O-21-68

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 4.1.3 OF THE NORTH LITTLE ROCK MUNICIPAL CODE CHAPTER 10, PARKS AND RECREATION; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, with the adoption of Ordinance No. 8420 on March 12, 2012, the North Little Rock City Council adopted North Little Rock Municipal Code ("NLRMC") Chapter 10, Parks and Recreation (amended by Ordinance Nos. 8629, adopted on April 14, 2014; Ordinance No. 8807, on April 25, 2016; Ordinance No. 8842, on September 26, 2016; Ordinance No. 8866, on December 12, 2016; Ordinance No. 8879, on January 23, 2017; and Ordinance Nos. 9236, on April 13, 2020); and

WHEREAS, by law, the Parks and Recreation Commission ("Commission") is granted full and complete authority over public City Parks placed in its care and is statutorily authorized to set fees and adopt rules and regulations for the proper operation and management of public City Parks.; and

WHEREAS, the regulations in NLRMC Chapter 10, Parks and Recreation, have been approved by both the City and Commission in order to provide that certain regulations that endanger the peace, health, safety, or welfare of citizens have been adopted by ordinance in order to provide that violations of such regulations may be punishable as provided by law; and

WHEREAS, on May 21, 2018, the Commission unanimously adopted a new alcoholic beverage policy to add additional facilities where alcohol may be allowed and to authorize the Director of Parks and Recreation to approve alcohol at certain events in accordance with the alcoholic beverage policy; and

WHEREAS, in order to fully implement the policy adopted by the Commission, Section 4.1.3(A) of NLRMC Chapter 10 should be amended; and

WHEREAS, it is in the best interest of the City and its residents to amend NLRMC Chapter 10 to be consistent with the policy adopted by the Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 4.1.3(A) of North Little Rock Municipal Code Chapter 10, Parking Regulations, is hereby amended as follows:

Editor's note: Deletions are denoted in "red" by ~~strikethrough~~ and additions in "blue" by <u>underline</u>.

<u>4.1.3 Unlawful Activity in City Parks</u>.

~~(A)~~ Alcohol. No person shall consume or possess alcohol in any City Park identified in Section 1.1.4 *except* when authorized by the Commission or the Director pursuant to an Alcoholic Beverage Policy adopted by the Commission~~.:~~

~~(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.~~

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that there is an immediate need for the aforementioned amendments to the North Little Rock Municipal Code Chapter 10, Parks and Recreation; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be necessary for the immediate preservation of the public health, safety and welfare, and shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Terry C. Hartwick

SPONSOR:

Terry C. Hartwick

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:52 A.M. ___ P.M.

By Amy Fields CA

DATE 7/20/21

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY