

CHAPTER 25
PARKS AND RECREATION
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**CHAPTER 25
PARKS AND RECREATION**

ARTICLE I. ESTABLISHMENT, APPOINTMENTS, TENURE AND REMOVAL

25.005. Establishment

The City of Ashland, Missouri shall be served by an advisory board, herein after known as the Ashland Parks and Recreation Board.

25.010. Qualifications of Board Members

Board members shall be appointed from the City at large, at the pleasure of the Board of Aldermen, provided they shall meet the following minimum qualifications:

1. All Board Members must reside within the City limits of Ashland at the time they are appointed and throughout their tenure in office. Moving outside of the limits of the City shall constitute immediate resignation from the Parks and Recreation Board.
2. The Mayor, with the approval of the legislative branch of the municipal government, may appoint a board of nine directors for the same, chosen from the citizens at large with reference to their fitness for such office, and no member of the municipal government shall be a member of the board.

25.015. Terms of Office

The directors shall hold office, one-third for one year, one-third for two years and one-third for three years from the first of June following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the Mayor shall, before the first of June of each year, appoint as before three directors, who shall hold office for three years and until their successors are appointed. (State Law Reference –90.530 RSMo.)

25.020. Removal from office

The Mayor may, by and with the consent of the legislative branch of the municipal government, remove any director for misconduct or neglect of duty. (State Law Reference- 90.530 RSMo.)

25.025. Park board—vacancies-no compensation

Vacancies in the board of directors, occasioned by removal, resignation or otherwise, shall be reported to the city council and be filled in like manner as original

appointments, and no director shall receive compensation as such. (State Law Reference-90.540 RSMo.)

25.030. Duties

A. The Parks and Recreation Board shall serve as an advisory Board, at the pleasure of the Board of Aldermen, for the purposes of:

1. Advising the Board of Aldermen on all matters pertaining to the City parks and to public recreation.
2. Plan for the recreational activities of the City, which shall include, but not be limited to an annual Fall Festival and an annual Downtown Sidewalk Social.
3. Promote and stimulate public interest in a City recreational program and to encourage community involvement and cooperation to such end.
4. Manage and control the recreational use, maintenance, and safety of all parks, parkways, playgrounds, recreational centers, camps and such other city-owned lands, buildings, facilities and equipment, as may be authorized for recreational purposes.
5. Prepare an annual budget to be submitted to the Board of Aldermen for consideration at their annual budget meeting.
6. Carryout all business of the Parks and Recreation Board in a manner that is complimentary to the City and within the budget approved by the Board of Aldermen.
7. Advise the Board of Aldermen on recommended rules and regulations pertaining to the use of park facilities and equipment and all other properties under the jurisdiction of the Parks and Recreation Board.

25.035. Elections and offices

Said directors shall immediately after their appointment, meet and organize by the election of one of their number president, and by the election of such other officers as they may deem necessary. They shall make and adopt such bylaws, rules and regulations for their guidance and for the government of the parks as maybe expedient, not inconsistent with sections 90.500. to 90.570. They shall have the exclusive control of the expenditures of all money collected to the credit of the park fund and of the supervision, improvement, care and custody of said park. All moneys received for such parks shall be deposited in the treasury of said city or town to the credit of the park fund and shall be kept separate and apart from the other moneys of such city or town and drawn upon by the proper officers of said city or town upon the properly authenticated vouchers of the park board. Said board shall have power to purchase or otherwise secure ground to be used for such parks, shall have power to appoint a suitable person to take care of said parks and necessary assistants for said person and fix their compensation, and shall have power to remove such appointees; and shall in general carry out the spirit and intent of

Sections 90.500. to 90.570. in establishing and maintaining public parks. (State Law Reference- 90.550. RSMo.)

25.040. Park Board annual report

The said board of directors shall make, on or before the second Monday in June, an annual report to the city council stating the condition of their trust on the first day of May of that year, the various sums of money received from the park fund and other sources, and how much moneys have been expended and for what purposes, with such other statistics, information and suggestions as they may deem of general interest. All such portions of such report as relate to the receipt and expenditure of money shall be verified by affidavit. (State Law Reference – 90.560. RSMo.)

25.045. Public park—private donations

Any person desiring to make donations of money, personal property or real estate for the benefit of such park shall have a right to vest the title to the money or real estate so donated in the board of directors created under sections 90.500. to 90.570., to be held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property, the said board shall be held and considered to be the special trustees. (State Law Reference- 90.570 RSMo.)

25.050. Meetings; open and public, agendas posted, minutes kept and recorded with City Clerk

All Park and Recreation Board meetings shall be open to the public, agendas shall be posted at City Hall at least 24 hours in advance and minutes shall be kept of all actions taken by the Board. Said minutes shall be delivered to the City Clerk for filing.

