

ORDINANCE #2024-24

**“An Ordinance Repealing and Replacing Chapter 47 –
Park Regulations”**

BE IT INACTED, by the City Council of the City of Van Meter, Iowa, that:

SECTION 1. Chapter 47 is repealed of the Code of Ordinances of the City of Van Meter, Iowa and replaced with the following:

**Chapter 47
Park Regulations**

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|-------|----------------------------|-------|--------------------------------------|
| 47.01 | PURPOSE | 47.02 | AUTHORITY |
| 47.03 | PARK HOURS | 47.04 | USE OF MOTOR VEHICLES AND PARKING |
| 47.05 | FIRES | 47.06 | WASTE DISPOSAL |
| 47.07 | ANIMALS | 47.08 | PROHIBITED ACTIVITIES |
| 47.09 | PONDS AND DETENTION BASINS | 47.10 | VAN METER BOAT RAMP |
| 47.11 | EXCEPTIONS | 47.12 | PENALTIES |

47.01 PURPOSE.

The purpose of this chapter is to facilitate the enjoyment of park facilities by the general public by establishing rules and regulations governing the use of the park facilities.

(Code of Iowa, Sec. 364.12)

47.02 AUTHORITY.

These rules and regulations apply to all City owned parks, ponds, detention basins, the Van Meter Recreation Complex, and Van Meter Boat Ramp.

Consistent with Chapter 24 of this Code of Ordinances, the Parks and Recreation Commission shall have the power to make rules and regulations for the use of parks and other recreational facilities, subject to the approval of City Council. There may be specific rules for specific parks.

The Parks and Recreation Director and/or the Chief of Police shall ensure that the rules are posted and enforced.

47.03 PARK HOURS.

All City owned parks shall be open from sunrise to sunset each day and shall be closed from sunset to sunrise, unless an activity is a regularly scheduled activity or otherwise approved by the City in writing. No person shall remain in a City owned park or facility when closed except with the permission of the City in writing.

47.04 USE OF MOTOR VEHICLES AND PARKING.

1. Travel and Speed. No person shall ride or drive any motorized vehicle or animal of any nature upon any sidewalks, walking paths, walkways, bikeways, cement areas or grass areas within the confines of the city parks. No person shall ride or drive in any public park except upon the established roadways and shall not exceed a speed limit of 15 mph at any time (or 10 mph through play areas), as so posted.
2. Parking. Motor vehicles shall not be parked in areas of City owned parks and facilities except in designated parking lots or areas. Motor vehicles that are parked in a location other than a designated parking lot or area may be ticketed or towed and the cost of which shall be the responsibility of the motor vehicle owner prior to the release of the motor vehicle.

Motor vehicles shall not be left parked in designed areas of the park after the City owned park or facility is closed. Motor vehicles left in violation of this paragraph may be ticketed or towed and the cost of which shall be the responsibility of the motor vehicle owner prior to the release of the motor vehicle. Overnight parking at any City owned park or facility is prohibited. Motor vehicles left overnight may be ticketed or towed and the cost of which shall be the responsibility of the motor vehicle owner.

47.05 FIRES.

1. No fires shall be built, for any purpose, except in designated receptacles provided therefor by the City, and such fire shall be extinguished before leaving the area unless it is to be immediately used by some other party.
2. A fire shall be considered "extinguished" the ashes, residue, coals, and unburned substances are cold to the human touch.
3. No fire shall be left unattended.
4. The City may, by written permission only, allow a controlled burn of any forest, brushland, grassland, meadow, prairie, marsh, refuse, container, or structure by an authorized and trained individual or group.

47.06 WASTE DISPOSAL.

1. No person shall place, deposit, or throw any waste, refuse, litter or foreign substance in any area or receptacle except those provided for that purpose.
2. Littering. No person shall throw or deposit on any City owned park or facility any glass bottles, nails, tacks, wires, cans, trash, garbage, rubbish, litter, or any other debris or substance likely to injure any person, animal or vehicle.
3. Yard Waste. No person shall place or dispose of any yard waste on any City owned park or facility.
4. Animal Waste. No person having ownership, custody, possession, or control of any animal shall allow or permit such animal to defecate in or on public property included within any City owned park or facility. In the event any animal shall defecate in or on any

public property within any City owned park or facility, the person owning such animal, or the person who at the time has custody or control of such animal, shall cause the product of such defecation to be immediately and completely removed from the City park and shall thereafter cause the same to be properly disposed of outside the City park. No person having ownership, custody, possession or control of any animal shall leave such animal unattended in any City owned park or facility in any manner which would render such person's ability to comply with this section impossible or impractical. Nothing in this section is intended (and should not be construed) to alter, amend, or in any manner modify any other ordinance regulating the ownership, possession, or control of any animal.

