

Chapter 18

**PARKS AND RECREATION\***

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**ARTICLE I. IN GENERAL**

**Sec. 18-1. Definitions**

As used in this chapter, the following terms shall have the meanings ascribed to them:

*Park* shall mean an area of public land, owned by or in possession of the city for use as a recreation area, and includes but is not limited to the following:

Park No. 1. Kirkwood Park, located at the southwest corner of Adams Avenue and Geyer Road, including the Walker Lake, community center and adjacent parking lot.

Park No. 2. McEntee Memorial Park, located at the northeast corner of Madison Avenue and Clay Avenue.

Park No. 3. Fireman's Memorial Park, located at the rear of Fire House No. 2 at 11804 West Big Bend Road.

Park No. 4. Green Tree Park, located at Marshall Road adjacent to the Meramec River.

Park No. 5. Emmenegger Park, located at the end of Cragwold Drive adjacent to the Meramec River.

Park No. 6. Little Mitchell Park, located in the 100 block of Mitchell Street.

Park No. 7. Millard Fillmore Park, located at the northeast corner of South Fillmore Street and East Clinton Street.

Park No. 8. Emmenegger Nature Park Staging Area located at 11991 Stonewood including the Urban Wild Acres property adjacent to the Emmenegger Nature Park Staging Area.

Park No. 9. Meramec Highlands Quarry at Dee Koesterling Park, located at 1703 Marshall Road 1/8 mile west of Big Bend Boulevard.

Park No. 10. Meacham Park Memorial Park, located in the 300 block of New York Street.

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\*State law reference—Parks and Recreation RSMo § 90.010, et seq.

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Park No. 11. Walker Park, located at the corner of East Washington and Taylor at 135 East Washington

Park No. 12 – Ella and Charles Monfort, Jr. Park, located at the corner of Briargate and Barberry Lanes, at 2036 Briargate Lane

Park No. 13 - Historic Quinette Cemetery Park, located at 12188 Old Big Bend

Park No. 14 - Meramec River Greenway Trail, generally consisting of two acres located at 2150 Marshall Road, extending from Marshall Road along the eastern boundary of Green Tree Park to the Meramec River, and extending south along the Meramec River.

*Park superintendent* shall mean a person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.

*Vehicle* shall mean any wheeled conveyance, whether motor-powered or self-propelled; the term includes any trailer in tow of any size, kind, or description, but excludes baby carriages and vehicles in the service of the city parks.

(a) *Generally.* The park superintendent or any park ranger shall have the authority to eject from the park any person acting in violation of this chapter. The park superintendent or any park ranger shall have the authority to seize and confiscate any property, thing or device in the park or used in violation of this chapter. The park superintendent or any park ranger shall have the authority to issue a summons to any person acting in violation of this chapter. In the event of resistance to action intended to correct a violation of this chapter, either physical or otherwise, the park supervisor or the park ranger shall refer the violation to the police department.

(b) *Penalties for violation.* Any person violating the provisions of any section of this chapter shall be subject to the penalties provided in section 1-8 of the Code of Ordinances, except in the event the person violating the provisions of this chapter is, by reason of age, not subject to the jurisdiction of the municipal court of the city [sic].

(Gen. Ord. 1959, §§13.01, 13.26; Ord. No. 6000, §1, 8-12-76; Ord. No. 7892, §1, 6-1-89; Ord. No. 7915, §§1, 2, 10-5-89; Ord. No. 8093, §§1, 2, 12-5-91; Ord. No. 9245, §§1, 2, 4-3-03; Ord. No. 9607, §1, 7-6-06; Ord. No. 9643, §1, 1-18-07)

### **Sec. 18-3. Hours, days of operation.**

(a) Except for unusual and unforeseen emergencies, city parks shall be open to the public each day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information.

(b) Kirkwood and Greentree parks shall be open from sunrise until 11:00 p.m. from April 15 until October 15, and shall be open from sunrise until sunset from October 16 to April 14, and all other parks shall be open from sunrise to sunset year round except where the hours are extended by a permit issued by the parks and recreation department, subject to the conditions set forth on such permit, or unless such persons are participating in events approved by the parks and recreation department.

(c) No person other than city employees or other governmental officials performing duties therein shall be permitted in such parks except during the designated open hours unless by permit issued

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by the department of parks and recreation, or unless such persons are participating in events which have been approved by the department of parks and recreation.

