

Ordinance 551

AN ORDINANCE OF THE CITY OF CHAPPELL, NEBRASKA TO AMEND TITLE 9 GENERAL PROVISIONS, CHAPTER 90 LEISURE AND RECREATION OF THE CODIFIED ORDINANCES OF THE CITY OF CHAPPELL, 1977, AS FOLLOWS: TO CREATE SECTION 90.23 "RULES AND REGULATIONS; CAMPING AREAS; VIOLATION; PENALTY" TO PROVIDE FOR ADOPTING RULES AND SETTING FEES REGARDING CAMPING AREAS ON CITY LAND; TO CREATE SECTION 90.24 "PARKS; SPECIAL CLOSING HOURS: TO PROVIDE FOR SPECIAL CLOSING HOURS FOR PARKS; TO CREATE SECTION 90.25 "OVERNIGHT CAMPING" TO PROVIDE FOR OVERNIGHT CAMPING AS DESIGNATED BY CITY COUNCIL; TO CREATE SECTION 90.26 "VEHICLES AND ANIMALS RESTRICTED IN PARK" TO PROHIBIT THE DRIVING OF VEHICLES OR RIDING OF ANIMALS ON PUBLIC LANDS UNLESS SPECIFICALLY ALLOWED; TO CREATE SECTION 90.40 "CAMPING PERMITS REQUIRED; PURPOSE" TO ESTABLISH A CAMPING PERMIT PROGRAM FOR CHAPPELL LAKE; TO CREATE SECTION 90.41 "DISPLAY AND ISSUANCE OF PERMITS; WHERE PROCURED" TO PROVIDE FOR THE TYPE AND DESIGN OF PERMITS, THE METHOD OF DISPLAY, PLACE OF ISSUANCE AND METHOD FOR ESTABLISHING FEES; TO CREATE SECTION 90.42 "PERMIT PRIVILEGES" TO DEFINE RIGHTS OF PERMIT HOLDERS; AND TO CREATE SECTION 90.43 "PERMIT AREAS; POST SIGNS" TO PROVIDE FOR CAMPING PERMIT DISPLAY AND SIGNAGE; TO REPEAL ANY OTHER ORDINANCE OR PART OF ORDINANCE IN CONFLICT WITH THE ABOVE PROVISIONS THEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

Be it ordained by the Mayor and Council of the City of Chappell, Nebraska:

Section 1. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.23 Rules and Regulations; Camping Areas; Violation; Penalty of the Chappell Codified Ordinances is created to read as follows:

Parks

90.23 Rules and regulations; camping areas; violation; penalty.

The Chappell City Council may adopt and promulgate rules and regulations to designate camping areas and permit camping on appropriate lands under its ownership or control. As a condition to such permission, the Chappell City Council may prescribe such rules and regulations as are reasonable and proper governing public use of such camping areas, including, but not limited to, access to camping areas, area capacity, sanitation, opening and closing hours, public safety, fires, establishment and collection of fees when appropriate, protection of property, and zoning of activities. The City Council shall by Resolution provide for, or approve, the fees charged for any recreational privileges on any property or facility for recreational purposes owned or operated by the city.

Such rules and regulations shall be posted on appropriate signs at the areas. Any person who camps on lands owned or controlled by the City of Chappell not designated as a camping area by the Chappell City Council or any person who fails to observe the conditions of occupancy,

use, or access posted as provided in this section shall not have permission. Any person violating the provisions of the rules and regulations authorized by this section shall be guilty of an infraction.

Penalty: Every person who violates any provision of this chapter, or maintains or permits to continue any situation defined by this chapter as unlawful, shall be guilty of an offense and, upon conviction thereof, shall be subject to penalty as provided in section 10.99 of this code. Every day upon which a violation continues shall be deemed a separate offense.

