

BILL NO. 479

ORDINANCE NO. 459

INTRODUCED BY: Trustees Slama, Fortune, Graves, Whitmore and Eisenhauer

**AN ORDINANCE AMENDING TITLE II, SECTIONS 220.020, 220.030 and 220.040
OF THE VILLAGE CODE (PARK REGULATIONS)**

BE IT ORDAINED by the Board of Trustees of the Village of Twin Oaks, St. Louis County, Missouri, as follows:

Section 1. Title II, SECTION 220.020 is repealed in its entirety and a new subparagraph substituted in its place, to read as follows:

Section 220.020 Uses and Prohibitions.

- A. *Park Hours.* Use of the park shall be restricted to the hours of 6:00 A.M. – 10:00 P.M., unless permission is granted for use outside such hours by permit issued by the Board of Trustees, or their designated representative(s).
- B. *Injuring Trees, Shrubbery, Natural Life And Other Property Prohibited.* It shall be unlawful for any person to disfigure, damage or in any way injure or destroy, either in part or in whole, or carry away any tree, shrub, plant, flower, stone, or stone work, bench, chair set, stand, structure, fence or property, fish, or animal, or anything belonging to or kept therein; or to post or affix or inscribe any handbill, poster, card, device, or inscription to or on any tree, fence, or structure, within the park.
- C. *Obstruction Of Walkways, Sidewalks, Pathways And Bridges.* It shall be unlawful for any person to block, hinder or obstruct unreasonably the use of any walkway, sidewalk or bridge located within the park.
- D. *Prohibitions involving Rocks and Waterfalls.* No person shall walk, stand, sit or climb in or on any of the waterfalls, or on the rocks, wall or stone formations adjoining the waterfalls, and around or under the bridge.
- E. *Entry into Garden Areas Prohibited.* It shall be unlawful for anyone to walk, step or enter into the garden areas located within the park.
- F. *Hunting Prohibited.* No person shall pursue, trap or kill any wildlife in any manner on park land. Firearms, guns or weapons of any kind are strictly prohibited on park land.
- G. *Operation Of Motor Vehicles.* Motor vehicles are prohibited on park land with the following exceptions and under the conditions stated:
 - 1. Vehicles utilizing disabled parking spaces.
 - 2. Service vehicles.
 - 3. Emergency vehicles.

4. Other vehicles approved by the Board of Trustees or their designated representative(s).
 5. The speed limit within the Park shall be a maximum of five (5) MPH.
- H. *Parking In Designated Areas Only.* The parking of vehicles on grassy areas is prohibited. Parking for handicapped vehicles is permitted in areas designated for that purpose adjacent to Multi-Purpose Court. Parking for park visitors is permitted in designated spaces marked along the east side of Twin Oaks Court.
- I. *Possession Of Alcohol Prohibited In Park.* No person shall possess any alcoholic beverage on park land, nor carry, transport, or otherwise bring any alcoholic beverage onto park land except when expressly authorized by the Board of Trustees or their designated representative(s) in conjunction with an approved reservation for a specific area. The Board of Trustees or their designated representative(s) may revoke authorization of alcoholic beverages at any time. To see specific regulations regarding special permits for alcohol use when reserving the park, see **Section 220.040(C)(2)** below.
- J. *Swimming And Ice Skating Prohibited.* Swimming, diving or wading in any lake, pond or stream within the park is prohibited. Ice skating is also prohibited.
- K. *Location Of Fires.* Fires may be built only in barbecue grills or fireplaces provided by the Village, and must be extinguished before leaving the park.
- L. *Camping.* Camping of any kind is prohibited within the park limits.
- M. *Disposal Of Trash.* Trash, rubbish and debris of all kinds shall be deposited in the containers provided for that purpose. All areas shall be left in a clean and orderly condition. Dumping or depositing trash, rubbish or debris in or on any part of the park land or facilities other than in the receptacles provided is strictly prohibited.
- N. *Glass Containers Prohibited.* Glass containers of any type are not permitted in the park.
- O. *Animals.* No person shall bring onto park land a dog or other domestic animal unless such animal is restrained at all times on a leash no greater than six (6) feet in length. Any person bringing a dog or other domestic animal into the park shall have with them an instrument and container to remove any wastes deposited by their animal. No person shall allow a dog or other domestic animal into any park waters or waterways for any purposes. No person shall permit the running of a dog or other domestic animal at large. All domestic animals are prohibited in and around all playgrounds located on park grounds and restrooms with the exception of service dogs. No vicious animal of any kind shall be brought onto park land at any time even if restrained as described above.
- P. *Regulation of Solicitations and Commercial Activities.* Solicitation of any business or service is prohibited. No person, firm, or corporation is permitted to offer or advertise merchandise or other goods for sale or hire. Excepting Village-sponsored events and activities, the maintaining of a concession or the use of any park facility, building, trail, road, bridge, bench, table or other park property for commercial purposes is prohibited unless a permit is issued by the Board of

