

RESOLUTION NO. 1237

A RESOLUTION PROVIDING SUPPLEMENTAL CITY OF FAIRBURY PARK RULES

WHEREAS, the Governing Body of the City of Fairbury, Nebraska, desires to establish additional park rules in the city of Fairbury, Nebraska; All Other Resolutions Or Parts Of Resolution In Conflict Herewith Are Hereby Repealed

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Fairbury, Jefferson County, Nebraska:

CITY OF FAIRBURY PARK RULES

These Park Rules are authorized by § 90.01 of the Fairbury Municipal Code

These rules will be reviewed by the Public Works Committee annually to evaluate their effectiveness and review any rules that need to be modified or changed to create the best situation for parks users, programs participants, and the general community.

1. CITY PARKS: These rules and regulations apply to all City of Fairbury parks, including McNish, City, Optimist, Conrad, and Crystal Springs.

2. USE PARK AMENITIES FOR INTENDED PURPOSES:

- Keep utilized area clean. Dispose of trash/waste in provided receptacles or pack it out.
- Do not damage or remove any city property
- Do not place items in any fountain or water source
- No wading or swimming in any park fountain
- Use of water services responsibly is encouraged- do not use for excessive personal use

3. FISHING & HUNTING: No bow fishing or spearfishing is allowed in or at any park. Fishing shall be in accordance with Nebraska state law, observing both fishing size and possession limits. No person shall hunt in a City park.

4. WINTER ACTIVITIES:

- Ice skating, skiing, hockey, and snowmobiling is prohibited in all City parks.
- No permanent ice fishing shelter, structure, or facility is allowed on any City property. Temporary ice fishing shelters, structures, or facilities may be erected but must be removed daily by the user.
- **Sledding** is an at your own risk activity. There is no officially designated sledding location in any City park.

5. FIREARMS & ARCHERY: No projectiles of any kind may be discharged in any City park.

6. GLASS BOTTLES AND CONTAINERS: Glass bottles and containers are prohibited in all City parks.

7. GRILLS AND FIRES: BBQ grills (charcoal and propane) must be a minimum of 24" off the ground. Grills are not allowed on picnic tables. Fires are only allowed at Crystal Springs in fire pits/rings that are provided by the park facility. Fires and charcoal must be doused and properly disposed of before the user leaves them unattended.

8. BOUNCE HOUSES: Neither individuals nor organizations may inflate or use a bounce house or similar structure in any City park.

9. ALCOHOL: Alcoholic beverages are prohibited in all City parks with the exception of the designated campground areas at Crystal Springs. Consumption or possession of an open container is prohibited on all City park roadways.

10. FIREWORKS: Fireworks are prohibited in all parks unless a permit has been obtained in advance.

11. DRONES: Drones may not take off or land in a City park or City right-of-way unless under 0.55 lbs. / 250 grams (recreational). All drone users (commercial or over 0.55 lbs. / 250 grams) must abide by all Federal Aviation Administration (FAA) rules and regulations for flying over any

open space, including a park. Drone racing is prohibited unless a special permit is obtained from the City for use in a designated area and all applicable permits are obtained from the FAA. FAA regulations for outdoor racing include additional guidelines that must be maintained by a group to comply. Anyone caught in violation of City or FAA rules or regulations will be subject to action by the FAA or the potential of being banned and barred from all City parks.

12. METAL DETECTORS: The City does not require a permit for metal detector use in City parks.

13. COMMON AREAS AND PARK LAND: Common areas are City-owned land that is for the benefit of the residents and visitors of the City. They are not intended to be an extension of the adjacent homeowner's property. Any encroachments are subject to removal by the City at the homeowner's expense.

