

City of Mission, KS
Friday, March 8, 2024

Chapter 230. Parks and Recreation

Article I. Parks, Recreation and Tree Commission

Section 230.010. Commission Established — Membership.

[CC 2000 §12-101; Ord. No. 1017 §12-101, 8-22-2001; Ord. No. 1216 §1, 11-8-2006; Ord. No. 1305 §1, 10-21-2009; Ord. No. 1452 § I, 3-15-2017; Ord. No. 1452 § I, 3-15-2017; Ord. No. 1458 § I, 4-19-2017; Ord. No. 1497, 4-17-2019]

In order to provide citizen input and interaction with City services, the City of Mission Parks, Recreation, and Tree Commission is hereby established. The Parks, Recreation, and Tree Commission shall consist of eleven (11) members, one (1) of whom may be a non-resident of the City of Mission; two (2) of whom may be youth members. At least one (1) member shall be from each ward. The Mayor, with the consent of the Council, shall appoint the members of the Parks, Recreation, and Tree Commission. Members shall be appointed for terms of two (2) years each except youth members who shall be appointed for one (1) year and except otherwise herein provided. Vacancies shall be filled by appointment for the unexpired term only. The number of members may not be reduced unless a vacancy exists or unless the reduction takes effect at the end of a term. Members of the Parks, Recreation, and Tree Commission shall be appointed at the first regular meeting of the Governing Body in January. Members shall serve without compensation.

Section 230.020. Commission Function.

[CC 2000 §12-102; Ord. No. 1017 §12-102, 8-22-2001; Ord. No. 1305 §1, 10-21-2009; Ord. No. 1452 § I, 3-15-2017]

The Parks, Recreation, and Tree Commission shall meet on a monthly basis. Times of meetings shall be posted publicly and open to members of the public. Meetings shall be held in City/public facilities. A majority of the members shall constitute a quorum in order to transact or conduct business. A record of all proceedings shall be kept.

Section 230.030. Annual Review.

[CC 2000 §12-103; Ord. No. 1017 §12-103, 8-22-2001; Ord. No. 1305 §1, 10-21-2009; Ord. No. 1452 § I, 3-15-2017]

- A. The Parks, Recreation, and Tree Commission will assess needs and make recommendations regarding recreation programs, facilities and equipment, and will conduct an annual review of the budget, making recommendations for capital improvements to be presented to the Governing Body for consideration.
- B. It shall be the responsibility of the Parks, Recreation, and Tree Commission to study, investigate, counsel and develop a written tree plan to provide a guide for the proper development and maintenance of the trees on City-owned property, including the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys. It

shall further be the responsibility of the Parks, Recreation, and Tree Commission to direct tree care and landscaping in all City parks and to recommend the location for planting.

- C. The Parks, Recreation, and Tree Commission will be responsible for the completion of a tree plan, which shall be presented to the Governing Body for approval. Thereafter, the Commission shall review and consult with a contracted arborist and update the plan as necessary with same submitted to the Governing Body prior to April 1 in even numbered years. The Parks, Recreation, and Tree Commission shall recommend budget allocations necessary to accomplish agreed-upon projects, including projects recommended for inclusion in the City's five-year Capital Improvement Program.
- D. In accordance with the approved tree plan, the Parks, Recreation, and Tree Commission shall control planting, pruning and removal of all trees located within the street rights-of-way, easements, alleys and parks of the City. Any owners of land abutting such rights-of-way, easements, alleys and parks may, when acting within the provisions of this Chapter and the approved plan, prune, spray, plant or remove trees in that part of such street rights-of-way, easements and alleys abutting his/her land not used for public travel. Any owner of property intending to deviate from the provisions of this Chapter must first secure written approval from the Parks, Recreation, and Tree Commission.

Section 230.040. Officers.

[Ord. No. 1017 §12-104, 8-22-2001; Ord. No. 1216 §2, 11-8-2006; Ord. No. 1305 §1, 10-21-2009; Ord. No. 1452 § I, 3-15-2017; Ord. No. 1497, 4-17-2019]

The Parks, Recreation, and Tree Commission shall consist of eleven (11) members from which a Chair and Vice Chair shall be elected. The Chair shall conduct and chair all meetings. The Vice Chair shall act in the absence of the Chair. Officers shall be elected at the first regularly scheduled meeting after the Governing Body has appointed new members at the first regularly scheduled meeting in January.

Section 230.050. Member Removal.

[Ord. No. 1017 §12-105, 8-22-2001; Ord. No. 1305 §1, 10-21-2009]

Any members of the Commission may be removed or replaced by a vote of the majority of the Governing Body at any regularly scheduled meeting of the Governing Body.

