

**ORDINANCE \_\_\_\_\_-2006**

**AN ORDINANCE REVISING CHAPTER 12 OF THE HELENA-WEST HELENA  
MUNICIPAL CODE**

WHEREAS, Chapter 12 of the Helena-West Helena Municipal Code makes references to commissions that no longer exist;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HELENA-WEST HELENA,  
ARKANSAS:**

Section 1. "Parks and Recreation Commission are replaced with the words "Office of the Mayor."

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Emergency Clause. Since the efficient operation of the city's parks system is necessary to promote the health, safety, and general welfare of the citizens of the City, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon passage and enactment.

SIGNED:

\_\_\_\_\_  
MAYOR JAMES F. VALLEY

ATTEST:

\_\_\_\_\_  
CITY CLERK SANDI RAMSEY

DATE:

\_\_\_\_\_

## TITLE 12

### PARKS AND RECREATION

#### Chapters.:

- 12.04 Parks Department
- 12.08 Park Regulations

#### CHAPTER 12.04

#### PARKS DEPARTMENT

#### Sections:

- 12.04.01 Creation
- 12.04.02 Department head
- 12.04.03 Department's right to employ, limitations on, purchasing
- 12.04.04 Managing of department

12.04.01 Creation There be and is hereby created the Helena-West Helena Parks Department pursuant to A.C.A. 14-269-201, *et seq.*, and that said department shall have charge of the development, maintenance and administration of the parks owned by the city.

REFERENCE: A.C.A. 14-269-201, *et seq.*; West Helena Ord. No. 923.

12.04.02 Department head The head of the department shall be appointed by the Mayor in accordance with state law.

12.04.03 Department's right to employ, limitations on, purchasing The department shall build, manage, operate, maintain and keep in good shape of repairs any municipal building deemed necessary to carry on the recreation parks for said municipality, including the building of swimming pools, field houses, stadiums, zoos, or other buildings necessary to carry on the recreational parks. The department shall have the right to employ or remove managers, janitors and other employees of whatsoever nature, kind or character, and to fix, regulate and pay their salaries; the authority to build, operate, manage, maintain and control said municipal recreational parks, and to have full and complete charge thereof; provided said department shall not have authority or power to sell, mortgage or encumber said property unless otherwise authorized by the statutes of Arkansas. The department hereunder shall have in addition to other powers enumerated herein, the exclusive right and power to make purchases of all supplies, apparatus

and other property and things requisite and necessary for the management and operation of said recreational parks, including the construction of same and repairs and additions thereto. Said department shall have authority to enter into contracts with persons, firms or corporations or organizations for the use of recreational park buildings or parts thereof.

REFERENCE: West Helena Ord. No. 923.

12.04.04 Managing of department The head of the Parks Department shall manage the Parks Department, and shall employ such persons as are necessary to carry out the duties of the department.

## CHAPTER 12.08

### PARK REGULATIONS

#### Sections:

- 12.08.01 Restrictions on use of park property
- 12.08.02 Restriction on use of park
- 12.08.03 Motor vehicles
- 12.08.04 Alcoholic beverages
- 12.08.05 Merchandising, advertising and signs
- 12.08.06 Penalty

12.08.01 Restrictions on use of park property No person in a public park within the city shall:

- A. Disfiguration and removal: Willfully mark, deface, disfigure, injure, tamper with, or displace or remove, any building, bridges, tables, benches, fireplaces, railings, paving or paving material, waterlines or other public utilities or parts or appurtenances thereof, signs, notices, or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities, timber, shrubs, wood, rocks, minerals, soil, materials, or park property or appurtenances whatsoever, either real or personal.
- B. Rest room and washrooms: Fail to cooperate in maintaining rest rooms and washrooms in a neat and sanitary condition. No person over the age of five (5) years shall use the rest rooms and washrooms designated for the opposite sex.
- C. Sanitation: Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, bayou or other body of water in or adjacent to any public park or any tributary, stream, storm sewer, or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of said waters.

Have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any public park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the public park by the person responsible for its presence, and properly disposed of elsewhere.

REFERENCE: West Helena Ord. No. 946.

12.08.02 Restriction on use of park

- A. Any section or part of any public park may be declared closed to the public by the Chief of Police at any time and for any interval of time, either temporarily or at regular or stated intervals. Every individual, group, association, or organization shall be prohibited from using any area closed by the Chief of Police or Mayor pursuant to this section of the chapter and any individual who refuses to vacate any section, or part of any public park after notice that said area has been closed shall be in violation of this chapter and punished pursuant to Sec.12.08.06 of this chapter.
- B. No person, group, association or organization shall use any of the pavilion facilities located in any of the public parks of the city unless said person, group, association or organization shall have obtained a reservation through the Parks and Recreation Department.
- C. No person in a public park shall picnic or lunch in a place other than those designated for that purpose. Attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all. Visitors shall comply with any directions given to those to achieve this end.
- D. It shall be unlawful to leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, Papers, cans, bottles, garbage, and other refuse is placed in the disposal receptacles where provided. If no such trash receptacles are available, then refuse and trash shall be carried away from the public park area by the picnicker to be properly disposed of elsewhere.
- E. No fire whatsoever shall be set in any public park unless the fire is in a container suitable for outdoor cooking and said fire is used only for that purpose. If a person provides his own container it must be of a type which will not leave any burning substance or ashes in the public park and must be a kind which will contain any fire so that no public park property shall be exposed to flames.

Provided, the director of Parks and Recreation may designate certain areas within the public parks to be used solely for the purpose of an outdoor fire, commonly referred to as a "wiener roast".

REFERENCE: West Helena Ord. No. 946.

12.08.03 Motor vehicles

- A. It shall be unlawful for any person to operate a motor vehicle in any area in any public park in the city in excess of twenty (20) miles per hour.
- B. No motor vehicle shall be operated in the public park except on designated street and parking lots. No vehicle whatsoever, whether motor driven or not, shall be allowed in any pavilion.

REFERENCE: West Helena Ord. No. 946.

12.08.04 Alcoholic beverages It shall be unlawful for any person to have in his or her possession, custody or control any alcoholic beverages (including wine, beer or other spirituous liquors) of any kind whatsoever. The Parks and Recreation Commission may authorize alcoholic beverages for on premises consumption in an approved restaurant facility. Provided, said restaurant facility shall have obtained a permit for the dispensation of alcoholic beverages for on premises consumption from the Arkansas Alcoholic Beverage Control Board and shall have paid all required permit fees to the city and state.

REFERENCE: West Helena Ord. No. 946.

12.08.05 Merchandising, advertising and signs No person in a public park shall:

- A. Vending and peddling: Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Parks and Recreation Commission.
- B. Advertising: Announce, advertise, or call the public attention in any way to any article or service for sale or hire.
- C. Signs: Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a public park.

REFERENCE: West Helena Ord. No. 946.

12.08.06 Penalty Conviction upon a charge of violating any section or subsection of this chapter except Sec. 12.08.04 shall be punishable by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), and each prohibited activity made or done by such person, group or association shall be deemed a separate offense.

REFERENCE: West Helena Ord. No. 946.