

Chapter 12.08

GENERAL RULES AND REGULATIONS

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12.08.010 Definitions.

For the purpose of Title 12, the following definitions are applicable:

Director shall mean the head of the Parks and Recreation Department as designated by the Mayor.

Fireworks shall mean any combustible or explosive composition, or any substance or combination of substances, or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation.

Motor vehicle shall mean and include any vehicle propelled by power other than muscular power.

Park shall mean and include any park, playground, swimming pool, recreation center, or any other park or recreational use or facility within or without the limits of the city which is under the city ownership or control.

Roadway shall mean and include every way open to the use of the public for vehicular travel, including any street or highway of the city in or through any park as herein defined, and including any park drive, parkway, and park boulevard open to the public for vehicular travel. This definition shall not include the Billy Wolff bikeway or the hiker-biker trails within any park. (Ord. 13204 § 1; September 14, 1981; prior Ord. 9078 § 1; August 22, 1966: Ord. 3489 § 30-101, as amended by Ord. 5775; July 12, 1954).

12.08.020 Vehicles in Parks.

Except for personnel assigned to work in a park, it shall be unlawful for any person to operate any motor vehicle in or through any park except on a roadway. The operation of any motor vehicle on a roadway shall be subject to all of the provisions of Title 10 and to such rules and regulations as may be promulgated by the Director and approved by the Mayor. All such rules and regulations shall be filed with the office of the City Clerk, and when so filed they shall be in full force and effect. (Ord. 13204, § 2; September 14, 1981; prior Ord. 9078 § 2; August 22, 1966: Ord. 3489 § 30-102, as amended by Ord. 5775; July 12, 1954).

12.08.030 Operation of Snowmobiles in Parks as Authorized by Parks Director; Rules and Regulations; Violation; Penalty.

(a) The Director may authorize the operation of snowmobiles as defined in Section 10.02.370 within any park and adopt rules and regulations governing:

- (1) The area or areas of permissible operation;
- (2) The times of operation;
- (3) The number of snowmobiles in the park;
- (4) The number of persons on the snowmobile; and the Director may adopt such

other rules and regulations as he/she deems necessary for the protection of persons and property.

(b) The Director shall file all rules and regulations with the office of the City Clerk and when so filed they shall be in full force and effect; provided, when snowmobile operation is permitted in a park, it shall be sufficient that notice be posted at the entrance to such park, or at designated areas within the park indicating the permissible area of operation.

(c) Any person who operates a snowmobile as defined in Section 10.02.370 in an area not designated for such operation, or who violates any rule or regulation adopted pursuant to this chapter shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as provided in the penalty provision of this chapter. (P.C. § 12.08.021: Ord. 13204 § 3; September 14, 1981; prior Ord. 10654 § 8; as amended January 8, 1973).

12.08.040 Operation of Snowmobiles in Parks; Operator Indemnitor for City.

Any person operating a snowmobile as defined in Section 10.02.370 within a park shall indemnify, save and keep harmless the City of Lincoln from any and all damages, liability, losses, or judgments that may be claimed against the City of Lincoln as a result of said use, and thereby assume all responsibility and liability for any damages resulting from such operation. (P.C. § 12.08.022: Ord. 10654 § 9; as amended January 8, 1973).

12.08.050 Operation of Moped; Definition.

It shall be unlawful for a person to operate a moped in or through any park except on a roadway. The operation of any moped on a roadway shall be subject to all of the provisions of Title 10 and to such rules and regulations as may be promulgated by the Director and approved by the Mayor. All such rules and regulations shall be filed with the office of the City Clerk, and when so filed they shall be in full force and effect.

"Moped," for the purposes of this ordinance, shall be defined as a vehicle capable of being powered by either muscular power or an engine at the discretion of the operator. (P.C. § 12.08.023: Ord. 13204 § 4; September 14, 1981).

12.08.060 Speed Limit in Parks.

It shall be unlawful for any person to drive, operate, or propel over or along any park roadway, hiker-biker trail, or the Billy Wolff bikeway any vehicle, motor vehicle, moped, bicycle, or tricycle, or to drive or ride any horse or other animal at a greater speed than twenty-five miles per hour. The Director may authorize regulations requiring a speed lower than twenty-five miles per hour on any park roadway, hiker-biker trail, or the Billy Wolff bikeway or segment thereof. Such regulations shall be approved by the Mayor and filed with the office of the City Clerk. Such lower speed limits shall be posted along the portion so regulated, and upon such posting shall be in full force and effect. (P.C. § 12.08.030: Ord. 13204 § 5; September 14, 1981; prior Ord. 3489 § 30-103, amended by Ord. 5775; July 12, 1954).

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

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

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

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

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

(e) The Director of Parks and Recreation may temporarily authorize an extension of the hours during which a park shall be open to the public. Such authorization shall be in writing and shall specify the extended hours, the dates during which such extended hours shall be in effect, and the specific park or parks to which such temporarily extended hours shall apply.

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

- (1) the care and maintenance of the park; or
- (2) the health, safety and welfare of the public; or

(3) the protection or preservation of park property. When so closed, the Director shall cause notice to be posted at the entrance to 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 the Director, or any law enforcement officer or other duly authorized representative of the Director that said park is closed, regardless of whether or not the notice has been posted.

(g) Any extension or reduction of park hours by the Director of Parks and Recreation shall be reported to the Parks and Recreation Advisory Board at their next regularly scheduled meeting. (Ord. 18147 §1; March 10, 2003: prior Ord. 17640 §1; March 20, 2000: Ord. 15947 §1; August 19, 1991: P.C. § 12.08.035: Ord. 15191 §1 May 15, 1989: Ord. 10685 § 1; February 12, 1973).

12.08.080 Animals in Parks.

It shall be unlawful for any person to drive, ride, or lead any horse in or through any park except upon roadways or paths designated by the Director. (P.C. § 12.08.040: Ord. 13204 § 6; September 14, 1981: prior Ord. 9078 § 3; August 22, 1966: Ord. 8171 § 1; September 3, 1963: Ord. 3489 § 30-104 as amended by Ord. 5775; July 12, 1954).

12.08.090 Parking of Vehicles; Authorized Areas.

It shall be unlawful for any person to park or permit to be parked any motor vehicle or other vehicle anywhere in any park except upon parking areas designated by the Director and upon roadways where parking is not prohibited by the Director. (P.C. § 12.08.050: Ord. 9078 § 4; August 22, 1966: prior Ord. 8171 § 2; September 3, 1963: Ord. 3489 § 30-105, as amended by Ord. 5775; July 12, 1954).

12.08.100 Parking of Vehicles After Hours Prohibited.

No person shall park or permit to be parked any motor vehicle in any public park during the hours when said park is not open to the public. For purposes of enforcement of this section, the Director of Parks shall cause an appropriate sign to be posted at or near the entrance to said park or at or near the parking area affected by this section. (P.C. § 12.08.055: Ord. 10945 § 1; November 13, 1973).

12.08.110 Responsibility of Owner of Parked Vehicle.

If any vehicle is found in any park in violation of any of the provisions of this chapter regulating the parking of vehicles, and the identity of the driver cannot be readily determined, the owner or person in whose name such vehicle is registered shall be held prima facie responsible for such violation. (P.C. § 12.08.056: Ord. 10945 § 1; November 13, 1973).

12.08.120 Impounding Vehicles.

In addition to any other penalties provided by Title 12, the provisions of Chapter 10.44 of this code, regarding the impounding of vehicles shall apply to any vehicle found by a police officer to be in violation of any provisions of this chapter. (P.C. § 12.08.057: Ord. 10945 § 1; November 13, 1973).

12.08.130 Payment in Violations Bureau.

The provisions of Chapter 10.06 of this code, regarding the penalties for violation of motor vehicle parking ordinances, and the issuance and payment of parking violation tags or notices, shall apply to parking violation tags or notices issued pursuant to any provision of this chapter. (P.C. § 12.08.058: Ord. 10945 § 1; November 13, 1973).

12.08.140 House Trailers in Parks.

It shall be unlawful for any person to park or leave standing any house trailer unattached to a motor vehicle in any park at any time, and it shall be unlawful for any person to permit any house trailer to be or remain in any park between the hours of 10 p.m. and 7 a.m. (P.C. § 12.08.060: Ord. 3489 § 30-106, as amended by Ord. 5775; July 12, 1954).

12.08.160 Advertising in Parks.

It shall be unlawful for any person to place or erect any structure, sign, bulletin board, post, pole, or advertising device of any kind whatever in any park, or in any median islands in the public right-of-way and maintained by the city, or to attach any notice, bill, poster, sign, wire, rope, or cord to any tree, shrub, fence, railing, post, or structure in such areas, except as authorized by the Director in accordance with rules and regulations he/she has promulgated and which are approved by the Mayor and filed with the office of the City Clerk. (P.C. § 12.08.080: Ord. 13204 § 7; September 14, 1981: prior Ord. 9078 § 5; August 22, 1966: Ord. 8171 § 3; September 3, 1963: Ord. 3489 § 30-108, as amended by Ord. 5775; July 12, 1954).

12.08.170 Destruction of Park Property.

It shall be unlawful for any person to remove, destroy, mutilate, or deface any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, tree, shrub, fern, plant, flower, or other property in any park. (P.C. § 12.08.090: Ord. 3489 § 30-109, as amended by Ord. 5775; July 12, 1954).

12.08.180 Animals Running at Large.

It shall be unlawful for any person to allow or permit any dog or other animal to run at large in any park, or to enter any of the lakes, ponds, fountains, or streams therein.

For the purposes of this section, the term "at large" is defined to mean not under the control of a person either by leash, cord, chain, or confinement within a vehicle or pen or other similar enclosure.

Notwithstanding the foregoing, the Director of the Parks and Recreation Department may designate certain areas to allow dogs to run at large. (P.C. § 12.08.100: Ord. 11291 § 1; March 3, 1975: prior Ord. 10867 § 1; July 23, 1973: Ord. 3489 § 30-110, as amended by Ord. 5775; July 12, 1954).

12.08.190 Ornamentations; Trespass.

It shall be unlawful for any person to walk, stand, sit, or climb any border, flower bed, monument, vase, fountain, railing, or fence or climb any building, sign, tree, lightpole, or cage in any park. (P.C. § 12.08.110: Ord. 13204 § 8; September 14, 1981: prior Ord. 3489 § 30-111, as amended by Ord. 5775; July 12, 1954).

12.08.200 Weapons Prohibited in Parks.

(a) It shall be unlawful for any person to possess or discharge, or cause to be discharged, within any park, any firearm, including, but not limited to, any pistol, revolver, shotgun, or rifle.

(b) It shall be unlawful for any person to possess or discharge, or cause to be discharged, within any park, any air rifle, bow and arrow, crossbow, toy pistol, toy gun, slingshot, or any other air, gas, manually operated or spring operated gun, weapon, apparatus, or instrument designed or intended to be used for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether the instrument is called by any name set forth above or by any other name.

(c) Notwithstanding the foregoing, the Director of the Parks and Recreation Department may designate areas in certain parks and park facilities to allow various organized programs to engage in the activities described herein.

(d) The provisions of subsections (a) and (b) of this section shall not apply to duly authorized Parks and Recreation Department employees or law enforcement officers acting in the course of their duty. (Ord. 17365 §1; June 29, 1998: P.C. § 12.08.120: Ord. 12600 § 1; June 25, 1979: Ord. 10868 § 1; July 23, 1973: Ord. 3489 § 30-112, as amended by Ord. 5775; July 12, 1954).

12.08.210 Fireworks Prohibited in Parks.

It shall be unlawful for any person to discharge, shoot, fire, or explode, or cause to be discharged, shot, fired, or exploded any rockets, powder, fireworks, or other dangerous and combustible material at any time within any parks. Notwithstanding the foregoing, the Director may allow public fireworks displays to be conducted in any park, pursuant to Section 9.44.090 of the Lincoln Municipal Code. (P.C. § 12.08.125: Ord. 13204 § 9; September 14, 1981).

12.08.220 Molesting Animals.

It shall be unlawful for any person to in any manner tease, annoy, disturb, molest, catch, injure, kill, or remove from any park any animals, including birds, reptiles, amphibians, mammals, and fish; provided, that it shall not be unlawful to catch fish pursuant to state fishing laws in city-owned ponds, lakes, and waterways, except those located within golf courses. Nothing in this section shall prevent an appropriately authorized city employee from catching or removing any animal from any park while in the performance of his/her official duties. (P.C. § 12.08.130: Ord. 13204 § 10; September 14, 1981: prior Ord. 3489 § 30-113, as amended by Ord. 5775; July 12, 1954).

12.08.230 Selling, Peddling, etc.

It shall be unlawful for any person to have any commercial activity within any park or on any roadway within any park, except as authorized by action of the City Council. (Ord. 17640 §3; March 20, 2000: P.C. § 12.08.140: Ord. 9078 § 6; August 22, 1966: prior Ord. 8171 § 4; September 3, 1963: Ord. 3489 § 30-114, as amended by Ord. 5775; July 12, 1954).

