

**CITY OF NORTH LITTLE ROCK,
ARKANSAS
MUNICIPAL CODE**

CHAPTER 10

PARKS AND RECREATION

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Article One

ADMINISTRATION

Section 1

INTRODUCTION

1.1.1 General.

Recreation is an important element of a healthy life. “City Parks” are special places and facilities within the City of North Little Rock, Arkansas that are expressly reserved for public recreation, and such other purposes as the Parks and Recreation Commission considers to be sufficiently related to, or in the interest of, public recreation. Entry to any City Park is a privilege, not a right, to be enjoyed by persons who adhere to the standards of conduct established by the City of North Little Rock, Arkansas (“City”) and the Parks and Recreation Commission (“Commission”). This regulation, approved by both the City and the Commission, establishes standards of conduct in City Parks and authorizes the Parks and Recreation Director (“Director”) and Parks and Recreation Department employees (“Department Employees”) to take such actions as are necessary to enforce these standards.

1.1.2 Authority.

The City is authorized to own and operate public City Parks under the common law of Arkansas, and by Act 291 of 1941, which is codified at Ark. Code Ann. § 14-54-1301, et seq. The City is authorized to delegate the oversight of public City Parks and facilities to an independent commission pursuant to Chapter 269 of Title 14 of the Arkansas Code. The City established the current Commission by the adoption of Ordinance 6667 on December 14, 1992, pursuant Act 471 of 1949, which is codified as Ark. Code Ann. § 14-269-301, et seq.

By law, the Commission is granted full and complete authority over public City Parks placed in its care. The Commission is statutorily authorized to set fees and adopt rules and regulations for the proper operation and management of public City Parks. The City is authorized to adopt ordinances prohibiting activities that endanger the peace, health, safety, or welfare of citizens; and to punish violations of the same as provided by law. This regulation has been approved by both the City and Commission as necessary to ensure the proper operation and management of public City Parks and to protect the peace, health, safety, and welfare of citizens.

1.1.3 Commission.

The Commission shall exercise the authority described in Ark. Code Ann. § 14-269-301, et seq. The Commission is composed of seven (7) qualified electors and generally meets in public on the 3rd Monday of each month at the place and time determined by the Commission. The Commission periodically elects one of their members to serve as chairman and preside over meetings. When warranted by necessity, emergency Commission meetings may be called by the chairman after reasonable notice of the meeting, and the meeting’s topic, has been provided to Commission members and the requirements of the Arkansas Freedom of Information Act have been met. “Reasonable notice” may be defined, and re-defined from time-to-time, by majority vote of the commissioners. Emergency meetings may be attended in person, or through electronic means (such as, via telephone or web-based attendance), so long as members of the

media are afforded a method of electronic access that is substantially similar to the method used by commissioners. The Commission may adopt such other procedural and internal rules as a majority of the Commissioners deems necessary to conduct its business.

1.1.4 Jurisdiction.

The City has assigned certain City Parks to the Commission. These parks are identified below with approximate sizes (in acres) and referenced in attachments to this regulation as indicated:

Attachment	City Parks	Approx. size (ac.)
(A)	Burns	1600.00
(B)	Campbell Lake	151.40
(C)	Camp Robinson	1.70
(D)	Conley	6.50
(E)	Crestview	2.70
(F)	Crestwood Triangle	0.20
(G)	Dark Hollow Memorial	0.20
(H)	Emerald	103.00
(I)	Emerald Park Golf Course	72.10
(J)	Faucette Brothers.....	1.50
(K)	W.C. Faucette Memorial	0.10
(L)	Fearneyhough	0.30
(M)	Glenview Recreation Center and Don A. Kelly Memorial	5.70
(N)	Heritage	2.10
(O)	Idlewild.....	1.30
(P)	Lorene Joshua.....	0.90
(Q)	Medians and Streetscapes.....	11.90
(R)	Melrose	1.80
(S)	Military Heights	0.60
(T)	Moss Street	1.10
(U)	North Little Rock Community Center and Park.....	2.30
(V)	North Heights Recreation Center and Park	9.30
(W)	North Shore	3.30
(X)	Old Mill Historical Park	2.60
(Y)	Pugh.....	0.60
(Z)	Riverview	65.70
(AA)	Jim Roberts Neighborhood Park	0.50
(BB)	Rose City Recreation Center and Park	17.70
(CC)	School Street.....	4.20
(DD)	Sherman Park Recreation Center and Park	7.40
(EE)	Vestal.....	18.80
(FF)	Frank M. Witkowski.....	2.10
(GG)	4th Street.....	1.30

(HH)	10th Street.....	1.00
(II)	17th Street.....	0.20
(JJ)	Stone Links.....	169.65
(KK)	Arkansas Inland Maritime Museum (AIMM).....	3.34
(LL)	140 South Olive Street	0.96
(MM)	Laman Plaza.....	0.78

1.1.5 Use of City Parks.

It is imperative that all park visitors respect rules regarding the use of City Parks. These rules are intended to: (a) facilitate the shared use of limited resources; (b) conserve public funds dedicated to recreational use; (c) maintain and improve public property dedicated to recreational use; and (d) protect the peace, health, safety and welfare of park visitors.

