

★ **Roll Call Number**

Agenda Item Number

70A

December 18, 2006

Date

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,946 passed May 7, 2001, and Ordinance No. 14,305 passed December 22, 2003, and Ordinance No. 14,607 passed November 6, 2006 by amending Section 74-101 by adding a new subsection (c)(6) thereof, relating to park facility hours",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

Ann DiDonato

Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

70A

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,946 passed May 7, 2001, and Ordinance No. 14,305 passed December 22, 2003, and Ordinance No. 14,607 passed November 6, 2006 by amending Section 74-101 by adding a new subsection (c)(6) thereof, relating to park facility hours.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 13,946 passed May 7, 2001, and Ordinance No. 14,305 passed December 22, 2003, and Ordinance No. 14,607 passed November 6, 2006 is hereby amended by amending Section 74-101 by adding a new subsection (c)(6) relating to park facility hours, as follows:

Sec. 74-101. Park facility hours.


The hours of operation for all public parks, community centers, and city recreational facilities, except for the Botanical Center, shall be established by the Des Moines park and recreation board and must receive two readings for final approval. The park and recreation director shall thereafter have authority to adjust park and recreation facility hours, except for the Botanical Center, for a period of one season, unless otherwise directed by the Des Moines park and recreation board. For the purposes of this section, "one season" shall mean the first weekend in April through the last weekend in October and the Monday following the last weekend of October up to the first weekend in April.

- (a) No person shall remain in any public park, community center or city recreational facility during the periods of time set by this section unless special permission shall have been given by the park and recreation director for such persons or group of persons to remain there.
- (b) No person shall remain in or on any city park, inclusive of municipal golf courses, and Waveland tennis courts, from one-half hour after sunset to 6:00 a.m. during central standard time.
- (c) Exceptions are made for:

- (1) Clubhouses and related facilities on golf courses. These facilities may remain open until 2:00 a.m.
- (2) Concerts at the Simon Estes Amphitheater. This facility may remain open until 12:00 midnight.
- (3) Birdland Tennis Courts. This facility may remain open until 11:00 p.m.
- (4) Birdland Marina. This facility may remain open until 11:00 p.m.
- (5) Brenton Skating Plaza. This facility may remain open until 12:00 midnight.
- (6) Park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street. This facility may remain open until 12:00 midnight.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



Ann DiDonato
Assistant City Attorney