

City Code Revisions for Parks, Recreation and Cultural Services

City Council Work Session

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Code Revision Overview



- **Multiple Chapter Revisions: 1,4,6,7,9,10**
- **Clean Up throughout documents:** Updated Department Name to include Cultural Services
- **What's not addressed at this time:** Park Land Dedication Ordinance; Pioneers Museum Board; Drones; Appeals Process
- **Parks Board Policy/Articles and Bylaws Update will come at a later meeting date**

How to review...



HOW CITY CODE AMENDMENTS ARE DEPICTED

- Draft Ordinances amending the City Code include *only the text being changed*.
- To review the existing City Code please visit:
http://www.sterlingcodifiers.com/codebook/index.php?book_id=855
- City Code language being **added** is shown in **bold**.
- City Code language being removed is shown as a strike through, ~~for example~~.
- Asterisks (* * *) indicate that no amendments are proposed for the section/s with asterisk marks.
- Here is an example:
19.1.900 EXAMPLE CODE
A. This is **an example of** the City Code.

B. * * *

F. The ~~one~~ **only** subsections amended ~~is~~ **are** A and F. The remaining provisions in this section remain the same. Finally, the asterisk below this section means the remaining code after this section stays the same, and there were no additional amendments.

* * *

Chapter 1



- **Section 203, Part 2, Article 6**

- **B. Trusts for Specific Purposes**
 - **2. Monies may be expended for all purposes consistent with the guidelines specified for the Conservation Trust Fund by the State of Colorado**

Chapter 4



4.1.101: Definitions:

PARK; PARK LAND: Those areas, structures or facilities which are parks, parkways, **medians** and recreation facilities owned **or managed by agreement** by the City and which are under the control, management and supervision of the Department. Park and park land shall also have the meaning defined in section 4.6.101 of this chapter.

PARK PROPERTY: Any real or personal property, or improvements of or relating to parks, open space, trails or park facilities belonging to the City. Park property shall include all trees, plants, shrubs and vegetation, all natural terrain formations, **all historical, cultural, archaeological, and paleontological resources**, all rocks, stones and boulders, and all improvements to the park areas such as tables, benches, railings, **fences, signs**, fountains, canopies, **pavilions**, roads, sidewalks, fireplaces, buildings, bridges, ~~stands~~ **bleachers** and equipped play areas.

STEWARDSHIP: The provision of services that protect, maintain and enhance the condition, longevity and overall well-being of facilities and elements of the built environment and the health and vitality of the natural environment.

Chapter 4



4.1.103: BOARD CREATED; APPOINTMENTS:

A. There is hereby created a Parks and Recreation Advisory Board (the "Board"), to be composed of nine (9) members appointed by City Council from **City** residents ~~of the general area or community~~ who are interested in the development of the park, trail, open space, recreation, resources and facilities of the community.

Chapter 4



4.1.104: POWERS AND DUTIES:

- C. **Recommend** ~~Prepare and submit~~ to the Manager and City Council plans, **action plans** and recommendations for the development of the park, trail, open space and recreation facilities of the City, together with recommendations for the amounts to be expended each year for those purposes.
- D. **Recommend** ~~Prepare and submit~~ to the Manager a general overall program of park, trail, open space and recreational developments contemplating the progressive maximum development of the recreational facilities **and action plans**, landscaping and beautification of the City, keeping in mind the enjoyment and use of the facilities by the greatest number of persons and the general benefits to the City and its citizens as a whole rather than the special benefits to particular groups and interests. Plans shall list projects in the order of preference or priority of accomplishment.
- G. Review at public hearing and ~~make recommendations~~ **decide on** all development activities **for park master plans** ~~associated with a~~ **for** parks, trails, or open spaces ~~through a master plan.~~

Chapter 4



4.2.102: PARK HOURS

~~The parks~~ **Park properties** shall be open for the use of the public during the hours of five o'clock (5:00) A.M. until nine o'clock (9:00) P.M. during the months of November to April, inclusive, and during the hours of five o'clock (5:00) A.M. until ~~eleven o'clock (11:00)~~ **ten o'clock (10:00)** P.M. at all other times. It shall be unlawful for any person, other than City employees in the performance of their official duties, to enter or remain in the parks at any time outside the hours, except during official City ~~sponsored~~ **permitted** activities. The Manager may, however, extend or limit park hours by issuing a temporary park permit in accord with section 4.3.101 of this chapter. The Manager is further authorized to promulgate any necessary rules or regulations closing any park roads, vehicular access areas, or trails beginning at nine o'clock (9:00) P.M. at any time during the year.