Section 2. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.24 Parks; Special Closing Hours of the Chappell Codified Ordinances is created to read as follows:

90.24 Parks; special closing hours.

Any park or lake may be declared closed to the public by the Mayor at any time or at regular or stated intervals when necessary for:

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

When so closed, the Chappell City Clerk shall cause notice to be posted at the entrance of said park to notify the public that the park is closed, and when so posted it shall be unlawful for any person to enter said park; and it shall be unlawful for any person to remain in said park after oral notice by Chappell City employees, or any law enforcement officer of Deuel County or the State of Nebraska, or other duly authorized representative of the Director of Parks and Recreation, that said park is closed, regardless of whether or not any signs have been posted.

Section 3. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.25 Overnight Camping of the Chappell Codified Ordinances is created to read as follows:

90.25 Overnight camping

A. Consent Required: The use of the parks and public areas for overnight camping, whether within the corporate limits of the city or property outside the corporate limits of the city on property owned by the City is prohibited without the consent of the mayor and city council, either by specific action at an open meeting or by Resolution regarding specific property.

B. Waiver Of Requirements For Groups: Any prohibition, penalty or requirement may be waived by the mayor and city council at any regular or special meeting in favor of any organized group or association for such time as specified, not to exceed three (3) days and nights, consecutively, nor more than six (6) days within a thirty (30) day period.

Section 4. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.26 Vehicles and Animals Restricted in Park of the Chappell Codified Ordinances is created to read as follows:

90.26: Vehicles and animals restricted in park:

It shall be unlawful for any person to drive any truck, automobile, motorcycle, motor scooter or other motor vehicle, or to ride any horse, pony or other animal in or upon the public parks/lakes within or without the limits of the city on public land owned by the City, except upon clearly defined public roadways or public parking areas in such parks, or except in cases of public necessity when authorized and directed to do so by public officials of the City.

Section 5. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.40 Camping Permits required; Purpose of the Chappell Codified Ordinances is created to read as follows:

90.40 Camping permits required; purpose.

For the purpose of supplying additional revenue to better accommodate the increasing public use of the Chappell Lake by providing improved operation and maintenance, the Chappell City Council shall establish a camping permit program for Chappell Lake.

Section 6. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.41 Display and Issuance of Permits; Where Procured of the Chappell Codified Ordinances is created to read as follows:

90.41 Display and issuance of camping permits; where procured.

(1) The Chappell City Council shall prescribe the type and design of camping permits and the method for displaying permits on the camping unit. The Chappell City Council may provide for the electronic issuance of permits and may enter into contracts to procure necessary services and supplies for the electronic issuance of permits.

(2) Camping permits may be procured from the City Office of the City of Chappell, or from self-service stations at designated Lake areas, and from various private persons, firms, or corporations designated by the Chappell City Council as permit agents.

(3) The cost for a permit shall be set by the City Council by resolution and listed in the Master Fee Schedule.

Section 7. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.42 Camping Permit Privileges of the Chappell Codified Ordinances is created to read as follows:

90.42 Camping permit privileges.

A camping permit shall entitle the camping unit for which it is issued access to any permitted area and no other right or privilege shall be conveyed. No more than eight people may camp under one permit. A camping permit shall not entitle the holder to any service, facility, or activity for which a separate fee is imposed.

Section 8. That Title 9 General Regulations Chapter 90 Leisure and Recreation Section 90.43 Permit Areas; Post Signs of the Chappell Codified Ordinances is created to read as follows:

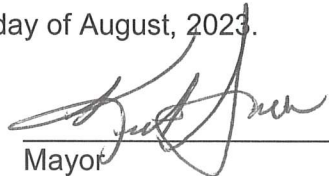
90.43 Camping permit areas; post signs.

The Chappell City Council shall post signs at all entrances to camping permit areas and the text of such signs shall clearly convey the fact that persons using the area for camping are required to display a permit.

Section 9. That any other ordinance or code section passed and approved prior to the passage, approval, and publication of this ordinance, and in conflict with the provisions of this ordinance, is hereby repealed.

Section 10. This ordinance shall go into force and effect from and after its passage, approval, publication, and posting as required by law.

Passed and approved by the City Council this 7th day of August, 2023.



Mayor

Attest: Washlea Bauer
City Clerk