(Gen. Ords. 1959, §13.24(a); Ord. No. 6734, §1, 5-7-81; Ord. No. 7915, §3, 10-5-89; Ord. No. 8093, §3, 12-5-91; Ord. No. 9054, §1, 7-19-01)

### **Sec. 18-4. Damaging park property or injuring wildlife.**

It shall be unlawful for any person in a city park to:

(a) Wilfully mark, deface, disfigure, injure, tamper with, or displace or remove, any building; bridges; tables; benches; fireplaces; railings; paving or paving material, waterlines or other public utilities or parts or appurtenances thereof; signs; notices or placards, whether temporary or permanent; monuments; stakes; posts, or other boundary markers; or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(b) Dig, or remove any soil, rock, stones, trees, shrubs or plants, or to down timber or other wood or materials, or to make any excavation by tool, equipment, blasting, or other means or agency.

(c) Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or string any public service utility into, upon or across such lands, except on special written permit.

(d) Damage, cut, carve, transplant or remove any tree or plant or injure the bark, or to pick the flowers or seeds, of any tree or plant; or to attach any rope, wire, or other contrivance to any tree or plant; or to dig in or otherwise disturb grass areas, or to in any other way injure or impair the natural beauty or usefulness of any area.

(e) Tie or hitch a horse or other animal to any tree or plant.

(f) Hunt, molest, harm, trap, kill, shoot at any animal, reptile or bird; or to remove the eggs or nest, or young of any bird, except that snakes known to be deadly poisonous, such as rattlesnakes; cottonmouth moccasins; coral snakes; or other deadly reptiles may be killed on sight.

(g) Give or offer, or attempt to give any animal or bird any noxious substances.

(h) Feed any waterfowl or wildlife in any park.

(Gen. Ords. 1959, §13.02; Ord. No. 9207, §1, 11-21-02)

### **Sec. 18-5. Sanitation and cleanliness.**

No person in a park shall:

(a) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm water, or drain flowing into such waters, any substances matter or thing, liquid or solid, which will or may result in the pollution of the waters.

(b) Bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No refuse or trash shall be placed in any waters in

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or contiguous to any park, or left anywhere on the grounds, but shall be placed in the proper receptacles where they are provided; where receptacles are not provided, all rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(c) Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.

(Gen. Ords. 1959, §13.03)

### **Sec. 18-6. Traffic regulations.**

No person in a park shall:

(a) Fail to comply with all applicable provisions of the state motor vehicle traffic laws in regard to equipment and operation of vehicles together with such provisions as are contained in this Code.

(b) Fail to obey all police officers and park employees, the police officers being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of this chapter and such supplementary regulations as may be issued subsequently by the park superintendent.

(c) Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping, or parking, and all others posted for proper control and to safeguard life and property.

(d) Ride or drive a vehicle at a rate of speed exceeding twenty (20) miles an hour, except upon such roads as the park board may designate by posted signs.

(e) Drive any vehicle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the park superintendent.

(f) Park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions thereat and with the instructions of any attendant who may be present.

(Gen. Ords. 1959, §13.04)

### **Sec. 18-7. Bicycles, roller skates, roller blades and skateboards.**

No person in a park shall:

(a) Ride a bicycle on other than a paved vehicular road or path designated for that purpose, except a bicyclist may wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(b) When riding a bicycle, fail to comply with all traffic rules and regulations as are applicable to the operation of bicycles on the city streets.

(c) Ride any other person on a bicycle in addition to the rider.

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(d) Leave a bicycle in a place other than a bicycle rack when the rack is provided and there is a space available.

(e) Leave a bicycle lying on the paving, or in any place or position where other persons may trip over or be injured by it.

(f) Ride a bicycle on any road between sunset or before sunrise without an attached headlight plainly visible or without a red taillight or red reflector plainly visible.

(g) Roller skating, roller blading and skateboarding shall be confined to paved areas permitting such activities, or areas designated for these purposes.

(h) Bicycles, mountain bikes, roller skates, roller blades and skateboards are restricted to general public parking areas and bike racks, exclusive of disabled parking areas, at Emmenegger Nature Park and Meramec Highlands Quarry at Dee Koesterling Park.

