

CHAPTER 12. PUBLIC PROPERTY

Article 1. City Parks and Lakes

ARTICLE 1. CITY PARKS AND LAKES

- 12-101. CITY LAWS EXTENDED TO PARKS AND LAKES. The laws of the city shall extend to and cover all city parks and lakes. (Code 2014)
- 12-102. POLICE JURISDICTION OVER PARKS AND LAKES. The city shall have police regulations governing any public parks and lakes belonging to the city and the chief of police and law enforcement officers of the city shall have full power to enforce city laws governing city parks and lakes, and shall maintain order therein. (Code 2014)
- 12-103. DAMAGING PARK AND LAKE PROPERTY. It shall be unlawful for any person, except duly authorized city employees, to willfully or wantonly remove, injure, tarnish, deface or destroy any building, walk, bench, tree or improvement or property of any kind belonging to any park or lake owned by the city. (Code 2014)
- 12-104. VEHICLE REGULATIONS. (a) Motor vehicles, including any vehicle licensed to operate on public streets, roads and highways and motorbikes, go-carts, snowmobiles and other motorized off-the-road vehicles shall be operated in a safe and prudent manner at all times in park areas or lakes.
- (b) Except as provided in subsection (d), it shall be unlawful for any person to park any motor vehicle in any area not designated for such purpose.
- (c) Except as provided in subsection (d), it shall be unlawful for any person to operate any motor vehicle within any city park or lake except upon roads, drives and parking areas established by the city.
- (d) Subsections (b) and (c) above shall not apply to city employees and designated agents while engaged in the maintenance and care of the park or lake.
- (e) It shall be unlawful to operate any such vehicle in any park or lake area at a speed in excess of 20 m.p.h. (Code 2014)
- 12-105. HUNTING. It shall be unlawful for any person to pursue, catch, trap, maim, kill, shoot or take any wildlife, either bird or animal, in any manner at any time while in any city park or lake. (Code 2014)
- 12-106. FIRES. It shall be unlawful for any person to build or kindle any fire in any city park or lake except in the ovens, stoves, or grills provided for that purpose by the city, and such fire must be extinguished by the person, persons or parties starting such fire, immediately after use thereof. (Code 2014)

- 12-107. CAMPING PROHIBITED. Overnight camping is hereby prohibited in city parks and lakes. (Code 2014)
- 12-108. SANITATION. All waste material, paper, trash, rubbish, tin cans, bottles, containers, garbage and refuse of any kind whatsoever shall be deposited in disposal containers provided for such purposes. No such waste or contaminating material shall be discarded otherwise. No sticks, stones, trash or other objects shall be thrown or discarded in or on any park or lake lands, fountains, pools, drinking fountains, sanitary facilities, or other improvements. (Code 2014)
- 12-109. PROHIBITION AGAINST ALCOHOLIC BEVERAGES AND CEREAL MALT BEVERAGES. It shall be unlawful for any person or persons to use, consume or have on the premises of any park or other city property within the city any alcoholic liquor or cereal malt beverage. (Code 2014)
- 12-110. PRESERVATION OF NATURAL STATE. It shall be unlawful for any person, except duly authorized city employees, to take, injure, or disturb any live or dead tree, plant, shrub, or flower, or otherwise interfere with the natural state of city parks or lakes. (Code 2014)
- 12-111. GENERAL REGULATIONS. The city may post such rules and regulations, as are approved by the governing body, pertaining to the use of the city parks or lakes in a conspicuous place in each city park or lake. Violations of these posted rules shall constitute a violation of this code. (Code 2014)
- 12-112. FISHING ON CITY LAKES. Fishing shall be done in accordance with all state and federal laws.
(Ord. 392; Code 2014)
- 12-113. EAST AND WEST LAKE RULES AND REGULATIONS.
- (a) Boating shall be done in accordance with all state and federal laws except as provided in this ordinance.
- (b) No motorized boats or motorized watercraft of any kind shall be allowed on Carbondale West Lake. Motorized fishing boats are permitted on East Lake.
- (c) The recreational uses of the Carbondale Lakes shall be limited to those authorized by this ordinance. There shall be no sail boating, personal watercraft of any kind, jet skis or any other type of pleasure boating allowed.
- (d) Except for duly authorized law enforcement officers in the performance of official duty or concealed carry permittees, there shall be no firearms of any kind.
- (e) Water skiing, swimming, wading, ice skating, ice fishing or any entry onto the ice of the Carbondale Lakes is strictly forbidden.
- (f) No person under the age of 16 shall operate a boat on the Carbondale Lakes.
- (g) No person shall operate a boat within 100 feet of the intake marker buoy or in violation of any other warning sign, buoy or marker placed by the City or State.
- (h) Any violation of the laws of the State of Kansas and the rules

and regulations adopted by the Kansas Department of Wildlife and Parks shall constitute a violation of this provision as if such law, rule, or regulation was fully set out herein. The prosecution of any such violation may be brought in the Municipal Court of the City of Carbondale.

(i) Tampering with operation of city fish feeder at city lakes is prohibited. (Ord. 392; Code 2014)

(j) Any violation of any of these provisions may result in the issuance of a citation and upon conviction, a fine not less than \$50 nor more than \$500. Further, any unlawful device used in, or as an aid in, violating one or more of these provisions shall be, and is hereby declared to be, contraband and may be seized and confiscated and may be destroyed upon order of the Judge of the Municipal Court.

12-114 **BOATING RULES AND REGULATIONS**

(a) All boats shall maintain speed of four miles per hour or less near the docks or launching area and at all times when within 150 feet of the shore.

(b) No boats operated on Carbondale lakes shall be offered for rent nor shall any person operating a boat on Carbondale lakes carry passengers for hire in said boat.

(c) All state regulations pertaining to boats/boating shall be enforced.

12-115 **ASSUMPTION OF RISK:** All persons keeping, maintaining, operating or riding in boats on the lakes do so entirely at their own risk insofar as the City of Carbondale is concerned. There are rocks, shoals, stumps and logs both floating and submerged, and other refuse in the lakes. East Lake is maintained for a Public Water Supply source and not for boating and the City of Carbondale does not represent that it is safe for boating.

12-116 **BOAT DOCKS.** Private boat docks may NOT be constructed on City Lakes.