Different areas in the City Parks are dedicated to different recreational uses. While some areas are generally accessible to the public, others are restricted to specific activities. Some facilities in the City Parks are only offered for use on a fee basis that is intended to defray the cost of managing and maintaining the respective facility and associated activities. As described in this regulation, the use of fee-based facilities without paying the designated fee, or receiving a written waiver of fees by the Commission, is expressly prohibited.

Public parks are considered to be a traditional forum for freedom of expression under the First Amendment to the United States Constitution. Park visitors are free to gather, speak, and express their viewpoint within the park, as long as they adhere to all regulations governing City Park use. These regulations are intended to serve as viewpoint-neutral restrictions on the time place and manner of speech. The Commission does not discriminate based upon constitutionally-protected status, speech, or viewpoint.

1.1.6 Application, Clarification, and Supplement.

This regulation applies to all City Parks and trails, including the North Shore Riverwalk Park. The Director may clarify or supplement these rules at City Parks listed above in subsection 1.1.4. All supplemental rules will be effective when posted, but must promptly be reported to the Commission. No citation shall be based solely upon an alleged violation of a supplemental rule.

**Section 2
PARKS AND RECREATION DEPARTMENT**

1.2.1 General.

Although City Parks and City recreation programs are governed by an independent Commission, the staff functions as a City department in order to take advantage of centralized purchasing, accounting, human resource support, legal representation, and other administrative functions. As the Parks and Recreation Department (“Department”), the Commission hereby adopts all City management policies in order to facilitate integration of Department employees and functions.

Under the supervision of the Commission, the Department maintains and improves City Park property and establishes City Park programs. All fees imposed for the use of Park property or participation in City Park programs shall be approved by the Commission.

1.2.2 Parks and Recreation Director.

The Director is the head of the Department. The Director is responsible for implementing this regulation and communicating the need for any amendments to the Commission. Unless stated otherwise, any task that the Director is obligated to perform under this regulation may be delegated by the Director to such other employees as the Director may deem appropriate.

Within such limits as may be prescribed by the Commission, the Director shall be authorized to spend Park funds in accordance with the purpose and amount of the Department's annual budget and such policies, rules, and laws that govern the expenditure of public funds by the City. When authorized by official act of the Commission, the Director may execute contracts that bind performance of the Commission. When authorized by official act of the North Little Rock City Council ("Council"), the Director may execute contracts that bind performance of the City.

The Director shall ensure Department employees are properly supervised and, as necessary, disciplined according to the policies and procedures of the City.

The Director exercises the daily authority of the Commission as custodian of all Department property, real and personal, to ensure that such property is maintained, safeguarded, and used for such public purposes as authorized by the Commission.

1.2.3 Park Rangers.

Park Rangers are employees of the Department who are designated by the Director to function as code enforcement officers of the City whose authority is limited to this regulation. Each Park Ranger shall be sworn to faithfully discharge his or her duties by a local district judge, or other authority empowered to administer public oaths. Park Rangers shall wear a distinctive uniform, but shall not be armed. Park Rangers shall have authority to issue citations for violations of this regulation, and such other offenses as may be authorized by state law. Vehicles identified for use by Park Rangers shall be deemed emergency vehicles under this regulation. The Director is empowered to act as a Park Ranger when necessary.

This section is intended to provide Park Rangers with protections and authority that are afforded other code enforcement officers. Any person obstructing or interfering with a Park Ranger may be charged under applicable state laws, including Ark. Code Ann. §§ 5-54-102 and 104.

1.2.4 Park Managers.

Park Managers are employees of the Department who are delegated the responsibility to manage one or more City Parks or facilities by the Director. Park Managers shall have *no* authority to issue citations (unless additionally appointed under subsection 1.2.3) but may exercise administrative authority as described in Section 4 of this Article.

1.2.5 Athletic Contest Officials.

Many athletic contests are performed in City Parks. These contests are often monitored by a neutral official (“Athletic Contest Official”) who enforces the rules of the contest, as well as the spirit of fair play and sportsmanship for participants and observers. Athletic Contest Officials shall be treated with respect. The senior Athletic Contest Official at any athletic contest shall be authorized to temporarily suspend the privilege of one or more persons, based on the unreasonable conduct of such persons, to participate in the contest, to observe the contest, or both. Persons who are not authorized to observe a contest may remain within the City Park, but no closer than a distance determined by the senior Athletic Contest Official, which shall not exceed 300 feet from the contest area for the duration of the contest. Any person violating an order of suspension issued under this section may be cited for a violation of section 4.1.2 of this regulation or, if warranted, for criminal trespass under Ark. Code Ann. § 5-39-203(a)(2).

1.2.6 Volunteers.

Volunteers are important to the operation of successful Department programs. The Director shall establish policies and procedures to ensure that all volunteers understand that they are not authorized to receive pay or benefits from the Commission, Department, or the City. Volunteers shall not present themselves as Department Employees. Volunteers shall not be authorized to contract on behalf of the Commission, Department, or City, or to spend public funds, unless authorized in writing by the Director. The use of volunteers shall comply with the Arkansas Volunteers Act, codified at Ark. Code Ann. § 21-13-101, et seq., as well as all Commission, Department, and City ordinances and policies related to volunteers.

