

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 13.01.005 OF THE INDEPENDENCE CITY CODE

Subsection (6) to provide further protection for City of Independence Parks, Recreation, & Tourism Department property,

WHEREAS, the Council of the City of Independence wishes to promote the enjoyment of public space for citizens and visitors to the City of Independence; and,

WHEREAS, protecting the property of the City of Independence Parks, Recreation, and Tourism Department promotes the enjoyment of public space for citizens and visitors to the City of Independence,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. Section 13.01.005 of the Independence City Code is hereby amended to read as follows:

SEC. 13.01.005 – PARKS – MISCELLANEOUS ORDINANCES

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

1. Willfully and maliciously mark on, deface, disfigure, tamper with, or remove any park property.
2. Enter any building or structure designated for the opposite sex if such person is older than six years of age.
3. Construct or erect any tent, building, structure, fence, or utility lines, except by permit issued by the Director.
4. Plant, cut, remove, or pick any tree or other plant, except as provided in Article 2 of this chapter.
5. Climb upon, stand upon or sit upon any park property not designated or customarily used for such purposes.
6. Loiter on or around any park property. **For the purposes of this subsection, loitering shall include sleeping or being in any state of unconsciousness on any park property including, but not limited to, tables and playground equipment and sleeping or being in any state of unconsciousness in park restrooms.**
7. Solicit alms or contributions without obtaining a permit to do so from the Director.
8. Build or attempt to build a fire in any area not designated for such purpose by the Director.

9. Enter any area posted as "Closed to the Public."

10. Go onto any ice on park waters unless a sign is posted indicating the ice as being safe.

11. Fail to exhibit any permit issued to the person from the Director when requested to do so by any authorized person for the purpose of enforcing compliance with the permit.

- B. Parks, shelter houses, playing fields and parking lots shall be open for use by the public from 6:00 a.m. to 11:00 p.m. A person commits the offense of trespass in the second degree if he or she enters unlawfully upon park property of the City from the hours of 11:00 p.m. to 6:00 a.m., except when participating in or a spectator at an activity sponsored by or with a special user permit from the Independence Parks Recreation Department. This is an offense of absolute liability. A person who has been convicted of this infraction may be sentenced to pay a fine which does not exceed \$200.00.

SECTION 2. That all other parts and provisions of the City Code remain in full force and effect unless previously or subsequently amended or repealed.

PASSED THIS _____ DAY OF _____, 2023, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Text being added by this ordinance is bolded.