12.08.240 Fastening or Hitching Animals.

It shall be unlawful for any person to hitch any horse or other animal to any tree, shrub, fence, railing, or other structure, except such as are provided for that purpose, or to allow any horse or other animal to remain unhitched beyond the reach of the driver or attendant in any park. (P.C. § 12.08.160: Ord. 3489 § 30-116 amended by Ord. 5775 July 12, 1954).

12.08.250 Games of Chance.

It shall be unlawful for any person to conduct or carry on any game of chance in any park; provided, however, the Director may approve the conduct of bingo occasions in recreation centers by organizations permitted by state law to conduct such bingo occasions. All such bingo occasions shall be conducted in full compliance with applicable state law. The Director may at any time revoke an approval given hereunder when such action is deemed to be in the best interests of the city. (P.C. § 12.08.170: Ord. 13760 § 1; February 13, 1984; prior Ord. 3489 § 30-117, amended by Ord. 5775; July 12, 1954).

12.08.260 Disorderly Conduct.

It shall be unlawful for any person to conduct or carry on any boisterous or insulting language, or to be guilty of any disorderly, lewd, or lascivious conduct of any kind in any park. (P.C. § 12.08.180: Ord. 3489 § 30-118, as amended by Ord. 5894; October 25, 1954).

12.08.270 Alcoholic Liquor Prohibited; Exceptions and Permit Requirements.

It shall be unlawful for any person to consume or to possess any alcoholic liquor in any park; provided, however, the above prohibition shall not apply to the following as they may be properly licensed or permitted according to the Nebraska Liquor Control Act:

(a) The retail licensed premises consisting of the clubhouse area of golf courses and outdoor areas of any 18-hole golf course;

(b) The premises of the Folsom Children's Zoo and the Lincoln Children's Museum in conjunction with fundraising activities occurring when the zoo or museum are not otherwise open to the public; and

(c) The premises of Hazel Abel Park, Stransky Park, Sunken Gardens, Antelope Park Rose Garden, and Pioneers Park Nature Center, in conjunction with fundraising activities sponsored by and for the Parks and Recreation Department or by non-profit organizations specifically organized to benefit the Parks and Recreation Department. Fundraising activities shall be allowed to occur only where the premises or the area of the activity is not otherwise open to the public;

(d) The premises of Pinewood Bowl for Parks and Recreation Department sponsored events. (Ord. 19579 §1; July 25, 2011; prior Ord. 19120 §1; August 11, 2008: Ord. 18395 §1; June 28, 2004: Ord. 18260 §1; November 3, 2003: Ord. 17797 §1; February 26, 2001: P.C. § 12.08.190: Ord. 14482 § 1; August 25, 1986: Ord. 3489 § 3119, amended by Ord. 5894; October 25, 1954).

12.08.280 Rules and Regulations; Waterways.

(a) The Director may authorize regulations permitting wading, swimming, bathing, wind sailing, ice skating, water skiing, and the use of any flotation device on all or any portion of any pond, lake, or drainage area within any park. Such regulations may include permission for such water-related recreational activities in all such areas or any portion of any specific area within any park and may provide for general conditions for specific water-related recreational activities, which shall be posted at such areas or at the entrance to such park.

(b) All such rules and regulations shall be approved by the Mayor. The Director shall file all rules and regulations with the office of the City Clerk and when so filed they shall be in full force and effect; provided, when such water-related recreational activities are permitted in any pond, lake, or drainage area of any park, it shall be sufficient that notice be posted at the entrance to such park, or at designated areas within the park indicating the permissible area of such activity.

(c) Any person who shall wade, swim, bathe, wind sail, ice skate, water ski, or use any flotation device on any pond, lake, or drainage area within any park, unless the Director shall have given permission for such activity in the specific pond, lake, or drainage area or portion thereof as posted, shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished as provided in the penalty provision of this chapter. (P.C. § 12.08.191: Ord. 13204 § 11; September 14, 1981).

12.08.290 Hitting Golf Balls Prohibited Except at Golf Courses.

No person shall hit a golf ball in any park; provided, however, that this section shall not apply to anyone hitting a golf ball on a golf course or driving range in conformity with the rules of the United States Golf association. (P.C. § 12.08.192: Ord. 13204 § 12; September 14, 1981).

12.08.300 Permit for Exclusive Use of Park Property.

(a) Notwithstanding other provisions of this chapter, the Mayor or Director may grant the exclusive use of any park or portion or facility thereof for a limited period of time not to exceed seven days for a noncommercial purpose and charge therefor such uniform rates as the Mayor may establish, provided that the granting of such use will not impair the city's ability to provide adequate park facilities for the use of the public during such period of time.

