

Legislation Text

File #: SUBSTITUTE BILL NO. 19-265, **Version:** 1

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. (CEDC 11/13/19)

Issue/Request:

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.

Key Issues:

- Parks and Recreation Board took the opportunity to review the entire chapter and identified the following areas in need of modification or update.
 - o Removal of sections related to Beautification Commission and Tree Board
 - o Addition of language to address the use of e-bikes in the park system
 - o Updates to language for compliance with Americans with Disabilities Act law and the Parks Department's Other Power Driven Mobility Device (OPDMD) Policy
 - o Addition of language to address curfew in the event of YSA activities
 - o Addition of language to address special events at Summit Waves (end of year Pooch Paddle)

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of 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.

SECOND MOTION: I move for adoption of 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.

Background:

During the FY 2020 budget process, the City of Lee's Summit determined to re-align responsibilities associated with the Beautification Commission, removing the activities from the Parks and Recreation Department and placing the Commission under Cultural Arts in the Administration Department. This change makes it necessary to remove the provisions regarding the Beautification Commission and the Tree Board, which is under the governance of the Beautification Commission, from the Parks and Recreation chapter of the Code of Ordinances. These changes will be addressed in separate ordinances.

The Parks and Recreation Department took the opportunity to review the remainder of the Chapter in light of the need

for these revisions. Several items were identified as in need of update by an Ad Hoc Committee of the Park Board. The Ad Hoc Committee focused significantly on the current provisions regarding self propelled vehicles in parks, because, as the Ordinance is currently written, e-bikes are technically not allowed within the Parks system. However, the Committee acknowledged their increased presence and the benefits they provide to recreation and patrons, and felt it was important to modify the current Ordinance to accommodate their use within reason. Additionally, the Ad Hoc Committee discussed the importance of updating the Ordinance to ensure it was compliant with federal ADA laws and the Parks Department's Other Power Driven Mobility Device (OPDMD) Policy, which governs the use of motorized vehicles for individuals with disabilities.

The Ad Hoc Committee created a set of recommendations based on the discussions, which were presented to the full Park Board at its' July 24, 2019 meeting.

Following is a summary of the proposed changes:

- Deletion of all sections related to Beautification Commission and Tree Board (which are set to be addressed in separate ordinances)
- Incorporation of a new definition of Self-Propelled Vehicle to address the increased use of e-bikes within LSPR's parks and trails system, as well as a definition of "operate" to allow for certain devices to be in the parks system as long as their operability is limited.
- Updates to the provision regarding the use of Self-Propelled Vehicles to conform to the new definition and to address LSPR's OPDMD policy and requirements under the Americans with Disabilities Act.
- Addition of language to the curfew in parks section to identify that written agreements with entities such as youth sports associations may be an exception, with prior authorization.
- Addition of language to the prohibition of animals at the municipal pool to provide the ability for limited events to be authorized and not in violation of the law, such as the annual Pooch Paddle.

After considering the proposed revisions, the Park Board voted unanimously to recommend to the City Council the revisions be adopted and incorporated into the Code of Ordinances.

To address the provisions dealing with the Beautification Commission, which have been removed from the Parks and Recreation Chapter, a new Division will be proposed in a future Ordinance to be placed in Chapter 2 - Administration, Article V. Boards and Commissions. The provisions relating to trees are expected to be addressed at the next scheduled Public Works Committee meeting.

Impact/Analysis:

No budgetary impact.

Jackie McCormick Heanue, Superintendent of Legal Services and Human Resources

Staff recommends approval of 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.

The Community and Economic Development Committee voted unanimously 3-0 (Councilmember Faith absent) to recommend to City Council approval of an Ordinance amending Chapter 19 Parks and Recreation of the Code of Ordinances of the City of Lee's Summit dealing generally with removing references to the Beautification Commission and Tree Board, 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.