ARTICLE II. USE OF PARK FACILITIES

25.105. Hours of Operation

The Ashland Community Park including all designated parking areas shall be open to the public between the hours of 5:00 a.m. and 10:00 p.m. Any persons in the park or the designated parking areas between the hours of 10:00 p.m. and 5:00 a.m. shall be deemed guilty of trespassing.

The Ashland Community Park including all designated parking areas shall be open to minors between the hours of 5:00 a.m. until Dark. Any minor in the park or the designated parking areas after Dark until 5:00 a.m. shall be deemed in violation of Section 19.1005 of the Ashland Municipal Code, except in those instances in which Sec. 19.1005 shall not apply. The term “minor” is defined as any person sixteen years of age or under, and should be construed in a manner consistent with Sec. 19.1005.

Any parent, guardian, or other adult person having the care and custody of a minor who knowingly permits such minor to be in the Ashland Community Park, in violation of this section, shall be subject to penalty as provided for in Sections 19.1005 of the Ashland Municipal Code. (amended Ordinance No. 815 June 16, 2009) (ordinance numbering changed per Ordinance No. 917 2-07-12)

25.110. Park Regulations

1. No person shall operate any vehicle outside the designated parking areas of the park except City Personnel for official business.
2. No vehicle shall be parked on park property except in the designated parking areas and only during park hours.
3. No bathing or swimming shall be allowed in any of the waters of the park. No person shall wade in the pond or operate upon the pond any boats, rafts or other watercrafts, whether powered or not.
4. No person shall build or attempt to build a fire except in such areas under such regulations as may be designated by the Park Board. Park users are responsible for supervising and extinguishing all fire built in the grills.
5. No person shall ice skate upon any surface at the park.
6. No person shall throw, discharge or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream, bay or any tributary, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which shall or may result in the pollution, discoloration or contamination of said waters.
7. No person shall bring, dump, deposit, or leave any bottle, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or other trash on the grounds of the park. Such items shall be disposed of in the trash receptacles provided at the park or shall be removed from the park and properly disposed of elsewhere.
8. The Park and Recreation Board may promulgate additional regulations as may be deemed necessary to provide for public safety and to provide for the maintenance and upkeep of park facilities and equipment-see appendix H-1

25.115. Penalties

Any person found violating any provisions of these regulations shall upon conviction be deemed guilty of an ordinance violation and shall be assessed a fine of not less than One Dollar (\$1.00) and not more than Five Hundred Dollars (\$500.00).

ARTICLE III. CITY TRAILS

25.205. Definitions and rules of construction

The following definitions and rules of construction apply to this division:

City Trail means any trail maintained by the City for use by pedestrians or cyclists.

Cycle means any device, other than a wheelchair, which is propelled by human power and has one or more wheels at least twenty (20) inches in diameter and a frame size of at least fourteen (14) inches.

Pedestrian includes any person riding in a wheelchair.

Wheelchair means a chair mounted on wheels for use by disabled individuals.

25.210. Trail use by cyclists

- (a) Every person operating a cycle upon a city trail shall ride as near to the right side of the trail as practicable, exercising due care when passing a pedestrian or another cyclist.
- (b) Persons operating cycles upon a city trail shall ride single file when passing a pedestrian or another cyclist.
- (c) No person shall operate a cycle upon a city trail at a speed greater than is reasonable and prudent under conditions then existing.
- (d) Every person operating a cycle upon a city trail shall give an audible signal before passing a pedestrian or another cyclist.
- (e) Every person operating a cycle upon a city trail shall at all times exercise the highest degree of care to avoid colliding with another trail user.
- (f) Pedestrians & persons operating cycles upon a city trail shall have the right of way over vehicular traffic.

25.215. Trail use by pedestrians

Pedestrians on a city trail shall remain as near to the right side of the trail as practicable.

25.220. Trail use by dogs

- (a) No person responsible for a dog shall permit the dog to be on any city trail unless the dog is held on a leash. The dog shall be reined in to within four (4) feet of the responsible person whenever it is approached by another trail user.
- (b) No person responsible for a dog shall permit the dog to defecate upon any city trail. It is a specific defense to a charge of violating this section that the person charged immediately removed the deposit and properly disposed of it.

25.225. Vehicles shall not be driven or parked on the city trail

The driver of a vehicle, except cyclists, shall not drive within any city trail area except to cross perpendicular on a permanent driveway.

No vehicle shall be parked on a city trail.

(amended 6-03-2003 Ordinance No. 2003-030 by adding Article III. City Trails)