(b) Before the Mayor or Director may issue any permit hereunder, the person or organization seeking such permit shall file an application setting forth the following:

(1) The name, address, and telephone number of the person filing the application;

(2) The name, address, and telephone number of the headquarters of the organization, if an organization is involved, and of the persons who manage such organization who will oversee the use requested;

(3) The exact use for which the permit is requested;

(4) The park or portion or facility thereof requested for such use;

(5) The exact dates, and if applicable the hours, for which the use is requested;

(6) The number of persons expected;

(7) If applicable, the number and types of expected, including the number and types of any camping vehicles and the estimated time of arrival of all vehicles;

(8) If required by the Mayor, an agreement to save and keep the city free and harmless from any and all loss or damages or claims for damages arising from or out of such use.

(c) If the Mayor or Director determines that the use requested is different from the regular and normal use of such park property, the Mayor or Director may require as a condition of granting such use the providing of the surety bond and liability insurance specified herein. In making this determination, the Mayor or Director shall consider the nature of the proposed use, the nature of the subject park property, and the reasonable adaptability of the same to such use, the number of persons expected to use such park property under such permit, the past experience the city and other governmental subdivisions have had with this type of use in parks, the effect such use would be likely to have on the neighborhood adjacent to such park property, and the nature of the organization or group which would be using such park property under such permit. The Mayor or Director shall not discriminate against any person because of race, color, religion, sex, ancestry, age, disability,

or national origin in making such determination. In no case shall the Mayor or Director permit, or continue to permit, a use of park property under the provisions of this section if it reasonably appears that such use would effect, or is effecting to a substantial extent, either at the location of the subject park property or in the neighborhood adjacent to such property an interference with fire or police protection, physical damage to persons or property, a disturbance of the peace, or a health hazard.

(d) (1) Any surety bond required hereunder shall be in the sum of \$5,000.00 conditioned that the person or organization to whom such a permit is issued, its heirs, successors, and assigns, shall:

- (i) comply with all applicable laws and regulations;
- (ii) save and keep the city free and harmless from any and all loss or damage to city property;
- (iii) fully and completely protect the city against any and all litigation growing out of the granting of such use or anything done under such permit;
- (iv) return the park property to the same condition and degree of cleanliness that it was in prior to the commencement of the use by said person or organization;
- (v) remove any item of property left or placed in or on the subject park property by such person or by such organization or any member thereof;
- (vi) faithfully and completely perform and observe all of the terms and conditions of such permit; and
- (vii) where the city requires compensation by the person or by the organization or its members as a condition of such use of park property, promptly and fully pay the city such compensation. Said bond shall not be liable for personal injury, nor shall it be liable for property damage resulting to persons or organizations other than the City of Lincoln. Said bond shall be executed by a bonding company or surety company authorized to do business in the State of Nebraska, and shall be approved as to form by the City Attorney before the commencement of such use.

(d) (2) Whenever insurance is required of a permittee under this chapter such permittee shall:

(i) At all times maintain public liability insurance in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as permitted by the City Attorney, with a minimum combined single limit of \$500,000.00 aggregate for any one occurrence. The coverages required herein shall be subject to review and approval by the City Attorney for conformance with the provisions of this section.

(ii) At all times keep on file with the City Clerk a current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska and approved by the City Attorney for conformance with the provisions of this section evidencing the existence of valid and effective policies of insurance naming the city as an additional insured for the coverage required by subsection (i) of this section, the limits of each policy, the policy number, the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring thirty days' notice by mail to the City Clerk before the insurer may cancel the policy for any reason, and upon request of the City Clerk or the City Attorney, a copy of any endorsements placed on such policies or the declarations page of such policies.

Any termination, lapse, or reduction of such insurance shall automatically revoke any permit issued pursuant to this chapter.

(e) Any person or organization aggrieved by any determination of the Mayor or Director made under any provision of this section may appeal such determination to the City Council by setting forth the details of such grievance in a letter to the Council with a copy to the Mayor. Not less than five days after the filing of such letter, such person or organization shall personally appear before the Council to show why such person is aggrieved and why and how such determination should be modified or reversed by the Council. The City Council shall then make a final determination of the matter in controversy at or before its next regular weekly meeting and shall sustain, modify, or reverse the determination made by the Mayor or Director. (P.C. § 12.08.195: Ord. 15654 § 1; July 9, 1990: prior Ord. 12013 § 1; June 27, 1977: Ord. 10293 § 1; November 1, 1971: Ord. 10003 § 1; June 29, 1970).