1.2.7 Recreational Associations.

The Commission may enter agreements with recreational associations to administer recreational programs using City Parks. These agreements shall provide that programs are administered on behalf of the government with all protections traditionally associated with governmental programs. No recreational association may lease, or acquire rights in, City Park property without open bidding and proper authorization as described in Ark. Code Ann. § 22-4-501, et seq.

Section 3 VIOLATIONS OF CITY PARK RULES

1.3.1 Fines.

Except as otherwise provided, a person convicted of violating any provision of this regulation shall be punished by a fine not to exceed \$1,000.00, or double such sum for each repetition thereof. If the violation is continuous in nature, the penalty for allowing the continuance thereof shall be a fine not to exceed \$500.00 for each day that the violation is unlawfully continued. The judge will determine the actual fine and may, for specific offenses, establish a standardized amount that may be tendered with a guilty plea in lieu of appearing in court.

1.3.2 Citations.

Park Rangers are hereby authorized to issue citations to any person, firm or corporation in conflict with or in violation of any of the provisions of this regulation. Citations shall be issued

in accordance with the Arkansas Rules of Criminal Procedures. North Little Rock District Court shall have exclusive jurisdiction over citations issued pursuant to this regulation.

1.3.3 Appeals.

Any person after being found guilty of a violation or after entering a plea of guilty or *nolo contendere* to a violation shall have those appellant rights granted under the Laws of the State of Arkansas, United States Constitution, and Arkansas Rules of Criminal Procedure. Any appeal of a conviction of a violation of this regulation will be heard in Pulaski County Circuit Court.

Section 4 ADMINISTRATIVE REMEDIES

1.4.1 General.

The purpose of this section is to provide a procedure for (1) the suspension of Park privileges; (2) the suspension or revocation of various permissions, certificates, licenses and permits issued by the Commission or Department; and (3) other administrative determinations.

1.4.2 Suspension of Privilege to Enter City Parks.

(A) **Director.** In addition to all other remedies, the Director may temporarily suspend a person's privilege to enter City Parks when such person continuously or egregiously violates this regulation. A person whose City Park privileges have been suspended may seek in writing an appeal of the decision of the Director to the Commission within thirty (30) calendar days. The Director may not delegate the authority in this section.

An order from the Director suspending a person's City Park privileges shall: (1) be in written form; (2) shall state the effective date of suspension, (3) shall state the ending date of the suspension which shall not be more than 180 calendar days after the effective date, and (4) shall inform the person about the right to appeal.

(B) **Park Ranger.** In addition to all other remedies, the Park Ranger may temporarily suspend a person's privilege to enter the City Park when such person continuously or egregiously violates this regulation. A person whose City Park privileges have been suspended may seek an appeal of the decision of the Park Ranger to the Director or to the Commission within thirty (30) calendar days. The Park Ranger may not delegate the authority in this section.

An order from the Park Ranger suspending a person's City Park privileges shall: (1) be in written form; (2) shall state the effective date of suspension, (3) shall state the ending date of the suspension which shall not be more than three (3) calendar days after the effective date, and (4) shall inform the person about the right to appeal.

(C) **Park Manager.** In addition to all other remedies, Park Managers may temporarily suspend a person's privilege to enter the City Park facility or activity supervised by the Park Manager when such person continuously or egregiously violates this regulation. A

person whose City Park privileges have been suspended may seek an appeal of the decision of the Park Manager in writing to the Director or to the Commission within thirty calendar (30) days. The Park Manager may not delegate the authority in this section.

An order from the Park Manager suspending a person's City Park privileges shall: (1) be in written form; (2) shall state the effective date of suspension, (3) shall state the ending date of the suspension which shall not be more than three (3) calendar days after the effective date, and (4) shall inform the person about the right to appeal.

1.4.3 Suspension of Permit to Conduct Business in City Park.

The privilege of entering a City Park property does *not* include the privilege of conducting business on City Park property. Any person who conducts business in the City Park is required to have a proper permit as described in section 2.1.2. In addition to all other remedies, the Director may suspend or revoke a permit authorizing business in the City Park when such person continuously or egregiously violates this regulation. A person whose permit has been suspended or revoked may seek an appeal of the decision of the Director in writing to the Commission within thirty (30) calendar days. The Director may not delegate the authority in this section.

An order from the Director suspending or revoking a person's permit authorizing business in the City Park shall: (1) be in written form; (2) shall state the effective date of the suspension or revocation, (3) shall state whether the order suspends or revokes the permit authorizing business in the park and, if suspension, identifies the ending date of the suspension; and (4) shall inform the person about the right to appeal.

1.4.4 Suspension or Revocation of Other Certificates, Licenses, Permits or Authorities.

The Commission may, from time-to-time, grant other certificates, licenses, permits, or authorities to persons that provide additional or enlarged privileges on City Park property which may be suspended or revoked by the Director pursuant to the same criteria and procedures identified in section 1.4.3 of this regulation.