(Gen. Ords. 1959, §1, 813.05; Ord. No. 9245, §3, 4-3-03)

**Cross reference**—Bicycles, Ch. 4½.

### **Sec. 18-8. Areas where swimming and climbing is prohibited.**

No person shall swim, bathe, or wade in any waters or waterways in or adjacent to any park, nor shall any person climb on rocks or waterfall structures in any waters or waterways in or adjacent to any park, except in such waters and at such places as are provided therefor by notice, and in compliance with park regulations. (Gen. Ords. 1959, §13.06; Ord. No. 8093, §4, 12-5-91)

### **Sec. 18-9. Use of dangerous weapons prohibited; exception.**

(a) No person shall in a park, hunt, trap or pursue wildlife at any time; or use, carry, or possess firearms of any description, or air rifles, spring guns, bow and arrows, slings or any other forms of weapons potentially inimical to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device; no person shall shoot into park areas from beyond park boundaries.

(b) This section does not prohibit the use of archery equipment or firearms on ranges for target shooting on specifically designated' archery or firearm ranges provided for that purpose by the department of parks and recreation, if the equipment is being used in a manner which will protect all persons against bodily injury by such equipment.

(Gen. Ords. 1959, §13.07; Ord. No. 7915, §4, 10-5-89)

### **Sec. 18-10. Conduct in picnic areas.**

No person in a park shall:

(a) Picnic or lunch in a place other than those designated for that purpose; park attendants shall have the authority to regulate the activities in such areas when necessary to prevent congestion and to secure the maximum use for the comfort and convenience of all; visitors shall comply with any directions given to achieve this end.

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(b) Fail to observe and respect written permits issued in advance of the day a reservation is applicable, by the department of parks and recreation upon request, for use of a particular picnic area; fire pit, or structure for a specified period;

(c) Close off any picnic area, fire pit, or structure provided for recreational use or for the comfort of visitors in the park to the exclusion of other persons in any manner, nor shall any person use such area and facilities for an unreasonable time if the facilities are crowded.

(d) Leave a picnic area before a fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided. If no trash receptacles are available, refuse and trash shall be carried away from the park area by the picnicker to be properly disposed of elsewhere.

(Gen. Ords. 1959, §13.08; Ord. No. 7915, §5, 10-5-89)

### **Sec. 18-11. Camping facilities.**

No person in a park shall camp without a permit in other than specifically designated camping areas for organized camping provided by the director of parks and recreation and used by groups of persons under adequate supervision. No person shall set up tents, shacks or any other temporary shelter for the purpose of overnight camping except as authorized by the issuance of a written permit by the department of parks and recreation with the approval of the park board. No person shall leave anywhere in the park overnight, any camp trailer, camp wagon or other movable vehicle except such equipment left on designated parking areas when associated with camping groups holding authorized permits for such camping. (Gen. Ords. 1959, §13.09; Ord. No. 7915, §6, 10-5-89)

### **Sec. 18-12. Games in parks.**

No person in a park shall take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins or model airplanes except in areas set apart for such forms of recreation. The playing of rough or comparatively dangerous games such as football, baseball and quoits is prohibited except on the fields and courts or areas provided therefor. Roller skating shall be confined to those areas specifically designated for such pastime. (Gen. Ords. 1959, §13-10)

### **Sec. 18-13. Horses.**

No person in a park shall ride a horse except on designated bridle trails. Where permitted, horses shall be thoroughly broken and property restrained, and ridden with due care, and shall not be allowed to graze or go unattended, nor shall they be hitched to any rock, tree or shrub. Those persons riding horses in permitted areas shall clean any waste left by the horse upon such trails. (Gen. Ords. 1959, §13.11; Ord. No. 7915, §7, 10-5-89)

### **Sec. 18-14. Alcoholic beverages and nonintoxicating beer prohibited.**

- (1) The possession or consumption of alcoholic beverages or nonintoxicating beer in any city parks is hereby prohibited unless such possession or consumption is pursuant to a special permit issued by the department of parks and recreation, as provided herein.
- (2) Application may be made for permits for the possession and consumption of alcoholic beverages not exceeding five (5) per cent alcoholic content for a single event or series of

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events, or for the possession or consumption of alcoholic beverages exceeding five (5) percent alcoholic content for a single event to be held only in areas designated by a permit, which application shall contain the following wording:

