



CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Parks and Recreation	Diesel Post - Parks and Recreation Director	April 16, 2024

ITEM

Second reading and public hearing of Ordinance 2024-05, an update to the City of Salida code, Chapter 11, Article VI - Parks and Recreation.

BACKGROUND

The existing Municipal code Chapter 11 – Streets, Sidewalk and Public Areas, Article VI – Parks and Recreation Areas is out of date and irrelevant. It appears to have been written over time prior to the existence of o Department of Parks and Recreation.

Department staff, along with the staff of Wilson and Williams, evaluated our existing code, reviewed other municipalities P&R code, assessed our existing needs, and then developed new code language that is more easily interpreted, applied and used to develop standard operating procedures.

There are numerous instances in the code in which references are antiquated and illogical, examples state with the specific and limited section titles:

"Major" deviations or updates from existing code:

- No code for a specific park or facility
- Added "Special uses"(filming, guided tours, etc.) and "Parades and Races" as uses that require a permit.
- Council approves a Liquor License, not an event, unless requested by staff that they do so.
- Posted rules are enforceable

Section of the code titles:

- *Private use of City Parks*
- *Camping Overnight*
- *Marvin Park*
- *Hot Spring Aquatics Center*
- *Skate park*
- *City Parks Closed during nighttime hours*

Proposed code outline and sections:

- *Park defined*
- *Hours; extensions; exceptions*
- *Private use of City parks*
- *Motor vehicle regulations*

- *Certain conduct prohibited*
- *Enforcement and penalties for violations of this section*
- *Administrative rules and regulations*

Examples of statements that led to confusion, were illogical/inappropriate/etc. Or created cumbersome processes:

- With respect to minor persons who are in the Salida Hot Springs Aquatic Center without their parents or legal guardians, the City Administrator shall exercise such authority with respect to discipline over said minor persons as a parent may lawfully exercise over his or her children.
- In the event that the use of Marvin Park is for an athletic event or performance which draws an audience, the persons promoting or participating in the athletic event or performance shall be deemed the users of the park and shall be required to obtain permission. The audience, whether invited or drawn by nature of the athletic event or performance, shall not be deemed users of the park and shall not be required to obtain permission to be in Marvin Park.(3)
- The provisions of this Section relate to the Salida Skateboard Park, which is located on the former right-of-way of the Denver and Rio Grande Western Railroad, Monarch Branch, between the Monarch Spur Trail, 1st Street, Sackett Street and "G" Street, and which consists of the Southerly one-half (½) of the portion of the former right-of-way above described.
- Use the same for skating purposes when the person's skating equipment and protective gear are not in good working order.
- The Public Works Director shall post signs in all parks in conspicuous places advising that the parks are closed to all persons between the hours designated in subsection (b) above.

Existing code prohibited acts and conditions

The extent of the prohibited acts sections reads:

Dogs in park.

- It is unlawful for any person who owns, harbors or keeps a dog to permit that dog to enter any City park, except areas specifically identified as "dogs permitted" or by motion of the City Council for special events.
- The Public Works Director shall post all City parks with clear, legible signs reading "No Dogs Allowed," which signs shall be posted in such a manner as to give all persons entering the parks notice that dogs are not permitted therein.
- Glass containers. It is unlawful for any person to possess any glass container within any City park or to transport any glass container into a City park.
- Any person who violates, disobeys, omits, neglects, refuses to comply with or resists any of the provisions of this Article shall be subject to the provisions of Chapter 1, Article IV of this Code.

Expanded "Prohibited acts" section:

Within any City park, it is unlawful for any person to do any of the following acts:

- (a) To camp or lodge in any park without first having obtained a permit from the director of parks and recreation;
- (b) To drive or hit golf balls, excepting at such place as is set apart for that purpose;
- (c) To wash dishes, empty waste liquids, or in any other manner pollute the ground or water of any fountain, pond, lake, drainage ditch, street gutter, or stream;

- (d) To sell, offer for sale, or distribute at no charge any merchandise, article, goods, services, or thing, without the express written permission of the City Administrator;
- (e) To build or place any tent, building, booth, stand, or other structure in or upon any of the parks or other recreational facilities, without first having obtained a permit to do so through the Special Event/Park Rental application process;
- (f) To build, start, or maintain, or cause to be started or maintained, any fire in or on any park unless said fire is contained in a grill provided by the City;
- (g) To take or carry or cause to be taken or carried into any park any explosive, dangerous, or inflammable powder, or any explosive, dangerous, inflammable, or combustible substance;
- (h) To smoke/vape or carry lighted tobacco products;
- (i) To dispose of any trash or recycling in any City trash or recycling receptacles that was not generated on or in any City park;
- (j) To climb, affix any item to, or remove any item from any tree within any park, except for slacklines and hammocks affixed to trees of at minimum fourteen (14) inches in diameter and must not cause the tree to noticeably flex or damage to the tree;
- (k) To affix any sign, poster, or placard to any City structure or other object within any City park;
- (l) To implant in the ground of any park any sign or other objects;
- (m) To discharge, fire, or shoot any firearm or archery equipment, including but not limited to bows, longbows, crossbows, arrows, darts, and bolts, and
- (n) To litter or leave any trash within any City park; and
- (o) To not follow any of the rules posted in any City park or facility.

At the City Council meeting on April, 2, 2024, the ordinance was approved with amendments, adding language to section 11.6.70 of the Salida Municipal Code that continued to prohibit dogs from Salida City parks, and removed section 3 of the code in its entirety.

FISCAL NOTE

Possible costs for additional signs throughout the Parks system.

STAFF RECOMMENDATION

Staff recommends that Council approve Ordinance 2024-05 as amended.

SUGGESTED MOTION

A council person should make the motion to “approve Ordinance 2024-05 as amended on second reading”, followed by a second and a roll call vote.