1.4.5 Order to Vacate.

Any Department Employee who identifies a person in a City Park, at a place or time that is prohibited, may order such person to vacate immediately. Any person violating an order to vacate issued under this section may be cited for a violation of section 4.1.2 of this regulation or, if warranted, for criminal trespass under Ark. Code Ann. § 5-39-203(a)(2).

1.4.6 Appeals.

Any person who desires to appeal an administrative determination of a Park Ranger, Park Manager, or other Department employee may do so in writing to the Director within fifteen (15) calendar days of the administrative determination. The Director shall expeditiously review the administrative determination, giving full consideration of the appeal, and may rescind, uphold, or modify the determination.

Any person who desires to appeal an administrative determination of the Director may do so in writing to the Commission within thirty (30) calendar days of the administrative determination.

The Commission shall review the administrative determination, giving full consideration of the appeal, and may rescind, uphold, or modify the determination. Appeals to the Commission shall be heard at the next regularly-scheduled meeting; when filed by the first Tuesday of the month. However, the appeal may be heard sooner or later by consent of the appellant.

The Commission's decision shall be final and appealable according to the rules for appealing local administrative determinations under the Arkansas Rules of Civil Procedure.

While any administrative determination is being appealed, the Director may, upon request of the appellant, suspend enforcement of the administrative determination.

1.4.7 Records.

Records of administrative determinations shall be subject to the Freedom of Information Act and, unless rescinded or revoked, shall be preserved for a period of not less than one year.

ARTICLE TWO BUSINESS IN CITY PARKS

Section 1 GENERAL

2.1.1 Introduction.

City Parks are dedicated to public recreation. Any use of City Parks for business or profit is secondary to, and should be complementary of, public recreation; including the generation of revenue to fund City Park activities, maintenance, and improvement. Business in City Parks shall be restricted according to these principles.

2.1.2 Authorization Required.

For purposes of this prohibition, “business” is defined as: (1) the solicitation of money for goods, services, or any other purpose; and/or (2) providing a good or service in exchange for money.

No person, firm, corporation, partnership, or group comprising the same, may conduct business in a City Park without written authorization from the Commission, as may be delegated to the Director. Authorization may be provided through an event permit, a management agreement, a rental agreement, a franchise, a business permit, or such other authorizing documents that may be approved by the Commission from time-to-time.

No authorization by the Commission, as may be delegated to the Director, to conduct business in a City Park shall be deemed to waive any other license or permit requirement of the City, or any other regulatory entity.

2.1.3 Prohibited Businesses.

The following businesses are found to be insufficiently related to, or in conflict with, public recreation, and are prohibited.

- (A) Adult oriented businesses are prohibited in City Parks. For purposes of this prohibition, the definition of “Adult Oriented Business” provided in the North Little Rock Zoning Ordinance is adopted.
- (B) Weapon sales are prohibited. For purposes of this prohibition, the definition of “weapon” provided in Ark. Code Ann. § 5-73-120 is adopted.
- (C) Alcohol sales (including wine, beer or other spirituous liquors) of any kind whatsoever are prohibited in City Parks identified in subsection 1.1.4 *unless* specifically authorized by the Commission.
 - (1) An exception is created to allow the sale of beer at the Burns Park Golf Pro Shop.

- (D) Rummage sales are prohibited. For purposes of this section, rummage sales shall mean the sale of miscellaneous articles, used or new, to raise money for charitable or for-profit purposes. This provision shall not apply to vendors associated with a permitted event within the parks who have complied with the City of North Little Rock business license requirements.

2.1.4 Signs.

- (A) Citizens historically expect City Parks to exhibit a natural aesthetic beauty. The City and Commission find that this high aesthetic standard demands curtailment of signs and advertising in the City Parks. No sign of any type shall be installed in a City Park without written permission from the Commission, as may be delegated to the Director. Where signs are allowed, the Commission shall not discriminate based upon a sign's message.
- (B) The Commission may permit certain commercial advertising at limited and appropriate locations within a City Park, if a request is submitted in writing to the Director by the first Tuesday of a month for review by the Commission at the next regularly scheduled meeting.
- (C) Examples of commercial advertising signs traditionally permitted in City Parks (dependent on size, application, and financial considerations):
 - (1) Field or facility sponsorships;
 - (2) Tournament or event sponsorship; and
 - (3) Program sponsorship.

Section 2 COSTS

2.2.1 Fee Schedule.

The Commission shall approve and publish a fee schedule reflecting the cost of conducting business in the City Park. No person shall conduct business within a City Park unless and until the corresponding fee, as published in the fee schedule, has been paid.

2.2.2 Other Fees and Taxes Unaffected.

No person shall conduct business in a City Park without first obtaining all other governmental permits and authorizations applicable to the business being conducted. For example: City privilege license, Advertising and Promotion license, alcohol permit, health inspections, etc.

The Commission may enter into agreements with other City Departments to assess, collect, and remit fees for other permits required by the City as a convenience to applicants.