- (a) Name and address of applicant, and if applicant is a corporation or organization, the name of responsible officer.
- (b) Event for which permit is sought and the anticipated number of attendees at such event.
- (c) location at which the event is to be held.
- (d) The date and time the event is to be held.
- (3) The permit for which an application has been made shall be issued by the department of parks and recreation provided:
  - (a) The location for such event is in an area deemed suitable by the department of parks and recreation and the chief of police.
  - (b) The organization or responsible person has not been involved in complaints within city relating to conduct of such person or members of such organization within three (3) years prior to the date for which the event is planned.
  - (c) The issuance of such permit shall not result in crowded or congested conditions due to the issuance of prior permits for the same day, or due to the anticipated number of attendees for the planned event.
  - (d) The applicant has satisfied the department of parks and recreation and the chief of police that sufficient precautions shall be taken to prevent the illegal consumption of such beverages by persons under lawful age.
  - (e) The department of parks and recreation has endorsed such application as satisfying the conditions set forth herein.
  - (f) The chief of police or his delegate has endorsed the application as satisfying the conditions set forth herein.
- (4) The department of parks and recreation shall prepare appropriate application forms and other forms to effectuate the provisions of this section, subject to the approval of the city council.
- (5) The fee for such permit shall be set by the department of parks and recreation and in addition to such fee, the department may require a security deposit to be made with the department of parks and recreation, which sum shall remain on deposit until such time as the event has terminated and the department has determined that no damage has occurred to city property. Any damage that shall occur to city property may be charged against such deposit but the liability of the applicant shall not be limited to the amount of such deposit in the event damage shall exceed such amount.

(Gen. Ords. 1959, §13.12; Ord. No. 6735, §1, 5-7-81; Ord. No. 7915, §8, 10-5-89)

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### **Sec. 18-15. Fireworks.**

Except as expressly permitted by the mayor and council, no person in a park shall bring or have in his possession, or set off or otherwise cause to explode or discharge or burn, any firecracker, torpedo, rocket, or other fireworks or explosives of inflammable material, or discharge them to throw them into any such area from land or highway adjacent thereto; this prohibition includes any substance, compound, mixture, or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. (Gen. Ords. 1959, §13.13)

**Cross references**—Fire prevention and protection, Ch. 8; fireworks, §8-21 et seq.

### **Sec. 18-16. Animals.**

(a) No person shall bring into a park a dog or other domestic animal into areas other than automobile parking concourses and walks immediately adjacent thereto, and in such other areas as may be clearly marked by signs bearing the words "Domestic Animals Permitted in This Area". No person shall allow a dog or other domesticated animal into any waters or waterways in or adjacent to any park for any purpose. No person shall permit the running of a dog at large. All dogs or other domesticated animals in those areas of a park where such animals are permitted shall be restrained at all times in the same manner as prescribed in this Code or other ordinances of the city. No leash on which a dog or other animal is tethered or restrained shall be of greater length than that which permits the owner to have at all times sufficient control of the animal so as to protect all persons from possible injury by the animal. No vicious animal of any kind shall be brought into the park at any time even though restrained as described above.

(b) Dogs and other domesticated animals are prohibited in any portion of the Meramec Highlands Quarry at Dee Koesterling Park.

(Gen. Ords. 1959, §13.14; Ord. No. 7915, §9, 10-5-89; Ord. No. 8093, §5, 12-5-91; Ord. No. 9245, §4, 4-3-03)

### **Sec. 18-17. Reservation of facilities.**

No person in a park shall occupy any seat or bench, or enter into or loiter or remain in any pavilion or other park structure or section thereof which may be reserved and designated by the park board for the opposite sex, except children under six (6) years of age. (Gen. Ords. 1959, §13.15)

### **Sec. 18-18. Immodest dress.**

No person shall appear at any place within a park in other than that clothing which is generally accepted in the city for public appearance, or which is generally accepted apparel for the particular recreational activity in which the wearer may be engaged. (Gen. Ords. 1959, §13.16)

### **Sec. 18-19. Begging.**

No person shall solicit alms or contributions in a park for any purpose, whether public or private. (Gen. Ords. 1959, §13.17)

### **Sec. 18-20. Fire hazards.**

No person shall build or attempt to build a fire in a park without first obtaining approval from the director of parks and recreation and the fire marshal. No person shall drop, throw or otherwise scatter

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lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material, within any park area or on any highway, road or street abutting or contiguous thereto. (Gen. Ords. 1959, §13.18; Ord. No. 7915, §10, 10-5-89)

### **Sec. 18-21. Designation of prohibited areas.**

(a) No person shall enter an area or roadway in a park posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.

(b) Any section or part of any park may be declared closed to the public by the director of parks and recreation at any time and for any interval of time, either temporarily or at regular and stated intervals, daily or otherwise, and either entirely or merely to certain uses, as the director of parks and recreation shall find reasonably necessary.

