

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 12.08.070 of the Lincoln Municipal Code
 2 to change the hours when parks are open to the public from 6:00 a.m. to 12:00 midnight to
 3 5:00 a.m. to 11:00 p.m., to establish hours of operation for Pioneers Park and for commuter/
 4 recreation trails, and to provide an exemption from regular park hours for organized activities
 5 and events sanctioned by the Director of Parks and Recreation; and repealing Section
 6 12.08.070 of the Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 12.08.070 of the Lincoln Municipal Code be amended
 9 to read as follows:

10 **12.08.070 Unlawful to Be in Park After Hours; Closing Hours; Entering a Closed Area.**

11 (a) It shall be unlawful for any person to occupy or be present in any park during
 12 any hours during which said park is not open to the public.

13 (b) Subject to the provisions of subparagraphs (c), ~~and (d), (e), (f) and (g)~~ of this
 14 section, all parks shall be opened daily to the public during the hours of ~~6:00 a.m. to 12:00~~
 15 ~~midnight~~ 5:00 a.m. to 11:00 p.m., except Wilderness Park which shall be open from sunrise
 16 to sunset, Pioneers Park which shall be open from 6:00 a.m. to 11:00 p.m. during daylight
 17 savings time and from 7:00 a.m. to sunset during the remainder of the year, and Iron Horse
 18 Park which shall be open twenty-four hours a day.

1 (c) Organized events and activities sanctioned by the Director of Parks and
2 Recreation, such as outdoor athletic competitions, may extend beyond regular park closing
3 hours but shall not extend beyond 12:00 midnight.

4 (d) Commuter/recreation trails shall be open twenty-four hours a day. Recreational
5 trail loops within parks shall be open the same hours as the associated park area.

6 (e) The Director of Parks and Recreation may, ~~after review and recommendation~~
7 ~~by the Park and Recreation Advisory Board,~~ temporarily authorize an extension of the hours
8 during which a park shall be open to the public. Such authorization shall be in writing and
9 shall specify the extended hours, the dates during which such extended hours shall be in
10 effect, and the specific park or parks to which such temporarily extended hours shall apply.

11 (f) Any park may be declared closed to the public by the Mayor or Director of Parks
12 and Recreation at any time or at regular or stated intervals when necessary for:

- 13 (1) the care and maintenance of the park; or
- 14 (2) the health, safety and welfare of the public; or
- 15 (3) the protection or preservation of park property.

16 When so closed, the Director shall cause notice to be posted at the entrance to said park to
17 notify the public that the park is closed, and when so posted it shall be unlawful for any
18 person to enter said park; and it shall be unlawful for any person to remain in said park after
19 oral notice by the Director, or any law enforcement officer or other duly authorized
20 representative of the Director that said park is closed, regardless of whether or not the notice
21 has been posted.

1 (g) Any extension or reduction of park hours by the Director of Parks and
2 Recreation shall be reported to the Parks and Recreation Advisory Board at their next regularly
3 scheduled meeting.

4 Section 2. That Section 12.08.070 of the Lincoln Municipal Code as hitherto
5 existing be and the same is hereby repealed.

6 Section 3. That this ordinance shall take effect and be in force from and after
7 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003: _____ Mayor
