (3) a. Any nonresident taxpayer and members of the immediate family of such nonresident taxpayer residing in such nonresident taxpayer's household, provided that such nonresident taxpayer shall have paid a minimum of \$250.00 in real property taxes to the city for taxes levied by the city for the preceding tax

year prior to the filing of the application for entrance permits to Lake Front Park. Any nonresident taxpayer who shall not have paid a minimum of \$250.00 in city property taxes for the preceding year and who desires a permit for entrance to Lake Front Park shall be entitled thereto upon the payment to the city of the difference between the amount of city taxes paid and the sum of \$250.00. The minimum sum necessary to be eligible for park passes under the provisions of this section may be adjusted by resolution of the city council from time to time adopted.

- b. This section shall not apply to a nonresident taxpayer whose property is leased or rented to a tenant. Such nonresident taxpayer shall not be entitled to park passes by reason of the property leased or rented to a tenant.
- (4) Persons temporarily residing within the territorial limits of the city. Applications for such permits shall be made in writing, and shall be verified by the bona fide resident of the city with whom the permittee is temporarily residing. Such application shall be presented, in person, by the applicant at the municipal building. Such application shall state the name and address of the applicant, the name, home address and age of the permittee and the facts justifying the issuance of such permit. If the application complies with the controlling ordinances of the city and with the rules and regulations relating to the use and operation of Lake Front Park and states facts justifying the issuance of such permit, a special permit shall be issued in the name of the permittee, which permit shall be issued for a period of not more than six weeks in any calendar year. Not more than three special permits shall be issued in any calendar year for persons temporarily residing at the residence of the applicant. Applications may contain a request for not more than five persons for special permits. Such special permits shall be without guest privileges.
- (5) Members of groups. Group permits may be issued for the city's civic, social, school, church and club groups and the like, 50 percent or more of the membership of which consists of persons referred to in subsection (1) of this section. Such groups may be permitted access to Lake Front Park by having prior written approval of both the director of public services and the city administrator, but only for a specific function and day and after submitting a written request for such permit, which request shall list the names and addresses of the members of the group planning to attend such outing. Group requests containing membership of less than 50 percent of persons referred to in subsection (1) of this section shall be approved only by prior specific action of the city council. Requests for group park permits submitted to the city council shall contain a list of the names and addresses of those members of the group planning to attend the outing, when feasible. No group permits shall be issued for use of Lake Front Park or its facilities on a Saturday, Sunday or holiday.
- (6) Persons to whom a special permit has been issued. Special permits may be authorized by the city council to visiting dignitaries, officers of other governmental agencies or city employees, and in such other special instances where, in the judgment of the council, the issuance of a special permit will serve the public benefit and welfare; provided that the city council annually in January shall provide rules and regulations and authority for the issuance of special permits.

(Code 1975, § 2-10-2; Code 1997, § 58-52; Ord. No. 722, § 1, 4-6-1998; Ord. No. 723, § 1, 4-6-1998)

Sec. 30-60. Supervision.

The city administrator may appoint a director of ~~the parks and recreation department~~public services, who shall have general supervision of the park, including the harbor, bathing facilities, parking areas and recreational grounds.

(Code 1975, § 2-10-3; Code 1997, § 58-53)

Sec. 30-61. Application for use permit.

- (a) Persons entitled to and desiring a permit to use and enjoy the privileges of Lake Front Park, exclusive of harbor facilities, shall annually make application to the city administrator for such permit. An application may be made by the head of the household. Such application shall be in writing and shall state the name, address and age of such applicant and of each member of the household listed thereon, and such additional information as the rules and regulations adopted by the city council may require.
- (b) As to nonresident applicants who are taxpayers to the extent of \$250.00 on property within the territorial limits of the city, the application must be accompanied by the receipted tax bill for such property indicating payment of the last preceding city tax levied immediately prior to the filing of the application. Nonresident taxpayers of the city shall be limited in the use and enjoyment of the park to members of the immediate family of such nonresident taxpayers who reside with and are members of such taxpayer's household. Such park passes issued under the provision of this section shall contain guest privileges. The minimum sum necessary to be eligible for park passes under the provisions of this section may be adjusted by resolution of the city council as adopted from time to time.