(Gen. Ords. 1959, §§13.19, 13.24; Ord. No. 7915, §11, 10-5-89)

### **Sec. 18-22. Gambling.**

No person shall gamble, or participate in or abet any games of chance in a park. (Gen. Ords. 1959, §13.20)

### **Sec. 18-23. Skating or going upon ice.**

Skating is prohibited in all areas other than the ice rink at the community center. (Gen. Ords. 1959, §13.21; Ord. No. 8093, §6, 12-5-91)

### **Sec. 18-24. Disorderly conduct.**

(a) No person in a park shall sleep or protractedly lounge on the seats, or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace.

(b) No person in a park shall fail to produce and exhibit any permit from the director of parks and recreation he claims to have upon request of any authorized person who shall desire to inspect the same for the purpose of enforcing compliance with any ordinance or rule.

(Gen. Ords. 1959, §13.22)

### **Sec. 18-25. Advertising and soliciting sales.**

No person in a park shall:

(a) Expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing, except persons operating authorized concessions by the park board.

(b) Announce, advertise, or call the public attention in any way to any article or service for sale or hire, except persons operating concessions authorized by the park board.

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(c) Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

(Gen. Ords. 1959, §13.23)

### **Sec. 18-26. Boating.**

No person shall boat in any lake in or adjacent to any park; provided that the use of model boats is allowed. (Ord. No. 8093, §7, 12-5-91)

### **Sec. 18-27. Fishing**

(a) No person shall release a fish or other animal into any lake in any park, except for fish, caught from the lake and then such fish shall be immediately released back into the lake, unless otherwise directed by the director of parks and recreation.

(b) Except as otherwise provided herein, fishing is allowed in waters or waterways in or adjacent to any park pursuant to the Missouri Conservation Commission rules R.S.Mo. Ch. 252.

(Ord. No. 8093, §8, 12-5-91)

### **Sec. 18-28. Restriction on sale or disposal of park property.**

Any real estate, now or hereafter owned by the City or any agency or instrumentality of the City, which is principally used or held out for use as a public park or recreational facility, shall not be sold or leased except for lease periods of one year or less, or otherwise disposed of, and shall be used only as a public park or recreational facility, unless a sale, disposal, lease, or change in use is (a) approved by four-sevenths (4/7ths) of the qualified electors voting thereon at an election called pursuant to an ordinance duly adopted by the Council, or (b) pursuant to a leasehold financing for the purpose of making improvements to the public park or recreational facility which benefit the City and its residents. As used in this section, the term "public park or recreation facility" includes, without limitation, nature study areas, gardens or playgrounds, golf courses, and all areas accommodating activities customarily associated with park usage or outdoor recreation. (Ord No. 8476, §1, 12-21-95; Ord. No. 8746; §1, 8-20-98)

### **Sec. 18-29. Abandonment of animals.**

No person shall release, abandon or leave any animal in any place without making provisions for its adequate care or without the apparent intent to recover or resume custody of the animal without written permission of the Director of Parks and Recreation. (Ord. No. 8565, §2, 11-21-96)

### **Secs. 18-30—18-45. Reserved.**

## **ARTICLE II. PERMITS**

### **Sec. 18-46. When required.**

A permit shall be obtained from the director of parks and recreation before participating in tennis, softball, hardball, group picnics, special use of any portion of the park, or any other particular activity. (Gen. Ords. 1959, §13.25(a); Ord. No. 7915, §13, 10-5-89)

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### **Sec. 18-47. Application; contents.**

A person seeking issuance of a permit required by this article shall file an application with the director of parks and recreation. The application shall state:

- (a) The name and address of the applicant.
- (b) The name and address of the person sponsoring the activity, if any.
- (c) The day and hours for which the permit is desired.
- (d) The park or portion thereof for which the permit is desired.
- (e) An estimate of the anticipated attendance.
- (f) Any other information which the director of parks and recreation finds reasonably necessary to a fair determination as to whether a permit should issue hereunder.

(Gen. Ords. 1959, §13.25(b); Ord. No. 7915, §14, 10-5-89)

### **Sec. 18-48. Findings required for issuance.**

The director of parks and recreation shall issue a permit required by this division hereunder when he shall find:

- (a) That the proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park.
- (b) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
- (c) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct.
- (d) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city.
- (e) That the facilities desired have not been reserved for other use at the day and hour required in the application.