47.07 ANIMALS.

The following regulations apply to the use of any City owned park or facility by persons with pets and other animals:

1. All pets must be on a leash while in City owned parks.
2. No person shall taunt, injure, hunt, pursue or take any wild animal, bird or game.
3. VAN METER REC COMPLEX. No pets are allowed at the Van Meter Rec Complex.

47.08 PROHIBITED ACTIVITIES.

1. Fireworks, Weapons and Explosives. No person shall use firearms, fireworks, firecrackers or explosives of any kind at a City owned park or facility, except by approval of the City Council.
2. Smoking and Vaping. Smoking and the use of any electronic smoking device or vapor product by any person in any City owned park or facility is prohibited at all times. The use of FDA approved products for the purpose of tobacco cessation are exempted from this section.
3. Alcoholic Beverages and Controlled Substances. No consumption of any alcohol or alcoholic beverages shall be allowed within the City owned parks or facilities. It is unlawful for any person to sell, possess, use, consume or otherwise in any manner have controlled substances at any City owned park or facility. No tailgating activities are allowed on City owned property.
4. Camping. Camping is prohibited at all City owned parks and facilities.
5. Commercial and Promotional Activity. It is unlawful for any person to conduct any promotional or commercial activity on any City park property without first obtaining permission from the City. It is unlawful for any person to place or cause to be placed advertising material on or in any structure, playground, pole, or other location within a City owned park or facility without the express permission of the City. Peddling, soliciting, advertising or carrying on of business within any City owned park or facility is prohibited without permission of the City.

6. Glass. Glass containers are prohibited in all City owned parks and facilities.
7. Destruction of Natural Environment and Vandalism. No person shall in any manner deface, injure or remove any tree, shrub, or plant standing or growing in a city park or parks and recreation facility or pick or destroy flowers or seeds growing therein, or remove nests or wildlife/wildfowl. No person shall damage, destroy, deface, or remove any signage, equipment, building, structure, or machines owned or under the control of the City. No person shall write, mark or draw characters on or deface, injure or destroy any building, or part thereof, or improvement, apparatus or fixture, wall or fence, drain or sewer located on or in any city park or parks and recreation facility.

47.09 PONDS AND DETENTION BASINS.

1. No person shall enter the water for any purpose, including but not limited to wading, swimming, boating, fishing, use of flotation devices, or any other activity, in any City owned pond, detention area, or other body of water.
2. No person shall enter upon the frozen surface on any City owned pond, detention area, or other body of water for skating, sledding, or the operation of any vehicles, including but not limited to cars, trucks, snowmobiles, and ATVs, except as specifically permitted by the City Council.
3. Ice fishing is prohibited on any City owned pond, detention area or other body of water.
4. Ice skating is prohibited on any City owned pond, detention area or other body of water.

47.10 VAN METER BOAT RAMP.

The following rules apply to the Van Meter Boat Ramp and boat launch:

1. No operator of any boat or other watercraft shall operate in the boat launching basin or near the boat launching ramps unless docking, launching, or loading the craft.
2. No person shall operate any vehicle in a careless manner in the proximity of docking or launching areas.
3. No person shall swim or wade in the Raccoon River adjacent to the Van Meter Boat Ramp and boat launch unless in conjunction with the launching or docking of a boat or personal watercraft.
4. Any vehicle parked at any location other than a designated parking lot or area or any vehicle left in a city park after the park closes may be ticketed or towed, and the costs of the tow and storage shall be paid by the owner. No person shall leave a vehicle or boat parked overnight at the Van Meter Boat Ramp or boat launch.
5. Parking is prohibited along the access road to the Van Meter Boat Ramp.

6. No person shall leave a vehicle or boat at the Van Meter Boat Ramp and boat launch grounds with the purpose of displaying such vehicle or boat for sale.
7. No person shall park a vehicle and/or boat trailer at any place signed "No Parking", except to launch or land boats.
8. No person shall leave a vehicle or boat parked overnight at the Van Meter Boat Ramp or boat launch.

47.11 EXCEPTIONS.

An exception to the prohibited uses set out in this chapter may be granted to certain groups or persons by the Park and Recreation Director if such use will not cause undue damage to the parks or recreation facilities; or interfere with the use of such facilities by other persons. Any request for an exception shall be made in writing and any exception granted by the Park and Recreation Director shall be granted in writing, dated and signed.

47.12 PENALTIES.

Any person violating any provision of this chapter, for which no other penalty is provided, shall be issued a citation as set by resolution and approved by City Council or be subject to the penalty as allowed under Iowa Code. Fines shall be paid in full to City Hall, Office of the City Clerk.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. Severability Clause. If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When Effective. This Ordinance shall in full force and effect from and after its passage and publication as provided by law for all services provided on and after September 9, 2024.

1st Reading – September 9, 2024

2nd Reading – Waived

3rd Reading - Waived

Passed by the City Council and approved the 9th day of September 2024.

Mayor, Joe Herman

Attest:

City Clerk

PROPOSED