Chapter 4



4.3.101: TEMPORARY PARK PERMITS REQUIRED:

A temporary park permit shall be obtained by anyone desiring to use a park in whole or part to the exclusion of others or for commercial purpose. Use of any park in whole or part for a public gathering, entertainment, tournament or exhibition-~~or~~, **construction, access,** or any other activity which can reasonably be expected to affect park property, patrons, or persons and property adjacent to the park, shall require a temporary permit.

Chapter 4



4.5.102: MUSEUM ADMINISTRATION:

* * *

D. Museum Administration: The operation, maintenance and management of the Museum collection and the Museum buildings and grounds shall be the responsibility of the Museum Director. In matters pertaining to the Museum collection, the Museum Director ~~shall~~ **may** be advised by ~~and given direction by~~ the Museum Board.

Chapter 6



Article 7, Section 102

6.7.102: DEFINITIONS:

* * *

SEVERE INJURY: An injury caused by an animal **to any person or domestic animal** in which at a minimum the skin is broken, exterior bleeding occurs, or medical treatment by a licensed physician **or veterinarian** is necessary.

* * *

THREATEN TO ATTACK: Any obvious attitude of attack to include, but not be limited to, approaching in a menacing fashion such as growling, snapping or charging at a person, **or domestic animal** on property other than the owner's.

Chapter 6



Article 7, Section 107

6.7.107: DUTY TO RESTRAIN ANIMALS:

A. It shall be the duty of any owner or keeper of any dog or hoofed animal to restrain the dog or hoofed animal by means of confinement, collar and leash, or bridle from running at large upon any **park or other** public place in the City, and to prevent the dog or hoofed animal from becoming a danger to persons or property, or from trespassing upon the property of another. The animal is hereby declared a nuisance and may be taken up and impounded or confined, as provided in article 10 of this chapter.

Chapter 7



Article 3, Part 4, Section 402

7.3.402: PURPOSE AND SPECIFIC REQUIREMENTS OF THE SPECIAL PURPOSE ZONE DISTRICTS:

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B. PK - Public Parks: The public parks zone district is intended for land set aside for use as public recreation and open space. These parks may include playground equipment, athletic fields, ~~tennis~~ **sport** courts, swimming pools, and other facilities and programmed activities normally associated with public parks. Parks may also be reserved for natural or environmental reasons, such as preservation of wildlife, vegetation or significant natural, **cultural** or historic resources.

The establishment of a park zone shall follow procedures outlined in article 5, part 6 of this chapter. Subsequently, all development activities associated with a particular PK zone shall be in accord with a parks master plan for that zone district which shall be reviewed and approved at a public hearing by the Parks and Recreation Advisory Board. The decision of the Board may be appealed to the City Council or the appropriate governmental agency ~~in conformance with procedures in section 7.5.1007 of this chapter.~~ The Board or the City Council may add protective restrictions regarding setbacks from adjacent uses or property lines or the location and amount of parking to the approval of the master plan. Amendments to the parks master plan shall follow the procedure required for the original plan. The Director of Parks, ~~and~~ Recreation **and Cultural Services** shall prepare procedures and guidelines for the preparation and administrative processing of parks master plans. In addition, public parks not under the City Parks, ~~and~~ Recreation **and Cultural Services** Department may use this zone as designated parks.

Chapter 9



Article 7, Part 1, Multiple Sections

~~9.9.101: DAMAGE TO PARK PROPERTY:~~

~~It is unlawful for any unauthorized person to injure, deface, destroy, sever, **apply graffiti** or remove any park property.~~

9.9.103~~2~~: DAMAGE TO TREES, GRASS:

A. It is unlawful for any unauthorized person to attach any rope, wire or other contrivance to any tree or plant in any park.

B. It is unlawful to dig or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area in any park.

C. It is unlawful for any unauthorized person to cut any tree or tree branch on park property.

Chapter 9



9.9.105: CULTURAL, ARCHAEOLOGICAL, GEOLOGICAL, PALEONTOLOGICAL RESOURCES:

- A. It is unlawful for any unauthorized person to injure, deface, destroy, damage or remove any cultural, archaeological, geological or paleontological resource from any park property.**

- B. For purposes of this section, the following definitions apply:**

CULTURAL RESOURCES: Physical evidence of past human activity including sites, structures, landscapes, objects, and culturally-modified natural features which are significant to a group of people traditionally associated with an area.