(Gen. Ords. 1959, §13.25(c); Ord. No. 7915, §15, 10-5-89)

### **Sec. 18-49. Appeal from action of director of parks and recreation.**

(a) Within ten (10) days after receipt of an application for a permit required by this article, the director of parks and recreation shall appraise an applicant in writing of his reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within fifteen (15) days to the park board, which shall consider the application under the standards set forth in this article, and sustain or overrule the director of parks and recreation's decision within twenty (20) days. The park board shall notify the appellant in writing of such decision.

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(b) The decision of the park board shall be final, except as provided under administrative procedure and review act, as set forth in sections 536.105, 536.110 and 536.140 Missouri Revised Statutes, 1959 Cumulative Supplement.

(Gen. Ords. 1959, §13.25(c), (d); Ord. No. 7915, §16, 10-5-89)

### **Sec. 18-50. Applicability of rules, regulations and laws.**

A permittee under this division shall be bound by all park rules and regulations and all applicable provisions of this Code and other city ordinances fully as though they were inserted in the permit. (Gen. Ords. 1959, §13.25(e))

### **Sec. 18-51. Liability of permittee; financial responsibility.**

The person to whom a permit is issued pursuant to this division shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the permittee. Organizations granted permits to hold functions within a park shall furnish to the park board, upon request, proof of their financial responsibility and liability for any and all injuries sustained by any person or persons as a result of that organization's activity within the park, including the preparation of and the dismantling of all facilities provided for the function covered by the permit; the financial responsibility shall be in such form as the park board and the council shall require to hold the city, its officials, agents and employees harmless and to defend any claim for any loss whatsoever. (Gen. Ords. 1959, §13.25(f))

### **Sec. 18-52. Revocation.**

The director of parks and recreation shall have the authority to revoke a permit issued pursuant to this division upon a finding of violation of any rule or any provision of this Code or other city ordinance, or upon good cause shown. (Gen. Ords. 1959, §13.25(g); Ord. No. 7915, §17, 10-5-89)

### **Sec. 18-53. Discrimination on the basis of sex, race or physical or mental handicap prohibited.**

No person, group, organization, association, corporation or other entity who has obtained a permit from the City of Kirkwood, pursuant to this article, shall discriminate against any qualified participants, considering physical and mental qualifications, in any activities to be undertaken pursuant to such permit on the basis of sex, race or physical or mental handicap. (Ord. No. 7277, §1, 11-15-84)

**Cross reference**—Disabled advisory and awareness commission, § 12-70 et seq.

### **Secs. 18-54—18-72. Reserved.**

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**ARTICLE III. DEPARTMENT OF  
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**Sec. 18-73. Created.**

There is hereby established a department of parks and recreation which shall be under the jurisdiction of the director of parks and recreation. (Gen. Ords. 1959, §13.50(a); Ord. No. 4575, §1, 3-16-60; Ord. No. 6111, §1, 4-14-77; Ord. No. 7915, §19, 10-5-89)

**Sec. 18-74. Director to have supervision over recreational activities.**

The director of parks and recreation shall, with the approval of the city council, conduct and supervise any form of recreational, cultural or social activity which will employ the leisure and recreational time of the citizens in a wholesome and constructive manner. (Gen. Ords. 1959, §13.50(d); Ord. No. 4575, §1, 3-16-60; Ord. No. 7915, §20, 10-5-89)

**Sec. 18-75. Supervision of comprehensive recreation program.**

The director of parks and recreation shall plan, promote, organize and supervise a comprehensive municipal recreation program and administer the same in the interest of the entire community, and cooperate with the park board, schools and other groups with recreational programs. (Gen. Ords. 1959, §13.50(b); Ord. No. 4575, §1, 3-16-60; Ord. No. 7915, §21, 10-5-89)

**Sec. 18-76. Supervision of recreational facilities.**

The director of parks and recreation shall, with the approval of the city council, supervise the recreational use of parks, playgrounds, playfields, recreation centers, swimming pools, ball diamonds and such other recreational facilities as may be made available to carry out the city's recreational program. (Gen. Ords. 1959, §13.50(c); Ord. No. 4575, §1, 3-16-60; Ord. No. 7915, §22, 10-5-89)

**Secs. 18-77—18-99. Reserved.**

**ARTICLE IV. FEES**

**Sec. 18-100. Resident identification card, issuance, cost.**

An identification card shall be issued to all residents of the city to be used for admission or use of park facilities, entitling such card holder to resident fees. The cost of such card shall be five dollars (\$5.00).

