

CHAPTER 18 - PARKS AND RECREATION

Sec. 18-69. Parks; fireworks, fires, glass, weapons; violations

(a) Within a park and recreation area it shall be unlawful for any person to:

(1) Have in his possession or set off any fireworks. Permits may be given by the Fire Marshall and Director for conducting properly supervised fireworks in designated park and recreation areas. For the purposes of this section, "fireworks" means any combustible or explosive composition, substance or combination of substances, or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation.

(2) Kindle, build, maintain or use a fire except in barbecue containers within a ramada. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper or other material within or against any building, boat or vehicle, or under any tree or in underbrush. The City Manager or his designee may declare a Fire Emergency and prohibit all fires and/or smoking of tobacco products in one or more park and recreation areas.

(3) Bring in or use any portable grill or deep fryer, unless subject to a permit issued by the City.

(4) Throw, toss or otherwise propel or either willfully or maliciously or carelessly or negligently break any glass object.

(5) Have a glass beverage container in his or her possession.

(6) Bring into or have in his possession in any park and recreation area any BB gun, air gun, spring gun, slingshot, bow, or other similar weapon in which the propelling force is a spring in air.

(7) Discharge or fire any firearm or other weapon in which the propelling force is gunpowder, except in self-defense or defense of another person against a use or an attempted use of unlawful physical or deadly physical force by a third person or an animal attack if a reasonable person would believe that the use of physical force or deadly physical force against the third person or animal is immediately necessary and reasonable under the circumstances to protect oneself or the other person.

(b) Violations of this section, other than subsection (a)(3) and subsection (a)(5), shall be a class one (1) misdemeanor. Upon conviction, the Municipal Court shall order restitution to be paid by the violator to the City for the cost of cleanup resulting from the violation and the enforcement of this section. Restitution shall be actual cost, but in no event less than One Hundred (\$100.00) Dollars.

(c) Violation of subsection (a)(3) and subsection (a)(5) of this section shall be deemed to be a civil infraction and shall be punished by imposition of a civil sanction not to exceed two hundred and fifty dollars (\$250.00) in accordance with Chapter 15 of this Code.

(Ord. No. 04-213, 12/14/2004, Enacting) SUPP 2004-4

(Ord. No. 05-59, 11/01/2005, Amended) SUPP 2005-04

(Ord. No. 2010-13, 7/6/2010, Amended) SUPP 2010-03

(Ord. No. 2013-01, 06/04/2013, Amended) SUPP 2013-02