Article Three

RESERVED USE OF CITY PARKS

Section 1

GENERAL

3.1.1 Fair Access.

The privilege of using City Parks for reserved use shall be extended to all persons complying with regulations and procedures used to reserve facilities in accordance with the purpose of the facility.

3.1.2 Facilities Reserved by Fee.

No person shall use a facility within a City Park that is identified by signage as one that is used by reservation only *unless* the Department has properly authorized use of the facility. Reserved facilities may require the payment of a fee for use. Authorization may be granted by receipt, form, agreement, or such other means approved by the Commission or Director. Authorizations may be exclusive, partially-exclusive, or non-exclusive. Persons authorized exclusive (or partially-exclusive) use of a facility have the right to exclude others from simultaneous use of the facility during the time-period reserved.

3.1.3 Facilities Reserved by Purpose.

No person shall use a facility within a City Park that is reserved for a particular purpose in any manner other than the permitted use without express permission of the Commission as may be delegated to the Director.

Facilities may be reserved by both fee and purpose.

3.1.4 Unrestricted Facilities.

Open park spaces, trails, playgrounds, and similar areas are generally considered “unrestricted” in that these areas may be used without a prior reservation or payment of a fee. The privilege of using unrestricted facilities is hereby extended to every person who uses the same in a manner consistent with these rules, and such other requirements as may be imposed from time to time to protect the health, safety, and welfare of visitors to City Parks. Use of unrestricted facilities is not exclusive. To the maximum extent possible, unrestricted facilities will be shared by all persons desiring simultaneous use. When sharing is not feasible, unrestricted facilities shall be used on a first-come, first-served basis with a one and one-half (1 ½) hour time-limit.

Unrestricted facilities are considered traditional forums of free speech and may be used as such consistent with these rules and such other requirements as may be imposed from time to time to protect the health, safety, and welfare of visitors to City Parks. Conversely, restricted facilities are not considered traditional free speech forums.

Section 2 COSTS

3.2.1 Fee Schedule.

A schedule of all fees related to the reservation of City Park facilities, participation in Department programs, and any other fee imposed, shall be established by the Commission and maintained for public inspection by the Department. The fee schedule may include deposits, fees, or other forms of financial security, as may be required by the Commission.

3.2.2 Mandatory Physical Security.

Based upon the magnitude and scope of an activity, as well as other risk factors, the Director, in his sole discretion, may mandate the use of security related to any event. Requirements may include number, type, and use of security personnel. Under certain circumstances, contracting through the North Little Rock Police Department may be required.

3.2.3 Combined Fees (business and rental).

The Commission may combine business and rental fees into a single fee for ease of administration.

ARTICLE FOUR

CONDUCT IN CITY PARKS

Section 1 GENERAL

4.1.1 Definitions.

- (A) ***Athletic Contest Official.*** The term “Athletic Contest Official” shall have the same meaning as described in section 1.2.5.
- (B) ***Camping.*** As used in this article, the term “Camping” means temporarily residing in nature; normally associated with camper-trailers, recreational vehicles, tents, sleeping bags, blankets, and the like.
- (C) ***City.*** The City of North Little Rock, Arkansas.
- (D) ***City Parks.*** Special places and facilities within the City of North Little Rock, Arkansas that are expressly reserved for public recreation, and such other purposes as the Commission considers to be sufficiently related to, or in the interest of, public recreation.
- (E) ***Commission.*** The North Little Rock Parks and Recreation Commission established under the authority of Ordinance No. 6667 and Act 471 of 1949, as amended.
- (F) ***Department.*** The Director and staff of the Commission which functions as a department of the City.
- (G) ***Director.*** The term “director” shall have the meaning as described in section 1.2.2.
- (H) ***Dumping.*** To transport large amounts of trash or refuse (such as: yard waste, brush, furniture, appliances, inoperable vehicles, trash bags, and the like) to a City Park and leaving the same without the express permission of the Commission or Director.
- (I) ***Facility.*** A building, structure, or any improvement within a City Park.
- (J) ***Littering.*** To drop, place, or otherwise abandon trash in any place other than a designated trash receptacle.
- (K) ***Nudity.*** For purposes of this article, “nude” shall mean less than a fully opaque covering over the genitals, pubic area, buttock, or breast of a female.
- (L) ***Park Manager.*** The term “Park Manager” shall have the meaning as described in section 1.2.4.

- (M) **Park Ranger.** The term “Park Ranger” shall have the meaning as described in section 1.2.3.
- (N) **Person.** The term “person” includes groups, associations, corporations, and similar entities.
- (O) **Weapon.** For purposes of this article, the term “weapon” shall include any item defined as a weapon under Ark. Code Ann. § 5-73-120, as well as any shotgun, rifle, or other firearm or explosive.
- (P) **Wildlife.** Any non-domestic animal. The term “wildlife” includes domestic species, such as cats and dogs, which have returned to a feral or wild state.

4.1.2 Unlawful Entry or Presence in City Parks.

No person shall enter or remain in a City Park, or any part thereof, when prohibited or notified that access is closed to the public *unless* engaged in official duty for the Commission, Department or City. Conspicuous posting or barriers shall be effective public notice of access restrictions.