ARCHAEOLOGICAL RESOURCES: Material remains of human activities which are at least 50 years of age and are capable of providing scientific understandings of past human behavior and cultural adaptation.

GEOLOGICAL RESOURCES: Material produced from the physical processes of the earth that have value to humans and are commonly extracted from the earth, including rocks, minerals, and metals.

PALEONTOLOGICAL RESOURCES: Fossilized remains or imprints of once-living organisms that are likely to yield information about the history of life on earth.

Chapter 9



9.9.106: METAL DETECTING:

A. It is unlawful for any person participating in metal detecting to injure, deface, destroy, or disturb any grass or landscaped areas or retain any articles found in the conduct of this activity.

B. For the purposes of this section, the following definition applies:

METAL DETECTING: The act of using an electronic instrument consisting of a sensor probe which can be swept over the ground or other objects to detect the presence of metal objects that may be hidden within objects, or metal objects buried underground.

Chapter 9



9.9.107: MECHANICAL GOLD PANNING:

A. It is unlawful for any person to use a mechanical device to assist in the act of gold panning in any stream or waterway located within any park.

B. For purposes of this section, the following definitions apply:

MECHANICAL DEVICE: Any equipment other than a traditional, hand-held gold pan that aids in the moving of sand, gravel, and/or water in an effort to detect and isolate gold flakes. This includes but is not limited to sluice boxes, rocker boxes, hand dredges, and mechanical pumps and screens.

GOLD PANNING: A form of placer mining that seeks to extract gold from sand and gravel deposits.

Chapter 9



9.9.202: LITTERING ON PARK PROPERTY:

It is unlawful for any person to bring in or to dump, deposit or leave any **litter, as defined in article 6 of this chapter, including but not limited to**, bottles, broken glass, discarded vegetation including **landscape waste, such as grass clippings, tree or shrub limbs**, ~~but not limited to~~, Christmas trees, ashes, paper, boxes, cans, dirt, **cigarette butts** ~~rubbish, waste, garbage, refuse~~ or **any** other trash in any park **property**. No person shall place these materials, ~~refuse, or litter or trash~~ in any waters in or contiguous to any park **property**, or leave any ~~refuse-litter or trash~~ anywhere on the grounds of the park **property**.

9.9.301: ANIMAL DEFECATION:

It is unlawful for any person to allow any animal over which the person has control to defecate upon any park land without the excrement being removed by the person in control of the animal from the park and **dispose of** properly ~~disposed of elsewhere~~. The Park Manager may designate areas of the parks where the rule does not apply.

Chapter 9



9.9.302: DOGS, DOMESTIC ANIMALS AT LARGE:

- A. It is unlawful for any person to lead or allow to be loose any animal upon park premises; dogs, however, may be led or carried but not allowed loose. Dogs may be loose but under the control of the owner or keeper in those areas ~~which are clearly marked by signs bearing the words, "Dogs Permitted Without Leash If Under Control"~~ **designated as dog parks or off-leash areas.** Nothing in this section shall be construed as permitting the running of dogs at large. All dogs in those areas where the animals are permitted without leashes shall be under control at all times.
- B. In any ~~dog recreation area~~ **dog park or off-leash area** designated by the Park Manager in which dogs are permitted without leashes, it is unlawful for any person:
1. To intentionally, knowingly or recklessly lead, bring or release any other type or species of animal into or upon the confined or fenced dog ~~recreation area~~ **park or off-leash area**; or
 2. To fail to obey any posted rules, regulations or guidelines for use of the **fenced dog park or off-leash area** ~~recreation area~~.
 3. **To bring a dangerous animal, as defined in Section 6.7.102, into a fenced dog park or off-leash area.**

Chapter 9



9.3.303: HOOFED ANIMALS:

It is unlawful for any person to ride or walk any "hoofed animal" as defined in chapter 6 of this Code in any area in any park except on trails designated as ~~hoofed animal trails~~ **a multi-purpose urban or multi-purpose park trail** by the Park Manager, and except on ceremonial occasions as designated by the Park Manager. It is unlawful for any person to ride or permit to be ridden a hoofed animal in any park without a permit when a permit is required by the Director.

