

RESOLUTION 3-2019  
CITY PARKS REGULATIONS

A RESOLUTION OF THE CITY OF CLARK FORK, BONNER COUNTY, IDAHO, ESTABLISHING REGULATIONS AND GUIDELINES FOR ADMINISTRATION OF THE CITY'S PARKS AND PUBLIC AREAS, REGULATING USE OF PARK FACILITIES AND ESTABLISHING A SCHEDULE OF FEES.

WHEREAS, the City of Clark Fork desires to establish rules, regulations and guidelines and standard fees for public use of its parks in accordance with applicable laws, regulations and guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CLARK FORK, IDAHO:

**Section 1. PURPOSE**

These rules are established as written guidelines for use of City parks and recreational facilities. The intent of these rules is to promote and protect the health, safety and general welfare of the citizenry of the City of Clark Fork and enhance the use and enjoyment of the parks and recreational facilities within the City limits of Clark Fork. Failure to abide by these rules may result in the patron being warned and/or be cause for removal. Under circumstances where a patron's conduct is unlawful or poses an imminent threat of injury or prevents the public enjoyment of the parks, wildlife, or recreational facilities Police officials may eject such patron by any reasonable means, including arrest.

**Section 2. USE OF PARK FACILITIES**

City Park facilities are generally available for public use on a first come, first served basis, except for areas previously reserved by a Facility Reservation Permit ("Permit"). In all cases where the City of Clark Fork is the host of an event, all applications, fees and other monetary or statutory requirements of this Resolution are waived.

**A. General Hours:** City park hours are 7:00 A.M. to 10:00 P.M., unless permission is given by way of waiver on a Permit issued by the City Clerk's Office.

**B. Animals:** No person owning or having the care, custody, possession, or control of any domestic or farm animal which that person owns or harbors upon the premises, except: animals trained and used for the aid of individuals with special needs, "service animals" (as defined in 28 CFR 35 or as it may be amended), or where signage specifically allows the particular animal or activity. Special exceptions to this prohibition in the form of organized animal shows or competitions may be granted by express written authority of the city when the use or activity is of general community benefit or of particular benefit to the city.

**C. Natural Features:** No patron shall damage, cut, carve, transplant or remove any tree or plant, or injure the bark or other parts of any tree or plant on any City park property. No patron shall attach any rope, wire or other contrivance to any tree or plant on any City park property.

**D. Alcohol:** No person shall have in his/her possession, nor shall any person consume (drink) any intoxicating liquor or alcoholic beverages within any City park property unless designated on the Permit. No patron shall sell or offer for sale any intoxicating liquor or alcoholic beverage on any City park property unless designated on the Permit and accompanied with an approved catering permit.

**E. Illegal Drugs:** No person shall smoke, drink or otherwise consume, use or possess any narcotic drug, opiate, or hallucinogen, or any type of controlled substance or illegal drug on any City park property.

**F. Glass Containers:** No person shall use, carry, or be in possession of any beverage container made of glass on any City park property, except in designated areas.

**G. Tobacco:** Smoking or vaping is prohibited on any City park property.

**H. Disorderly Conduct:** No person shall engage in disruptive, destructive, hazardous, or illegal conduct on any City park property.

**I. Noise:** All music must conclude by ten o'clock (10:00) P. M. Amplified sound is allowed but only if noted on the approved permit. The volume of sound must be kept low enough so as not to disturb other area users and adjacent residential neighborhoods.

**J. Removal or Destruction of Property:** No patron shall remove, alter or destroy any City park property.

**K. Fires, Firewood or Fireworks:** No patron may light, build, or maintain a fire at any park facility, except in a facility or device provided, maintained or designated for such purposes, or as authorized by the City. When designated fires are allowed, they shall be attended at all times by an adult until fully extinguished.

Portable camp stoves or portable barbecue grills of metal construction may be used in designated picnic areas.

No person may cut, gather, or collect wood or other combustible material on any City park property for use as firewood or fuel.

The possession or use of any kind of fireworks, except legal fireworks during the 4th of July festivities, is prohibited in all City parks.