4.1.3 Unlawful Activity in City Parks.

- (A) **Alcohol.** No person shall consume or possess alcohol in any City Park identified in Section 1.1.4 *except*:
 - (1) at the Burns Park Golf Course (when purchased on-site);
 - (2) at the North Shore Riverwalk Park;
 - (3) inside the Burns Park Hospitality House; or
 - (4) when authorized by the Commission.

The authority reserved to the Commission in this subsection shall not be delegated for new requests. The authority to approve recurring requests that have been previously approved may be delegated to the Director. Persons seeking authorization to consume or possess alcohol in a City Park should submit a written request to the Director not less than ninety (90) calendar days prior to the event.

- (B) **Archery.** No person shall use bows, arrows, or other archery equipment *except* in designated archery areas, as established by the Commission.
- (C) **Boating.**
 - (1) No person shall launch, land or leave unattended any boat, canoe, raft, or other watercraft upon any water, lagoon, lake or pond within a park *except* at locations and times designated for that purpose.
 - (2) Persons operating boats shall comply with all applicable Arkansas boat safety laws.

- (D) Camping. No person shall camp in a City Park *except* in designated areas and when authorized by the Director or Commission. There is a rebuttable presumption that any person found sleeping in a City Park is camping.
- (E) Discharge of Firearms. No person shall discharge a firearm in a City Park except as expressly authorized by the Commission, or as part of the necessary function of City employees in the official conduct of their duties.
- (F) Fires.
- (1) No person shall make, or allow to be made, a fire in any City Park *except* in a container suitable for outdoor cooking or in a designated group fire location, and provided such fire is used only for that purpose. Any fire must be under constant supervision by an adult, 18 years of age and up. Those found to have failed to properly supervise a fire and subsequently cause damage to a City Park may be held financially and criminally responsible as the law allows. Burns bans implemented by the City, County or State representatives supersedes this privilege.
 - (2) (a) If a person provides his/her own fire container, it shall be of a type which will not leave any burning substance or ashes in a City Park and must be of a kind which will contain any fire so that no City Park property shall be exposed to flames. If a container is found by Department Employees to be unsuitable for this purpose, the fire will be properly extinguished and the container put away or confiscated per the discretion of Department Employees.

(b) All fire containers shall remain on paved or gravel surfaces. They are not allowed under pavilions or awnings, or on grass/sod covered areas.
 - (3) It shall be unlawful to leave any area before the fire is completely extinguished. Ashes must be cold and properly disposed of before leaving the area.
 - (4) Certain areas within the City Parks to be used solely for the purpose of an outdoor group fire include the fire pit at Idlewild Park, the Boy Scout Campground, and City Park areas designated by the Director.
 - (5) Exception: Prescribed burns as authorized by the Department and Chief of the Fire Department.
- (G) Fishing.
- (1) No person shall fish in a City Park *except* in designated areas.
 - (2) No person shall fish in a City Park without a valid state fishing license issued by the Arkansas Game and Fish Commission that is available for inspection by the Park Ranger or other law enforcement officer on demand.

- (3) No person shall fish with any equipment other than a pole, hook and line. Trotlines are not permitted. Nets may be used to cast and immediately retrieve from the water. All other use of nets is prohibited.
- (4) Exception: Bow fishing shall be allowed along the Arkansas River bank.
- (H) Hunting. No person shall hunt wildlife in any City Park by any means *unless* an exception has been granted in writing by the Commission, consistent with federal and state regulations.
- (I) Noise. No person within a City Park shall make, continue or cause to be made or continued any loud and raucous noise, which term shall mean any sound which, because of its volume level, duration or character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities.
- (J) Swimming. No person shall swim, bathe, or wade in any waters or waterways in a City Park *except* those designated for such use, and then only during posted hours.
- (K) Tobacco Use. No person shall smoke or use tobacco-related products *except* in designated areas or enclosed vehicles.

4.1.4. Unlawful Use of Restricted Facilities.

- (A) No person shall use any City Park facility restricted for use by fee or purpose without possessing a valid reservation issued by the Department and producing the same upon demand by any Department Employee or law enforcement officer.
- (B) No person shall enter a reserved area without authority of the person holding the reservation.

4.1.5 Unlawful Contraband in City Parks.

- (A) Glass containers. Broken glass poses distinct risks to persons using areas for athletic or recreational purposes. No person shall possess any glass container within any City Park, *except* inside the Hospitality House, Idlewild Party House, recreation centers, or golf course concession area.
- (B) Fireworks. No person shall possess or use any fireworks or explosives in a City Park unless used as a part of a City or Commission sponsored event, or as part of the necessary function of City employees in the official conduct of their duties.
- (C) Weapons. No person shall possess a weapon of any kind in a City Park *except* as permitted by Ark. Code Ann. § 5-73-122.
(Ref. Ord. 8842 adopted 09/26/16.)
- (D) Other items declared illegal under federal, state, or other law. City Parks are frequented by children and others who are particularly vulnerable to dangerous or hazardous

materials. No person shall transport, possess or control any item or material declared unlawful by federal, state, or local authority into or within a City Park. Any person violating this subsection may be cited *in addition to* any charge under federal, state, or local law.