14. MOTORIZED VEHICLES ON TRAILS: Trails are multi-use in nature with various acceptable shared activities and users.

Authorized trail users include:

- Walkers
- Joggers
- Runners
- Skateboards/Rollerblades
- Pet owners and pets (with their registered animal on a leash)
- Bicyclists (this includes E-Bikes and E-Scooters)

Unauthorized trail uses include:

Gas, natural gas, or electric powered motor vehicles

- Motorcycles
- Utility Vehicles
- Go-carts
- ATV's
- Snowmobiles
- Any other type of motorized vehicle used as a transportation

For the safety of all users of recreational trails, the maximum speed on a trail is 20 miles per hour by any user. Traveling above this speed creates a higher risk of accidents or injury based on the multipurpose use of the trails. Trail users should announce their presence and reduce their speed when passing any other trail user. Trail users should always pass on the left unless it is not safe to do so in the users reasonable judgment.

15. PETS: No pets are allowed on City sports fields, courts, or within any sports complex. Any pet in a park or on a trail should always be leashed. Pet owners are responsible for the behavior relating to damage or harm to other animals or users. Owners are responsible for the removal of any waste made by their pets.

16. PARKING: No users of a City park, public property, sports field, or sports complex are allowed to charge other users for parking.

17. WASHING OR SERVICING OF VEHICLES OR PERSONAL PROPERTY: Washing personal items or servicing vehicles in any City park or recreation area is prohibited.

18. SHELTERS: All shelters are available on a first come first served basis.

19. BOATING: Boats, with a no wake restriction of a maximum of five (5) miles per hour, are allowed at Crystal Springs. State regulations must be followed with regards to boats (age of operator, boat registration, life jackets).

20. DISORDERLY CONDUCT: Drunkenness, profanity, fighting, indecent exposure of the person, unreasonable noises and disturbances, noncompliance with safety rules, and swimming in unauthorized water is prohibited in City parks.

21. **COMMERCIAL ACTIVITY:** No commercial vending is permitted in City parks without prior written City approval. Commercial soliciting of any kind without a permit is prohibited, unless previously authorized by the City.

22. **CRYSTAL SPRINGS CAMPING:**

- **Check in** time is 11:00 am; **check out** time is 10:30 am.
- Camping or occupying locations within a designated camping area is permitted for a maximum of 14 consecutive days during any 30-day period, unless otherwise authorized by City staff.
- **Quiet Hours** are 10 p.m. to 7 a.m.- includes campground & parking areas.

23. **PROHIBITED:** The following activities are prohibited in City parks:

- The possession, destruction, injury, defacement, removal or disturbance in any manner of any building, sign, equipment, monument, statue, marker or other structure, or of any animal or plant matter and direct or indirect products thereof, including but not limited to petrified wood, flower, cane or other fruit, egg, nest, or nesting site, or of any soil, rock or mineral formation, artifact, relic, historic or prehistoric feature, or of any other public property of any kind without prior permission of the City Council or City Code Enforcement Officer (CEO).
- The destroying, digging, removing, or possession of any tree, shrub or plant, except that the collection and possession of dead wood found on the ground for use as fuel in campgrounds or picnic areas is permitted unless otherwise posted.
- Begging, soliciting, loitering, and hitchhiking.
- Camping other than in designated camping areas.

The CEO shall have the power to ban any person from a City park if said person has engaged in criminal activity in a City park. A ban may also be issued for a person violating park rules who have been warned and fail to comply with park rules. A person banned from going to all city parks shall not be restricted from going to a polling place in order to vote should their polling place be located at a City park building.

The CEO will provide the person to be banned with a letter explaining that the individual is banned from all city parks and designating the time period that the party will be banned, with such ban not to exceed 90 days on the first offense and no more than one year on the second offense.

Any person that fails to comply with the ban shall be guilty of criminal trespass as found in the Fairbury Municipal Code and may not avail themselves to the defense that the park is public property. The letter banning a person from all city parks will take effect immediately.

PASSED AND APPROVED THIS 7th DAY OF November 2023.


Spencer Brown, Mayor

ATTEST:


Erin Reimer, City Clerk

City of Fairbury, Public Works Department
Updated 6/2023
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