**L. Camping and Overnight Use:** No patron may camp overnight at any City park facility unless designated on the approved Permit. "Camping" is defined as: Erecting a tent, trailer, camper or other vehicle, or arranging bedding, or any combination thereof, for such purpose or in such a manner as will permit remaining overnight. All persons must vacate City park facilities and remain without the facilities from 10:00 p.m. through 7:00 a.m. unless authorized by the approved Permit.

**M. Motorized Vehicles:** No patron may operate a vehicle in any park facility except upon roads, driveways, parking areas, and areas designated open to motorized vehicles, except



for city personnel and contractors while performing work for the city and as authorized by the City.

**N. Littering and Refuse:** No patron shall bring into, leave behind, or dump any material of any kind in any City park property, except the refuse or garbage resulting from normal use of a park. Any and all trash, refuse or garbage resulting from normal use shall be deposited in receptacles provided for such purposes. Clean up to be completed within the Reserved Time Period. Should the provided receptacles become full or otherwise inadequate for disposal then refuse shall be removed from the park and properly disposed of off-site by the patron.

### **Section 3. FACILITIES USE FEES**

The use of the City parks and/or public facilities may be available for any group size events. The approximate area of space needed will be determined by The City and agreed upon by applicant. A Permit shall be provided by the City.

- A. Reservation Fees are based upon residency and outlined in the Application.
- B. Reservations are on a first come first serve basis.
- C. Cancellations and refunds are outlined in the Application.
- D. Fees:

	Resident Fees	Non-Resident Fees
All Day Use (7:00 A.M. – 10:00P.M.)	\$50.00	\$200.00
Half (1/2) Day Use (6 hours)	\$25.00	\$100.00
Use Deposit:	\$100.00	\$100.00

### **CANCELLATIONS – REFUND POLICY**

A refund may be made to applicants requesting such a refund when the event was cancelled due to rainout (if a call is received the next working day) or if the facility reservation is cancelled by the applicant giving at least 5 days written notice prior to the date reserved.

### **DEPOSIT PAYMENTS & RETURNS**

A deposit is required for every application made, no exceptions. The deposit is for clean-up and repairs if there were damages beyond normal wear and tear.

The deposit may be fully refunded only when the following conditions have been met:

1. Clean-up has been finished within 24 hours of vacating the facility.
2. Maintenance has inspected facility and reported back to clerks with recommendations for follow-up cleaning and anticipated time to complete or that it passed inspection.

Deposit returns, if any, will be sent back within 7-14 days of vacating facility to the party and at the address listed on the application/permit.

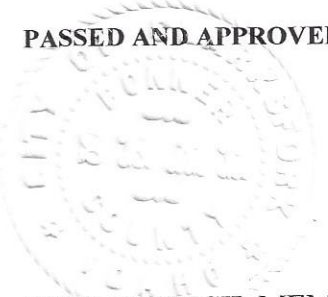
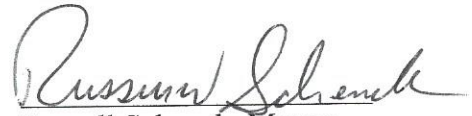
amount of \$500,000 per each occurrence at least one week prior to scheduled event. The City of Clark Fork shall be named as an additional insured unless waived. Greater liability coverage limits may be required depending upon the perceived liability exposure of the contemplated activity.

A. For small organizations that do not normally carry liability insurance or have the resources to purchase liability insurance, may opt to sign the "Waiver and Release from Liability Agreement".

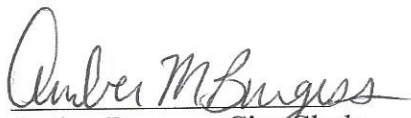
### LIABILITY

The person or organization using the City of Clark Fork facilities shall be responsible for any and all damage to any equipment or premises during the event.

PASSED AND APPROVED this May 13, 2019.

  
  
Russell Schenck, Mayor

CITY COUNCIL MEMBERS	YES	NO	ABSENT
Shari Jones	<u>✓</u>	_____	_____
Jay White	<u>✓</u>	_____	_____
Sharon Banning	_____	_____	<u>✓</u>
Stanley Spanski	<u>✓</u>	_____	_____

ATTEST:   
Amber Burgess, City Clerk