4.1.6 Nudity.

No person shall knowingly appear nude in a City Park. A woman is not in violation of this section for breastfeeding a child in a public place or any place where other individuals are present.

4.1.7 Motorized Vehicles.

- (A) No person shall operate or park any motorized vehicle in a City Park or trail *except* on streets, parking lots, and trails designated for motorized traffic, including axled trailers.
- (B) No person shall operate or park any vehicle of any type in any pavilion, including axled trailers.
- (C) This section shall not apply to any person operating or parking an emergency vehicle, Department vehicle, or wheelchair as defined by DOJ, Title II, 28 C.F.R. § 35.104 and Title III, 28 C.F.R. § 36.104.
- (D) Abandoned Vehicles. Park Rangers shall have the authority to have vehicles removed from park property pursuant to the policies of the North Little Rock Police Department.

4.1.8 Use of Other Power Driven Mobility Devices.

- (A) Definition. Other Power-Driven Mobility Devices (OPDMD) means any mobility device powered by batteries, fuel, or other engines – whether or not designed primarily for use by individuals with mobility disabilities – that are used by individuals with mobility disabilities for the purpose of locomotion. Examples include, but are not limited to, golf carts, mobility scooters and electronic personal assistance mobility devices (EPAMDs) such as Segway® PT. OPDMDs are not wheelchairs. DOJ, Title II, 28 C.F.R. §35.104 and Title III, 28 C.F.R. §36.104.
- (B) Permit. Any person requiring an Other Power Driven Mobility Device (OPDMD) as defined by this section, who would like to use an OPDMD on trails due to a disability, shall submit an application to the Department for a Special Use Permit.
- (C) Factors. The Department shall evaluate applications for OPDMD Special Use Permits using the following factors:
 - (1) The type, size, weight, dimensions and speed of the device;
 - (2) The facility's or area's volume of pedestrian traffic (which may vary at different times of the day, week, month or year);
 - (3) The facility's or area's design and operational characteristics;

- (4) Whether legitimate safety requirements can be established to permit the safe operation of the OPDMD in the specific facility or area; and
- (5) Whether the use of the OPDMD creates a substantial risk of serious harm to the environment or natural or cultural resources, or poses a conflict with Federal Land Management laws and regulations.

(D) Appeal. A person, who upon application, is denied a Special Use Permit for an OPDMD may submit an appeal in writing to the Department Director. The Director shall decide the appeal within seven (7) days.

4.1.9 Non-Motorized Vehicles.

No person shall ride, drive, operate, or push a bicycle, skateboard, roller-skates, or other non-motorized mode of transportation *except* on a street, trail, or course designated for that purpose.

Section 2 ANIMALS

4.2.1 Wildlife Sanctuary.

Burns Park and Campbell Lake Park. The Commission hereby declares its intent to safeguard and protect the native wildlife present in Burns Park and Campbell Lake Park in a manner that allows City Park visitors to reasonably use City Park facilities and enables the variety of species to coexist in an ecologically sound manner.

4.2.2 Releasing Animals in Public Places.

(A) No person shall knowingly release any animal in any City Park.

(B) As used in this section, the term "animal" shall include any animal other than a human being.

4.2.3 Feeding of Animals.

No person shall offer food, feed, or cause to be fed a domestic or wild animal or waterfowl in a City Park. It is also unlawful to scatter food, seed, or edible matter for the possible consumption of animals or waterfowl in a City Park. Exceptions will be made with authority granted by the Director or the Commission, or when a domesticated animal is fed under the handler's control and care in the City Park.

4.2.4 Dogs.

(A) Leash Required. The dog park, located within Burns Park, is the only place within City Parks where dogs are allowed "off leash". Dogs shall be leashed and the leash shall be no longer than 10 feet. The dog shall be reigned in to within four feet of the dog handler whenever it approaches or is approached by another park user. An exception to this rule

shall be provided for City employees or law enforcement officers, or other person(s) designated by the Department, in the official conduct of their duties and dog-training exercises authorized by the Director.

- (B) Vaccinations and Licenses. No dogs of any kind shall be permitted in any City Park for any purpose unless they are vaccinated for rabies and have a current license. Proof of vaccination and license should be on hand, or on the dog, at all times and available for inspection.
- (C) Aggressive Dogs. Aggressive and/or dogs deemed vicious are not permitted within any City Park.
- (D) Strays. Park Rangers and Animal Control Officers are authorized and directed to remove any stray dog in any City Park.
- (E) Feces. It shall be unlawful, while within a City Park, for a dog's owner or handler to fail to remove and properly dispose of his/her dog's feces. It shall furthermore be the duty of any person having custody or control of any dog on or about any public place to have in such person's possession suitable equipment (*i.e.* plastic bags or a scooping device) for picking up, removing and disposing of feces in a sanitary manner. The provisions of this section shall not apply to a certified guide dog accompanying a blind person, a certified service dog accompanying a disabled person, or dogs used in official police activities with the permission of the city's police department.