12.08.310 License for Use of Park Property or Recreational Facilities.

(a) Notwithstanding other provisions of this chapter, the Director may grant a license for the use of Pinewood Bowl, or any athletic field, municipal swimming pool, or similar recreational facility upon such terms deemed in the best interest of the city, to any person, persons, or organization for the purpose of holding any athletic exhibition, sports event, recreational activity, musical concert, play, show, or similar activity for which admissions may be charged; provided, however:

(1) Any such activity shall be conducted pursuant to the rules and regulations as established therefor by the Director or the Mayor pursuant to Section 12.08.330 of this chapter;

(2) Admission fees, if any, to such event shall be subject to the approval of the Director;

(3) The city may retain for its own use a percentage of any such admission as may be previously determined by the Director, or may require the licensee to pay such other consideration as may be agreed upon between the licensee and the Director;

(4) The use of such facilities shall only be granted to the licensee for such times as are reasonably necessary for holding the activity for which the license was granted, and in no event shall a license be granted which would unreasonably interfere with the use of park facilities by the public;

(5) Such license shall be granted as a privilege only and shall be revocable at any time by the city.

(b) Any license issued hereunder shall include:

(1) The name, address, telephone number of the licensee, and the name of the persons who will oversee the use requested;

(2) The exact use for which the license is requested;

(3) The facility requested for such use;

(4) The dates and hours for which the use is requested;

(5) The number of persons expected to attend;

(6) An agreement to save and keep the city free and harmless from any and all losses, or damage, or claims for damages arising from or out of such use;

(7) A requirement that the licensee shall furnish to the city liability insurance in the minimum amount of \$1,000,000.00 for the injury or death of any number of persons in any one occurrence, and \$100,000.00 for property damage in any one occurrence, and both the licensee and the city shall be insureds thereunder. Separate policies or certificates of insurance showing the licensee to be covered under one policy, and the city to be covered under another policy, may be filed in lieu of a single policy or certificate at the option of the licensee. All such policies or

certificates shall be issued by companies authorized to do business in the State of Nebraska, and shall be approved as to form by the City Attorney before any license granted hereunder is effective;

(8) Such other information, terms, or conditions as may be deemed necessary by the Director. (Ord. 17640 §4; March 20, 2000: P.C. § 12.08.196: Ord. 12212 § 1; February 27, 1978: Ord. 11915 § 1; March 11, 1977).

12.08.320 Concessions.

Notwithstanding other provisions of this chapter, the Director is authorized to grant concessions to occupy or remain upon property under the control of the Parks and Recreation Department for the purpose of providing refreshments, equipment rentals, or other services which would further the public use and enjoyment of the parks and park properties. Such concessions shall be granted upon such terms and conditions as may be deemed by the Mayor to be in the best interests of the city; provided, however, that such concessions shall be granted as a privilege only and subject to revocation by the city at any time, and provided, further, that no concession shall be granted which would unreasonably interfere with the use of parks or park properties by the public. Any concession granted which permits the sale of food shall be subject to all applicable health regulations. (Ord. 17640 §5; March 20, 2000: P.C. § 12.08.197: Ord. 11915 § 2; March 11, 1977).

12.08.330 Rules and Regulations.

In addition to the specific authorizations aforementioned, the Director is authorized to promulgate rules and regulations governing the use or activities in any park for the health, safety, and welfare of the public provided that such rules and regulations shall not be inconsistent with the Charter or with the Lincoln Municipal Code. Such regulations shall be approved by the Mayor and filed with the office of the City Clerk, and when so filed they shall be in full force and effect. (P.C. § 12.08.200: Ord. 13204 § 14; September 14, 1981: prior Ord. 9078 § 7; August 22, 1966: Ord. 8171 § 5; September 3, 1963: Ord. 3489 § 30-120, as amended by Ord. 5775; July 12, 1954).

12.08.340 Penalty.

Any person who shall violate any provision of Title 12 or any rule or regulation adopted hereunder shall be deemed guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the city jail for a period of not to exceed six months, or by a fine of not to exceed \$500.00, recoverable with costs, or both. Each day that a violation of this title or of the rules and regulations promulgated hereunder continues shall constitute a separate and distinct offense and shall be punishable as such. (P.C. § 12.08.210: Ord. 13204 § 15; September 1, 1981).