Trustees or their designated representative(s). Such permit shall be clearly displayed by the person(s) seeking to conduct commercial activities within the park. The permitting process will help to ensure that the Village is aware of the activity taking place within the park, that the proposed date/time/location does not conflict with scheduled activities/events/operations, and that no harm is done to the landscape of the park. In its review of the permit request, the Board of Trustees or its designated representative(s) should consider:

1. The risk of damage and injury as set forth in Sections 220.020(B)-(E);
2. The disruption of or conflict with the public's use and enjoyment of the park;
3. Whether the issuance of such permit may result in crowded or congested conditions due to the anticipated number of attendees for a planned event.
4. The nature of the requested activity, including whether such activity involves:
 - a. the sale of products or items, which is prohibited unless it is a First Amendment protected activity;
 - b. the use of furniture, tents (as that term is defined in Section 220.040(D)) or large "prop" amenities, which is prohibited; or
 - c. the use of models or equipment.
5. The time and duration requested for such commercial purposes, including:
 - a. Whether the activity will exceed one (1) hour;
 - b. Whether the number of people involved exceeds ten (10); or
 - c. Whether the time requested conflicts with a period of peak visitation to the park or other scheduled events, activities, or operations.

Any permit request involving less than ten (10) people, lasting for less than one (1) hour, and complying with the above, will be granted by the Village Clerk/Controller or a designee. All permit requests must be submitted at least forty-eight (48) hours before the proposed activities. Any permit request involving more than ten (10) people, lasting more than one (1) hour, or otherwise conflicting with any of the above factors must be submitted at least fourteen (14) days in advance of the proposed activities so that the Board of Trustees may review the request and the permitted authority may be limited to certain designated areas. Each permit issued by the Village shall only be effective on the date and time specified on the permit. Specific permit fees shall be set by the Board of Trustees from time to time and shall be posted on the Village's website.

- Q. *Smoking.* Smoking is prohibited in the restrooms and on or within ten (10) feet of the playground.

- R. *Skateboarding.* Skateboarding is prohibited upon or about the park stairs or railings at the northern (church) entrance to the park and within or upon all pavilions or decks and the railings or furnishings contained or incorporated therein.
- S. *Stop Locations.* All traffic entering the park shall stop at the northbound stop sign approaching the flag pole of Twin Oaks Court. All traffic shall stop and drive no further than the gate approaching the playground.
- T. *Fishing.* Fishing is allowed in waters or waterways in the park, but all fish taken must be returned alive to the waters. The Village will follow all State of Missouri Conservation regulations for fishing in regard to fishing licenses needed.
- U. *Playground/Surface Area.* Skateboarding, high heels, cleats, pets and smoking are prohibited.

Section 2: Title II, SECTION 220.030 is repealed in its entirety and a new subparagraph substituted I its place, to read as follows:

Section 220.030 Enforcement.