4.2.5 Horses.

- (A) No person shall ride or lead a horse in a City Park except on trails approved for equestrian use. Where permitted, horses shall be thoroughly broken and properly restrained and ridden or led with due care.
- (B) No person shall allow any horse to graze or go unattended, nor shall any person tie or secure any horse to any rock, tree, shrub, bridge, facility, or vehicle. Hitching posts, when available, must be used to tie or secure horses. A horse may be cross-tied between two trees, where each tree is more than six (6) inches in diameter. An exception is provided for persons temporarily tying or securing horses in designated horse loading/unloading areas. An additional exception is provided for law enforcement officers in the performance of their duties.
- (C) No person shall park horse trailers, load horses, or unload horses in a City Park *except* in designated areas.
- (D) Persons riding horses shall remove the manure of his/her horse from any paved trail or paved trail crossing, unless unsafe to do so.

4.2.6 Other Domestic Pets.

Any person's pet or companion animal must be on a leash or restraint at all times while in a City Park, *except* as authorized by the Director.

Section 3
PRESERVATION OF CITY PARKS

4.3.1 Preservation of Nature.

No person shall willfully cut, damage, transplant, deface, or remove any tree, flower, grass or other vegetation, or rocks, stones or other native materials, or animals in a park or make any excavation in a park without prior written approval of the Director or Commission.

4.3.2 Preservation of City Park Property.

No person shall remove, damage, deface, destroy, or modify any government-owned property in a City Park without express written authority of the Director or Commission. In addition to any fine imposed, any person violating this section shall be liable for the full cost of restoring the government-owned property.

4.3.3 Littering and Dumping Prohibited.

Persons entering City Parks have an affirmative duty to maintain control of their trash and property. Littering and Dumping, as defined herein, is prohibited and may be punishable, even though it may be the result of mere negligence on the behalf of the offender.

- (A) No person shall deposit, drop, or abandon trash or garbage of any kind whatsoever onto any place, land, or waters within a City Park other than into the trash receptacles and bins provided by the Department. If no such trash receptacles are available, then persons possessing trash shall carry it away from the City Park and properly dispose of it elsewhere.
- (B) No person shall leave any area before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the appropriate trash receptacles where provided. If no such trash receptacles are available, then persons possessing trash shall carry it away from the City Park and properly dispose of it elsewhere.
- (C) No person shall dispose of sewage or gray water within a City Park *except* by transferring it to an approved dumping station provided for this purpose and paying the appropriate fee, or by storing it in a completely closed container and removing it from the City Park.

4.3.4 Restrooms and Washrooms.

- (A) No person shall use any restroom or washroom that is designated for persons of the opposite gender *except* children under six (6) years of age.
- (B) No person shall vandalize or smoke in any restroom or washroom in a City Park.

- (C) No person shall use a restroom or washroom in such a manner as to render it, or any part of it, unsanitary for use by others.

4.3.5 Vandalism.

No person shall willfully mark, deface, disfigure, move, or tamper with any buildings, monuments, bridges, tables, benches, fireplaces, railings, signs, public utilities, structures or equipment in a City Park.

ATTACHMENTS
Maps of City Parks

Attachment	Park	Acreage Size
(A)	Burns	1600.00
(B)	Campbell Lake	151.40
(C)	Camp Robinson	1.70
(D)	Conley	6.50
(E)	Crestview.....	2.70
(F)	Crestwood Triangle	0.20
(G)	Dark Hollow Memorial	0.20
(H)	Emerald	103.00
(I)	Emerald Park Golf Course	72.10
(J)	Faucette Brothers.....	1.50
(K)	W.C. Faucette Memorial	0.10
(L)	Fearneyhough	0.30
(M)	Glenview Recreation Center and Don A. Kelly Memorial	5.70
(N)	Heritage	2.10
(O)	Idlewild.....	1.30
(P)	Lorene Joshua.....	0.90
(Q)	Medians and Streetscapes.....	11.90
(R)	Melrose.....	1.80
(S)	Military Heights	0.60
(T)	Moss Street	1.10
(U)	North Little Rock Community Center and Park.....	2.30
(V)	North Heights Recreation Center and Park	9.30
(W)	North Shore	3.30
(X)	Old Mill Historical Park	2.60
(Y)	Pugh.....	0.60
(Z)	Riverview	65.70
(AA)	Jim Roberts Neighborhood Park	0.50
(BB)	Rose City Recreation Center and Park	17.70
(CC)	School Street.....	4.20
(DD)	Sherman Park Recreation Center and Park	7.40
(EE)	Vestal.....	18.80
(FF)	Frank M. Witkowski.....	2.10
(GG)	4th Street.....	1.30
(HH)	10th Street.....	1.00
(II)	17th Street.....	0.20
(JJ)	Stone Links.....	169.65
(KK)	Arkansas Maritime Museum (AIMM).....	3.34

(LL)	140 South Olive Street.....	0.96
(MM)	Laman Plaza.....	1.78