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\***Editor's note**—The title of Art. III, formerly "Department of recreation," was changed by § 18 of Ord. No. 7915, adopted Oct. 5, 1989.

**Cross reference**—Administration, Ch. 2.

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**Sec. 18-101. User fees for park and recreational facilities.**

The following identified fees shall be assessed for the use of the described facilities under the jurisdiction of the department of parks and recreation:

|  | <i>Resident</i> | <i>Nonresident</i> |
|--|-----------------|--------------------|
| <i>(a) Aquatic Center fees:</i>          |                 |                    |
| Adult Daily Pass .....                   | \$5.00          | \$ 7.00            |
| Youth Daily Pass .....                   | 4.00            | 6.00               |
| Senior Daily Pass.....                   | 4.00            | 7.00               |
| Season Pass, Family of Three.....        | 195.00          | N/A                |
| Additional Family Member .....           | 20.00           | N/A                |
| Adult Season Pass (18-64).....           | 90.00           | N/A                |
| Youth Season Pass (4-17).....            | 75.00           | N/A                |
| Senior Season Pass (65+) .....           | 75.00           | N/A                |
| Youth 10 Admission Card .....            | 36.00           | N/A                |
| Adult 10 Admission Card.....             | 45.00           | N/A                |
| Senior 10 Admission Card .....           | 36.00           | N/A                |
| <i>(b) Tennis court fees:</i>            |                 |                    |
| Daily permit.....                        | 4.00            | 5.00               |
| Individual Season Pass .....             | 30.00           | 60.00              |
| Family of three Season Pass .....        | 60.00           | 120.00             |
| Additional Family Member .....           | 10.00           | 20.00              |
| <i>(c) Field usage fees:</i>             |                 |                    |
| <i>*March 2010</i>                       |                 |                    |
| Per Hour .....                           | 6.00            | 12.00              |
| Light Charge (per hour).....             | 15.00           | 25.00              |
| <br><i>March 2011</i>                    |                 |                    |
| Per Hour .....                           | 8.00            | 14.00              |
| Light Charge (per hour).....             | 16.00           | 26.00              |
| <br><i>March 2012</i>                    |                 |                    |
| Per Hour .....                           | 10.00           | 16.00              |
| Light Charge (per hour).....             | 17.00           | 27.00              |
| <i>(d) Ice rink fees:</i>                |                 |                    |
| Single Session Youth (4-17) .....        | 3.00            | 4.00               |
| Single Session Adult (18-64) .....       | 3.00            | 4.00               |
| Single Session Senior Citizen (65+)..... | 2.50            | 3.25               |
| 10 Admission Card, Youth .....           | 22.50           | 31.50              |
| 10 Admission Card, Adult.....            | 22.50           | 31.50              |
| 10 Admission Card, Senior Citizen .....  | 18.00           | 27.00              |
| Stick 'n Puck Session .....              | 4.00            | 5.00               |
| Skate Rental .....                       | 2.00            | 2.00               |
| Skate Sharpening .....                   | 4.00            | 4.00               |
| Non-Prime Rink Rental (per hour).....    | 130.00          | 130.00             |
| Prime Rink Rental (per hour) .....       | 190.00          | 190.00             |

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(e) Fees may be assessed per participant per program, session or event for all programs offered by, or in conjunction with the Kirkwood Parks and Recreation Department in an amount to be determined by the Director of Parks and Recreation.

- (f) *Open Picnic Site:*
- |                       |                 |
|-----------------------|-----------------|
| Resident              | \$15.00         |
| Non-Resident          | \$25.00         |
| Merit Groups          | \$15.00         |
| Business              | \$30.00         |
| Non-Resident Business | \$45.00         |
| Camp Fees*            | ½ Resident Rate |

\*Camps shall be defined as merit groups reserving picnic site(s) and/or shelters for three or more consecutive days.