Section 230.060. (Reserved)

[1] *Editor's Note: Former Section 230.060, Quorum For Business, which derived from Ord. No. 1017 § 12-106, 8-22-2001; Ord. No. 1305 § 1, 10-21-2009, was repealed 3-15-2017 by § I of Ord. No. 1452.*

Article II. (Reserved)

Section 230.070. (Reserved)

[1] *Editor's Note — Ord. no. 1216 §3, adopted November 8, 2006, repealed art. II "parks and recreation council committee" and section 230.070 "functions" derived from ord. no. 974 §3, 4-5-99; ord. no. 1017 §12-502, 8-22-01. At the editor's discretion we have left this article and section reserved for the city's future use.*

Article III. General Regulations For Parks/Park Areas/Playgrounds

Section 230.080. Definition — Operation Hours of Parks/Park Areas/Playgrounds.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-201]

- A. As used in this Section, the term "*park*" shall include all parks, fitness courses, trails and athletic fields owned or operated by the City for use by the public.
[Ord. No. 1548, 5-18-2022]
- B. All parks shall be open for use by the public between the hours of 6:00 A.M. to 10:00 P.M.
- C. All parks shall be closed for use to the public between the hours of 10:00 P.M. to 6:00 A.M. or during such other hours as the Governing Body has established. At these times, the City parks shall be deemed closed to the public and all persons, other than Law Enforcement Officers and personnel, Firefighters and authorized City employees and authorized personnel, shall remain off of the public parks of the City; however, parks may be closed temporarily or opening hours extended temporarily in case of emergency, special events, adverse weather conditions or unusual circumstances as determined and ordered by the Chief of Police or the Director of Parks and Recreation.

Section 230.085. Definition — Micromobility Devices.

[Ord. No. 1548, 5-18-2022]

- A. As used in this Article, the term "Electric-Assisted Scooter" shall mean every self-propelled vehicle that has at least two (2) wheels in contact with the ground, an electric motor, handlebars, a break and a deck that is designed to be stood upon when riding.
- B. As used in this Article, the term "Accessibility Device" shall mean wheelchairs and other mobility devices designed to assist persons with disabilities, provided that such devices are designed to be used where pedestrians are allowed.
- C. As used in this Article, the term "Micromobility Device" shall include:
 1. Electric-Assisted Scooters, as defined in this Section, that are not capable of providing motor power to propel the scooter at a speed greater than twenty (20) miles per hour on ground level;
 2. Accessibility Devices, as defined in this Section;
 3. Any motorized transportation device which is not capable of traveling at a speed greater than twenty (20) miles per hour on level ground, including one (1) made available for private use by reservation through an online application, website, software, or service;
 4. Bicycles, including electric-assisted bicycles only if: (1) the bicycle has two (2) or three (3) wheels, a saddle, fully operative pedals for human propulsion, and an electric motor; and (2) the electric motor has a power output of no more than one thousand (1,000) watts, is incapable of propelling the device at a speed of more than twenty (20) miles per hour on level ground, and is incapable of further increasing the speed of the device when human power alone is used to propel the device beyond twenty (20) miles per hour; and
 5. Non-motorized strollers, buggies, small wagons, and similar devices designed to be propelled by pushing or pulling at speeds typical of pedestrians.
- D. As used in this Article, the term "Micromobility Device" shall not include:
 1. Devices powered by combustion motors or engines or any other form of propulsion except electric motors or manual power;

2. Devices which must be licensed for use on streets;
3. Devices which are not meant to be used where pedestrians are allowed; and
4. Skateboards;
5. Roller Blades; and
6. Roller Skates.

Section 230.090. Trails.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-202; Ord. No. 1548, 5-18-2022]

- A. Trails in parks shall only be used by pedestrians and users of Micromobility Devices. Users of Micromobility Devices, other than persons with disabilities, shall yield the right-of-way to pedestrians and persons with disabilities.
- B. The Director of Parks and Recreation, or personnel authorized thereby, may limit the use of certain or all Micromobility Devices or transportation devices on certain trails or parts of trails. If so limited, the Director of Parks and Recreation, or personnel authorized thereby, shall order the posting of signs to denote which Micromobility Devices or transportation devices are restricted on the certain trail.
- C. No person on a trail in a park shall move at a speed greater than fifteen (15) miles per hour. Trail users shall exercise due caution to avoid injuring any person or animal or damaging property.
- D. The Director of Parks and Recreation may authorize exceptions to this Section and/or additional restrictions on the use of trails for the purpose of maintenance of parks, trails, trees, structures, and appurtenant materials, or in case of special events, adverse weather conditions, or unusual circumstances.

Section 230.100. Dogs, Cats and Other Animals.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-203]

All dogs, cats and other domesticated animals shall be leashed and kept under control while in a park or park area. Owners must remove feces or waste from their animals.

Section 230.110. Alcoholic Liquor, Cereal Malt Beverages, Illegal Substances.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-204]

No person shall possess, consume or drink any alcoholic liquor, cereal malt beverage or other illegal substances within the boundaries of any park.