(Code 1975, § 2-10-4; Code 1997, § 58-54; Ord. No. 724, § 1, 4-6-1998)

Sec. 30-62. Issuance of use permit.

When an application for a permit as required by this article has been made and filed with the city administrator, the city administrator shall issue, in writing, without charge, a permit as requested by the applicant if the city administrator finds that such applicant and the other persons listed thereon are entitled to a permit.

(Code 1975, § 2-10-5; Code 1997, § 58-55)

Sec. 30-63. Use of harbor; boat mooring.

The use of the harbor and mooring privileges in Lake Front Park may be permitted in accordance with the rules and regulations adopted by the city council.

(Code 1975, § 2-10-6; Code 1997, § 58-56)

Sec. 30-64. Nonliability of city; liability of permit holders and guests.

The city, in the issuance of any permit under this article, shall not be charged with any responsibility and shall not be liable for any loss, injury or damage suffered by a permit holder or any guest of a permit holder, or any other person, while using or enjoying any of the facilities covered by the permit, or to the personal property of any such persons. The applicant or holder of a permit under this article shall be liable to the city and to all others lawfully using such facilities for any loss, injury or damages resulting from negligence or maliciousness by either the permit holder or the permit holder's guests.

(Code 1975, § 2-10-7; Code 1997, § 58-57)

Sec. 30-65. Revocation of use permit.

The city expressly reserves the right to refuse, suspend, revoke or cancel the permit provided for in this article for nonobservance or violations of any of the provisions of this article or any rules and regulations adopted by the city council, or as promulgated by the director.

(Code 1975, § 2-10-8; Code 1997, § 58-58; Ord. No. 863, 5-18-2015)

Sec. 30-66. Appeal.

- (a) Should any person be denied a permit or have a permit revoked or canceled under the provisions of this article and desire to appeal such action, such claim of appeal shall be filed with the city clerk within ten days of the date of the denial, revocation or cancellation and the matter shall be reviewed by the city council.
- (b) The city council shall have the authority to impose reasonable conditions or restrictions upon any permit issued under the authority of this section, which conditions or restrictions shall be applicable to the original permit and any renewal thereof.
- (c) The city council shall hold a public hearing upon such request.

Sec. 30-67. Display of use permit.

The permit issued by the city administrator under this article must be displayed to the city officers, attendants or guards by the holder thereof to gain admittance to Lake Front Park and its facilities and grounds, or whenever requested by such officers, attendants or guards.

(Code 1975, § 2-10-9; Code 1997, § 58-59)

Sec. 30-68. Additional rules and regulations.

The city council may from time to time adopt, revise and amend rules or regulations not in conflict with this article to be observed by all persons using or enjoying the property, facilities and grounds referred to in this article, which rules or regulations, amendments and revisions thereof shall be printed and posted in a conspicuous place on or near such harbor, grounds or facilities. Rules and regulations existing at the time of the adoption of the ordinance from which this article is derived are hereby preserved.

(Code 1975, § 2-10-10; Code 1997, § 58-60)

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Sec. 30-69. Duplicate use permits.

The city administrator may issue a duplicate permit to replace a previously issued permit that has been lost, stolen or mislaid under the same requirements as for the issuance of original permits. For each duplicate permit so issued, the applicant shall pay a fee as currently established or as hereafter adopted by resolution of the city council from time to time for each permit. Not more than one duplicate permit shall be issued to any person in any one calendar year unless approval therefor is obtained from the city council. Duplicate permits issued shall not contain guest privileges unless prior approval for guest privileges is first obtained from the city council. This fee may be modified by a resolution of the city council as adopted from time to time.

(Code 1975, § 2-10-11; Code 1997, § 58-61; Ord. No. 699, § 1, 7-15-1996)