- (g) *Shelters:*
- |                       |                 |
|-----------------------|-----------------|
| Resident              | \$45.00         |
| Non-Resident          | \$65.00         |
| Merit Groups          | \$45.00         |
| Business              | \$90.00         |
| Non-Resident Business | \$135.00        |
| Camp Fees*            | ½ Resident Rate |

\*Camps shall be defined as merit groups reserving picnic site(s) and/or shelters for three or more consecutive days.

|   | <u>Resident/Merit</u> | <u>Nonresident</u> | <u>Business</u> | <u>Nonresident Business</u> |
|---|-----------------------|--------------------|-----------------|-----------------------------|
| (h) Pit No. 1   | 25.00                 | 25.00              | 25.00           |                             |
| (i) Portable Grill  | 20.00                 | 20.00              | 20.00           |                             |
| (j) Ampitheatre   | 75.00                 | 100.00             | 150.00          | 225.00                      |
| (k) Picnic Kits - (Volleyball, softball, washer equipment, horseshoes)..... |                       |                    |                 | \$5.00 per kit              |
| (l) Special Services Fee .....  |                       |                    |                 | \$50.00                     |

(\$100 security deposit required for all groups)  
*Fees for special services provided to users, including, but not limited to, security service, ball field preparation, and additional equipment may be assessed in an amount to be determined by the Director of Parks and Recreation.*

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|   | <u>Resident</u> | <u>Nonresident</u>          |
|---|-----------------|-----------------------------|
| (m) <i>Community center room rental fees:</i>   |                 |                             |
| (1) Private groups:   |                 |                             |
| a. Rooms 200A, 200B, 201A, 201B,<br>202, 203, 302 (per hour) .....  | 22.50           | 30.00                       |
| b. Rooms 200 AB, 201 AB, 300 (per hour) .....   | 30.00           | 40.00                       |
| c. East Gym (per day) .....   | 420.00          | 560.00                      |
| d. West Gym (per day) .....   | 525.00          | 665.00                      |
| e. Theater (daily user) (per day) .....   | 575.00          | 775.00                      |
| f. East Gym (per hour) .....  | 40.00           | 60.00                       |
| g. West Gym (per hour) .....  | 50.00           | 75.00                       |
| h. Theater (weekly user) (per day) .....  | 575.00          | 775.00                      |
| (2) Commercial Groups:  |                 |                             |
| a. Rooms 200A, 200B, 201A, 201B,<br>202, 203, 302 (per hour) .....  | 30.00           | 45.00                       |
| b. Rooms 200 AB, 201 AB, 300 (per hour) .....   | 40.00           | 55.00                       |
| c. East Gym (per day) .....   | 560.00          | 735.00                      |
| d. West Gym (per day) .....   | 665.00          | 980.00                      |
| e. Theater (daily user) (per day) .....   | 775.00          | 1,000.00                    |
| f. Theater (weekly user) (per day) .....  | 725.00          | 950.00                      |
| g. Extra How Fee (per show) .....   | 90.00           | 120.00                      |
| (3) Merit Groups:   |                 | <u>Resident/Nonresident</u> |
| a. Rooms 200A, 200B, 201A, 201B,<br>202, 203, 302 (per hour) .....  |                 | 12.50                       |
| b. Rooms 200 AB, 201 AB, 300 (per hour) .....   |                 | 15.00                       |
| c. East Gym (per day) .....   |                 | 160.00                      |
| d. West Gym (per day) .....   |                 | 200.00                      |
| e. Theater (daily user) (per day) .....   |                 | 500.00                      |
| f. Theater (weekly user) (per day) .....  |                 | 400.00                      |
| g. Theater (non-performance) (per day) .....  |                 | 100.00                      |
| h. Extra Show Fee (per show) .....  |                 | 50.00                       |
| (4) Security deposits. A security deposit of \$50 shall be made for rental of rooms. A security deposit of \$100 shall be made for parties in rooms and rental of ice rink. A security deposit of \$200 shall be made for rental of the theater and gymnasiums. |                 |                             |
| (5) Additional fees may be assessed for the use of optional equipment, including but not limited to coffee pots, TV and VCR in an amount to be determined by the Director of Parks and Recreation.  |                 |                             |
| (6) There shall be no charge for usage of the Community Center rooms and facilities by the City of Kirkwood or any of its departments.  |                 |                             |
| (7) An extra \$50 fee per use will be assessed for groups of 300 or more utilizing rooms or gymnasiums in the Community Center.   |                 |                             |

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(Ord. No. 8540, §1, 9-5-96; Ord. No. 8791, §1, 2-18-99; Ord. No. 8863, §1, 10-21-99; Ord. No. 8929, §1, 7-6-00; Ord. No. 9009, §1, 3-15-01; Ord. No. 9390, §1, 3-18-04; Ord. No. 9399, §1, 5-20-04; Ord. No. 9564, §1, 1-19-06; Ord. No. 9728, §1, 12-20-07; Ord. No. 9830, §1, 2-19-09; Ord. No. 9906, §1, 3-4-10)