

AN ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO PARKS AND RECREATION; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That Chapter 47, Article I, Division 2, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 47-50. Curfew in city parks.

- (a) It shall be unlawful:
 - (1) For any person to be physically present in the city parks after the hour of 12:00 a.m. (midnight) and before sunrise; provided, however, that no violation of this section shall occur when special or scheduled events such as ballgames and the like extend past 12:00 a.m. (midnight) or the person or group of persons concerned shall have obtained permission in advance through a special event permit to be physically present in the city parks after 12:00 a.m. (midnight).
 - (2) For any person to be physically present in the area designated as the Skate Park after nightfall and before sunrise.
 - (3) For any person to be physically present in the Jackson Soccer Park or Football Park located on South Farmington Road after nightfall and before sunrise; provided, however, that no violation of this section shall occur when special or scheduled events such as soccer games and the like extend past nightfall or the person or group of persons concerned shall have obtained permission in advance through a special event permit to be physically present in the Jackson Soccer Park or Football Park after nightfall.
- (b) The time between nightfall and sunrise shall be defined as that time during which drivers of motor vehicles are required to use illuminated headlights.

Sec. 47-51. Riding, leading, etc., horses in city parks.

It shall be unlawful for any person to ride, lead or have in their possession any horse any place in the city park, except on the roadways thereof.

Sec. 47-54. Certain vehicles prohibited in city parks.

It shall be unlawful for any person to operate any motor vehicle of a size of one (1) ton or more at any time along and across the roadways and drives located in the city parks.

Sec. 47-56. Same—Trucks or buses.

It shall be unlawful for any person to park or let stand any truck or bus upon any portion of the city park, except on designated parking areas.”

Section 2. That Chapter 47, Article I, Division 3, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 47-100. Generally.

In order to provide funds to help defray the cost of operation, development and maintenance of the Jackson City Parks, the fees set out in this division are adopted for use at all city parks, a fee schedule shall be promulgated by the city administrator or designee, submitted to the park board for their review, and approved by the board of aldermen. Said fee schedule shall be available for public inspection and copy during regular business hours in the office of the city clerk.

Sec. 47-101. Rental fees—Sports fields; procedure.

- (a) Sports fields shall be reserved in advance by users through application with the Parks and Recreation Department in the order of application date and time.
- (b) Fee schedules for all sporting fields in the city parks shall be included in the general park fee schedule and approved as provided herein.
- (c) Sports field; exemptions; procedure. All leagues sanctioned by the park board shall be exempt from the provisions hereof, provided, however, that leagues sanctioned by the park board shall reserve their respective use of the fields with the parks and recreation department.

Sec. 47-102. Food truck authorization fees within the city park system.

- (a) In order to provide for the city's ability to provide a rental space within the city park system for a food truck location and in order for the city to provide all attendant benefits to the food truck within the rental area, the city hereby sets the following rental fee charge and procedure.
- (b) Food truck operators or vendors shall make application on the form supplied by the city clerk for the mobile vendor permit.
- (c) The charge for the vendor rental fee shall be fifteen dollars (\$15.00) per day to be paid at the time of making application for the mobile vendor permit. A one-month permit may be purchased for fifty dollars (\$50.00).
- (d) This permit shall only be charged to food trucks operating within the city park system under section 47-58 of this Code of Ordinances."

Section 3. That Chapter 47, Article II, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

"Sec. 47-200. Establish.

The mayor and the board of aldermen of the city do hereby direct the city administrator or designee to establish a fund under the authority of section 2-117 [3-307] of the Code of Ordinances of the City of Jackson to be entitled "City of Jackson Public Park Development Foundation."

Sec. 47-202. Use of donations.

The donations to the foundation shall be used only for the aforesaid purpose which includes but is not limited to landscaping, construction or erection of slides, sporting fields, playgrounds, trails, jogging paths, wildlife sanctuary, ponds and other water retention structures, picnic grounds, pavilions, and sanitary facilities.

Sec. 47-203. Separate account for funds.

That the aforesaid foundation shall be established as a restricted account and shall be managed by the city's administrator or designee. Such funds donated shall be held in a single account and shall not be co-mingled with other funds of the city. The city administrator or designee may invest and reinvest monies held in the foundation and any interest accumulated on such fund shall remain therein."

Sec. 47-205. Acceptance of donations.

Donations to the aforesaid foundation, which may include reservations on use, must be specifically accepted by the board of aldermen. Upon acceptance, any donations or gifts with a restriction on use shall be held in a separate fund within the foundation and expended only in accordance with the restrictions or reservations on its use. For purpose of investment, donations with restrictions or reservations may be co-mingled with other foundation funds.”

Section 4. That Chapter 47, Article III, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 47-220. Rules and regulations.

Prior to April 1 of each year, the park board shall establish any changes to the rules and regulations for the Jackson municipal swimming pool. The rules and regulations thereby established shall remain in full force and effect until modified by the park board or, in the case of an emergency, the city administrator of the city or designee. The rules and regulations established by the park board shall include, but need not be limited to, admission fees, charges for private parties, charges for swim lessons, and such other fees and charges as the park board deems appropriate or necessary. The rules and regulations shall also include, but need not be limited to, the rules and regulations to be imposed upon pool activities, private parties, swim lessons, special events, and such other activities as are allowed at the swimming pool. The rules and regulations shall also establish the dates and hours of operation for the swimming pool. All newly established rules and regulations shall be submitted to the city administrator or designee and kept on file in the office of the city clerk for review by the public.

Sec. 47-221. Emergency rules and regulations.

The city administrator or the city administrator's designee may declare an emergency in the city's parks, and may modify all rules and regulations temporarily in order to protect life, property, and the public good of the city.

Sec. 47-222. Thunderstorms and inclement weather.

The park director or the park director's designee shall have the power to close the Jackson municipal swimming pool for thunderstorms or inclement weather, or any other situation where danger exists.”

Section 5. That Chapter 47, Article IV, Section 47-254, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 47-254. Appeal process.

(a) For land donations and other donations greater than five thousand dollars (\$5,000.00), the decision of the board of aldermen is final.

(b) For decisions on proposals made by the department, such decisions may be appealed by the applicant in writing and submitted to the city clerk within seven (7) calendar days of the department's decision. The appeal shall consist of the following:

- (1) A brief statement of the action complained of.
- (2) The remedy requested by the applicant and the reasons for supporting it.
- (3) Any other relevant information and facts.

The appeal will be submitted to the city administrator or his designee. A response to the appeal will be considered within thirty (30) days. When practical, the matter may be resolved by telephone, e-mail or office visit.”

Section 6. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Jackson, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 7. If any section, subsection, sentence, clause, phrase 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 hereof.

Section 8. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: November 6, 2023.

SECOND READING: November 6, 2023.

PASSED AND APPROVED this 6th day of November, 2023, by a vote of _____ ayes, _____
nays, _____ abstentions and _____ absent.

(SEAL)

CITY OF JACKSON, MISSOURI

BY: _____
Mayor

ATTEST:

City Clerk