9.9.401: ~~SWIMMING; SKATING~~ **PARK WATER ACTIVITIES:**

- A. It is unlawful for any person to swim, bathe or wade in any waters or waterways in or adjacent to any park, except in waters, at places and at times as are authorized by the Park Manager. Any person desiring to use the waters for other activities, except boating, shall first secure a temporary park permit from the Park Manager. No person shall frequent any waters or places customarily designated for the purpose of swimming, bathing, skin or scuba diving, or congregate at these places when the activity is prohibited by the Park Manager upon finding that the use of the water would be dangerous to the health, welfare and safety of the public.
- B. It is unlawful for any person to go out onto the ice of any waters in or adjacent to any park unless the movement is permitted by the Park Manager.

Chapter 9



9.9.402: PICNIC AREAS:

B. It is unlawful for any person to use ~~that portion of~~ the picnic areas in any park or of any buildings or structures in any park for the purpose of holding picnics to the exclusion of other persons **without a permit**, nor shall any person use picnic areas and facilities for an unreasonable time if the facilities are crowded **without a permit**.

9.9.403: FIRES AND FIREPLACES ~~FIREPLACES~~ FIREWORKS:

- A. It is unlawful for any person to build a fire ~~in any fireplace~~ in any park except as provided in subsection B of this section.
- B. It is unlawful for any person to build or attempt to build a fire in any park except in areas and in facilities and under regulations as may be promulgated by the Park Manager, provided that this prohibition shall not apply to the use of ~~charcoal in charcoal~~ **propane** grills for purposes of preparing a meal.
- C. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco, paper or other ~~in~~flammable material, within any park area or on any highway or road contiguous to any park area.
- D. **It is unlawful to use charcoal grills in any park area.**
- E. **It is unlawful to shoot or ignite any firework in any park without a permit.**

Chapter 9



9.9.405: FISHING; LIMITATIONS:

- A. It is unlawful for any person to fish in any of the waters of the parks except in those areas designated by the Manager.
- B. **It is unlawful to fish without possessing a current fishing license issued by the State Division of Parks and Wildlife.**
- C. In those areas designated by the Manager, it is unlawful for any person to catch or take more than the number of fish allowed under current State Division of **Parks and Wildlife** limits. The possession of more than the authorized limit by a person at or in the immediate vicinity of the designated areas shall be prima facie evidence that the fish were illegally taken by the person.

9.9.406: GAMES, ATHLETIC ACTIVITIES:

- A. It is unlawful for any unauthorized person to take part in or abet the playing of any games involving the **propulsion of objects such as** throwing, controlling or otherwise propelling of objects such as stones, arrows, ~~or javelins or model airplanes~~ in any park except in areas set apart for these forms of recreation.
- B. The playing of organized games such as football, baseball or horseshoes is prohibited except on the fields and courts or areas provided.

Chapter 9



9.9.409: FIREARMS; DISCHARGE:

B. It is unlawful for any person to fire or discharge any firearm within any park. The discharge of firearms using only blank ammunition by **members of any historical re-enactment group holding a park permit**, members of any military company when on parade, or when engaged in an official ceremony, and under the command of the commanding officer, or as authorized by the Director through a temporary park permit, or the lawful discharge of any firearms by a peace officer, shall not be deemed a violation of this section.

Chapter 10



10.12.106: STOPPING, STANDING OR PARKING IN CITY PARKS:

It shall be unlawful for any person to stop, stand or park a vehicle anywhere within a City park between the hours of ~~eleven o'clock (11:00)~~ **ten o'clock 10:00** P.M. and five o'clock (5:00) A.M., or during the time any park is closed pursuant to section 4.2.103 of this Code; and, no person shall allow, permit or cause a vehicle to remain stopped, standing or parked anywhere within a City park between the hours of ~~eleven o'clock (11:00)~~ **ten o'clock 10:00** P.M. and five o'clock (5:00) A.M.; except that when a permit is issued pursuant to section 4.3.101 of this Code.

Chapter 10



10.27.104: BICYCLES:

It shall be unlawful for any person to ride a bicycle within any park on other than a paved or improved dirt vehicular road or path specifically designated for bicycle traffic. A bicyclist shall be permitted to walk a bicycle over any grassy area, ~~wooded~~-trail or on any other area reserved for pedestrian use.

Discussion and Questions