The Village Clerk/Controller shall have the duty to oversee the enforcement of all rules and regulations of the Village of Twin Oaks pertaining to the parks, as set forth in this Chapter and as set forth in the Policy adopted by the Board of Trustees.

Section 3: Title II, SECTION 220.040 is repealed in its entirety and a new subparagraph substituted I its place, to read as follows:

Section 220.040 Twin Oaks Park Area Reservation Policy and Procedures.

- A. Applications for a park area reservation may only be made by residents of the Village.
- B. Reservations *Of Twin Oaks Park.*
 - 1. *Applications.* The time line for accepting reservation applications for the current calendar year shall be as follows:
 - a. Village residents – January 1 of that year.
 - b. Not-for-profits – March 1 of that year.* (*Not-for-profit groups include, but are not limited to, Police/Fire Departments, Village employees, local operators of businesses within the Village for business use only, Twin Oaks Presbyterian Church, Twin Oaks Christian School, Scout Troops and YMCAs.)
 - 2. *Time of application.* Application for a reservation must be filed no later than two (2) business days prior to the planned event.

3. Areas which can be reserved include the pavilion, multi-purpose court and sand volleyball court. However, only two (2) of these areas may be reserved at any one time to allow some park use by residents at all times. Use of the pavilion assumes the group will also be using the adjacent grassy area toward the sand volleyball court.
4. Reservations are limited to groups of no more than Fifty (50) people.
5. Park reservations may be denied because of Village-sponsored events in the park.
6. The Village staff, in collaboration with the Park Committee and with approval of same by the Board of Trustees, will maintain a reservation application procedure, including fines and fees to be assessed in accordance with said reservations, on file in the Village offices. This policy will not conflict with any Park Regulations as set out within the Village Code. This policy may be changed as needed, but should be reviewed no less than on an annual basis, with any changes to that policy being brought to the Park Committee for input and then recommendation of same to the Board of Trustees for approval of same as an amendment to said Policy. This policy will be held on file in the Village offices and produced upon request. It may be changed as needed throughout the year as long as the above-stated protocol for changes is followed and a current policy is always available for review.

C. *Deposits Due Before Reservation Is Assigned.*

1. Reservation permits for use of the park require a deposit, as set forth by the Board of Trustees from time to time, upon application approval before a date can be assigned to that user.
2. If a user requests special permission from the Village Clerk/Controller, alcohol may be served as long as there are no glass containers brought into the park. A permit to include alcohol requires an additional deposit as set forth by the Board of Trustees from time to time.
3. No more than fifty (50) people can be in attendance at any function upon a reservation. If the application is requesting more than fifty (50) people, the application will be reviewed by the Park Committee and decisions will be made on a case-by-case basis.
4. Any damages or cleanup charges resulting from the use of the park by the reserved party will be deducted from the deposit and/or additionally billed to the reserving party.
5. If Police have to be called because of group misbehavior, the entire park deposit will be forfeited and future reservations for that group may be denied.

- D. The grassy area may not be used as a team sport practice field. If a group is given permission by the Village Administrator/Clerk to erect one (1) or more tents, a non-refundable fee, as determined by the Board of Trustees from time to time, will

be charged. Additionally, any such tents must be removed within two (2) days of the event. For the purposes of this provision, "tents" are defined as covered temporary structures which, individually or in aggregate, exceed one hundred (100) square feet of ground coverage.

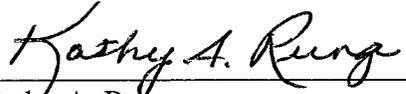
Section 4. This Ordinance shall be in full force and effect from and after its passage as provided by law.

PASSED AND APPROVED this 17 day of June, 2015.



Ray Stama, Chairman
Board of Trustees

ATTEST:



Kathy A. Runge
Village Clerk/Controller

First Reading: 6-17-15
Second Reading: 6-17-15