Section 230.120. Firearms and Weapons.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-205]

Except as provided in this Subsection, no person shall discharge, use or carry within the boundaries of park facilities any firearm, air gun, spring gun, blank gun, slingshot or any other weapon in which force is used to propel projectiles. This Section shall not apply to Law Enforcement Officers who are authorized by law to carry a firearm.

Section 230.130. Refuse Disposal/Littering.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-206]

While in a park it is unlawful for any person to dump, deposit or leave bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage or refuse other than in receptacles provided for that purpose. No person shall transport any refuse into any park for the purpose of disposal therein.

Section 230.140. Amplified Sound.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-207]

Only those persons who possess a permit from the City and who are acting in conformity with the terms and conditions of the permit or otherwise have permission of the City shall be allowed to emit amplified sound within the boundaries of a park. No unreasonable noise shall be emitted in uses of the park.

Section 230.150. Signage.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-208; Ord. No. 1548, 5-18-2022]

Posting of signs in any park shall be prohibited except in accord with the provisions of any City ordinance or any permit issued by the City.

Section 230.160. Solicitations.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-209]

No person shall solicit or advertise for sale within the boundaries of any park any product, item or service except as provided under the terms and conditions of a permit issued by the City.

Section 230.170. Demonstrations, Exhibitions, Special Events.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-210]

Demonstrations, exhibitions and special events must be approved by City Council or its designated representative pursuant to policies duly adopted by the City prior to their occurrence. Written application must be made to the City at least seven (7) days in advance of the proposed demonstration, exhibition or special event. If the event is approved and requires an extra demand on City services, the applicant will be assessed such fees payable before the activity occurs.

Section 230.180. Reservation Permit.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-211]

All park facilities, including, but not limited to, playing fields, picnic shelters and gazebos, shall be subject to use by reservation permits issued by the City and any person or group holding a valid reservation permit shall have the right of usage of the facility designated by the permit over any person or group without such a permit. A refundable cleanup deposit of fifty dollars (\$50.00) may be required for groups of twenty-five (25) or more. This deposit will be refunded if the facility is left clean and undamaged.

Section 230.190. Application For Permit.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-212]

Applications for permits shall be made to the City of Mission Parks and Recreation Department. No permit shall be issued if the application is made more than ninety (90) days or less than seven (7) days in advance of the date requested.

Section 230.200. Revocation of Permit.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-213]

The City shall have the right to suspend or revoke any permit issued under the authority of this Section when any person or group holding a permit engages in misconduct at the park facility or when unforeseen events or maintenance needs arise. The Director of Parks and Recreation and/or the Director of Public Works shall render the final decision on all applications and revocations.

Section 230.210. Injuring Property or Removing Equipment Prohibited.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-214]

It is unlawful for any person to mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, paving or paving materials, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, flowers, shrubbery, grass, trees, statues, posts or other boundary markers or other structures or equipment, facilities or park property or other property under the ownership, jurisdiction or control of the City; however, nothing contained herein shall prevent any person or persons from moving any portable table or bench which has been placed in the park for use by the public to an adjoining or nearby table within the immediate location of the temporary table or bench; however, no temporary table or bench shall be moved from its original location in such a manner that it is disassociated from the use and the area for which it was first placed in the park. No equipment of any kind shall be removed from park premises. No connection to any public utility is permitted without authorized permission.

Section 230.220. Vehicle Restrictions and Prohibitions.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-215]

- A. Motor vehicles are specifically prohibited from operation within any City parks except parking lots, access drives to parking lots and park streets, or areas specifically established by the Chief of Police for motor vehicle use.
- B. The presence of motor vehicles in parking lots, parking access drives and park streets is prohibited when parks are closed.
- C. Parking for special events, organized activities, etc., may be designated to a specific location by the City.

Section 230.230. Campfires and Burning Materials Prohibited — Exception.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-216]

- A. No person shall build or attempt to build a fire in any park area except barbecues which will be limited to grills or areas specified by the City. No open fires will be permitted. No person shall drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars or other inflammable material within any park area or on any highway, road or street abutting or contiguous thereto.
- B. No overnight camping without specific written permission will be allowed within the parks.

Section 230.240. Restroom Maintenance.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-217]

No person shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.

Section 230.250. Use of Playgrounds and Equipment.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-218]

- A. Playground equipment is designated and intended for the use of children under the age of fourteen (14).
- B. Children under the age of five (5) years must be supervised by an adult.
- C. It is unlawful for any person to use or occupy playgrounds or playground equipment other than the purpose intended.
- D. Destruction of any public property or playground equipment is a violation of City ordinance.

Section 230.260. Use of Parks/Restrictions.

[Ord. No. 969 §1, 8-26-1998; CC 2000 §12-219; Ord. No. 1548, 5-18-2022]

- A. The following restrictions are placed on the use of all City parks:
 1. Glass bottles and glass containers are not allowed in any park.
 2. Tennis courts, racquetball courts, basketball courts, and other areas which have been improved with a surf ace for the purpose of playing a particular sport or game may only be used on foot, except persons with disabilities may use Accessibility Devices.