

SUBSTITUTE BILL NO. 19-265

AN ORDINANCE AMENDING CHAPTER 19 PARKS AND RECREATION OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT DEALING GENERALLY WITH INCORPORATING NEW DEFINITIONS AND MODIFYING EXISTING DEFINITIONS, AND AMENDING LANGUAGE RELATED TO CURFEW IN PARKS AND AS WELL AS LANGUAGE REGARDING THE PROHIBITION OF ANIMALS AT THE MUNICIPAL POOL.

WHEREAS, several provisions of Chapter 19 – Parks and Recreation, of the Code of Ordinances of the City of Lee's Summit are in need of update for various reasons, including compliance with Federal and State law and to ensure consistency and accuracy in enforcement of regulations pertaining to parks; and,

WHEREAS, the Parks and Recreation Board of the City of Lee's Summit has proposed recommended changes to Chapter 19 – Parks and Recreation, of the Code of Ordinances of the City of Lee's Summit to address these needs; and,

WHEREAS, the City Council wishes to accept the recommendation of the Parks and Recreation Board and adopt the same for incorporation into the Code of Ordinances of the City of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Section 19-1. Definitions of Article I. In General, in Chapter 19. Parks and Recreation, of the Code of Ordinances of the City of Lee's Summit, Missouri be and the same is hereby amended by incorporating the following language to read as follows:

Operate shall mean to utilize, control, or cause the functioning of the engine, motor, or other automatic means of a self-propelled vehicle, but does not include solely using manual or physical intervention to maneuver or otherwise control the device.

Self-Propelled Vehicle shall mean any device capable of being propelled solely by its' own engine, motor or other automatic means without the physical intervention of the user.

SECTION 2. That Section 19-81. Curfew in parks, of Article III. Regulations for Use of Municipal Recreation Facilities, in Chapter 19. Parks and Recreation of the Code of Ordinances of the City of Lee's Summit, Missouri be and the same is hereby amended by incorporating the following language, in ***bold italics***, to read as follows:

Sec. 19-81. Curfew in parks.

It shall be unlawful for any person to be or remain upon any public park in the City between the hours of 11:00 p.m. and 5:00 a.m. unless such person is a member of a group, association or organization using such park facilities for a particular purpose, provided a representative of the group, association or organization has first obtained a permit from ***or otherwise has a written agreement with*** the Parks and Recreation Department for such purposes. The Parks and Recreation Department shall grant such permit ***or enter into such agreement*** if it appears that the group, association or organization will not interfere with the general use of the park by the individual members of the public and if the group, association or organization

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meets all other conditions and regulations for use of such public park as enacted by the Parks and Recreation Board.

SECTION 3. That Section 19-82. Use of self-propelled vehicles in public parks or on City property, of Article III. Regulations for Use of Municipal Recreation Facilities, in Chapter 19. Parks and Recreation of the Code of Ordinances of the City of Lee's Summit, Missouri be and the same is hereby amended as follows, in ***bold italics***:

Sec. 19-82 Use of ***Self-Propelled Vehicles*** in public parks or on City property.

Except as required by relevant provisions of Federal and/or state law, including, but not limited to the Americans with Disabilities Act, it shall be unlawful for any person to operate ~~motorscooters, motorbikes, motorcycles~~ or any other Self-Propelled Vehicle within any public park of the City except upon regular driveways or parkways set aside for vehicular traffic or upon areas in such parks or public places designated specifically for ~~motorscooter, motorbike, motorcycle, or Self-Propelled Vehicle~~ use.

SECTION 4. That Section 19-102. Animals prohibited, of Article III. Regulations for Use of Municipal Recreation Facilities, in Chapter 19. Parks and Recreation of the Code of Ordinances of the City of Lee's Summit, Missouri be and the same is hereby amended by incorporating the following language, in ***bold italics***, to read as follows:

Sec. 19-102 Animals prohibited.

Except as authorized in writing by the Administrator of Parks and Recreation, it shall be unlawful at all times for any person to place in the waters of the municipal swimming pool any dogs or other animals of any kind or cause or to suffer any dogs or any animals of any kind to enter or be therein.

SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2019.

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Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*