Chapter 33 - PARKS, EVENTS AND RECREATION

Footnotes:

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State Law reference— Parks and recreation regulations, 11 O.S. § 33-101 et seq.

ARTICLE I. - IN GENERAL

Sec. 33-1. - Department of parks, events and recreation established; director; duties.

There is hereby established a department of parks, events and recreation, the head of which shall be the director of parks, events and recreation, appointed by the city manager for an indefinite term, and removable by the city manager. The director of parks, events and recreation shall be an officer of the city, and shall have supervision and control of the department. The department of parks, events and recreation shall supervise, control, operate and maintain all city parks, recreation programs and facilities, and other programs and facilities as may be assigned to the department by the city manager.


Sec. 33-2. - Police powers, extended.

All police powers of the city and all ordinances relating to health and rules and regulations of the health officers, together with all laws and regulations of the state relating to health or the preservation of water supplies of cities, are hereby extended over all of the reservoirs, adjacent lands, and watersheds owned or controlled by the city, to which this chapter is applicable. Any person who violates any such ordinance, law, or regulation is guilty of an offense.


Sec. 33-3. - Damaging or tampering with property.

(a) It shall be unlawful for any person to deface, tear down, remove, destroy or injure in any manner whatsoever, or to cause to be defaced, torn down, destroyed or injured in any manner whatsoever, any fence, building, seat, signs, structure, excavation, post, bracket, lamp, awning, fireplug, hydrant, water pipe, tree, shrub, plant, flower, railing, bridge, culvert, or any other property whatsoever belonging to the city or to any private corporation or persons in, at, or upon any of the parks owned or controlled by the city.

(b) It shall be unlawful for any person to injure or damage, or cause or permit to be injured or damaged, in any manner whatsoever, any property of the city at, in or upon any of its parks by cutting, hacking, bending, breaking, burning, daubing with paint or other substances, or by means of fire, or by effecting such injury or damage in any other manner.

(c) It shall be unlawful for any person, other than authorized city employees, to move or remove any park property or equipment for any reason whatsoever, other than in case of emergency.
Sec. 33-4. - Trespass in buildings.

It shall be unlawful for any person to commit any trespass by entering any secured, enclosed cabin or structure owned or controlled by the city and located within a city park or in a recreational area under the supervision of the parks, events and recreation department without the written permission of the parks, events and recreation director.

Sec. 33-5. - Possession of alcohol or drugs.

(a) It shall be unlawful for any person to be in any city park while such person shall have in his possession or under his control any intoxicating liquor or intoxicating beverage of any kind, except as authorized in chapter 3.

(b) It shall be unlawful for any person to be in any city park while such person shall knowingly or intentionally have in his possession any controlled dangerous substance punishable as a misdemeanor under the Uniform Controlled Dangerous Substances Act, 63 O.S. § 2-101 et seq.

Sec. 33-6. - Litter.

It shall be unlawful for any person to deposit or cause to be deposited any refuse, litter or rubble in any city park or in or upon any city impound except in containers specifically designated for such use. Where public receptacles are not provided, litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided by ordinance. Litter shall be placed in such containers in such a manner as to prevent it from being scattered by the elements.

Sec. 33-7. - Disturbing the peace.

(a) No person shall use any offensive language or make loud, unnecessary, offensive noises, nor shall any person assault another, or assault and beat another, or fight, or strike another, while in any city park.

(b) It shall be unlawful during the hours of 10:30 p.m. to 7:00 a.m. for any person to engage in an activity which would disturb campers, or other users of the park because of radios, loud or vociferous talk, or other unnecessary loud or offensive noise. Such activities will be considered as disturbing the peace.

Sec. 33-8. - Motor vehicles.
(a) It shall be unlawful for any operator of a motor vehicle to park or drive within or upon any part of a park except on permanently established roadways or parking areas, or in any area specifically designated and marked for parking and/or drive purposes.

(b) Motor vehicles shall not exceed 25 miles per hour on primary access roads or 15 miles per hour on secondary roads. Primary roads shall be those roads which provide initial access to the park and secondary roads shall be those roads which provide access to park facilities.


Sec. 33-9. - Sales of goods.

It shall be unlawful for any person to sell or offer for sale any merchandise, article, goods, food product or services in any city park except when authorized under a written contract or agreement approved by the city council or city manager or pursuant to a permit authorized by this Code.


Sec. 33-10. - Swimming.

(a) No swimming or similar activities shall be permitted in any city impoundment except in designated areas.

(b) It shall be unlawful for any person to have in his possession any glass or metal container while he is within a designated swimming area, or the beach or facilities adjacent to it.


Sec. 33-11. - Water pollution.

It shall be unlawful for any person to wash dishes, empty waste liquids or in any manner pollute the water of any fountain, pond, lake or stream in any city park.


Sec. 33-12. - Violations.

Any person who violates the provisions of this article commits a Class C offense.


Sec. 33-13. - Fires.

Fires shall not be permitted except in existing fire rings (Lake McMurtry only), barbecue grills or other wood burning facilities approved by the parks, events and recreation department. All fires shall always be attended by at least one individual until the fire is completely extinguished.
Sec. 33-14. - Fees.

The fees and/or fee structures for parks, events and recreation classes, rentals, leases and other activities shall be established by the parks, events and recreation director with the advice and counsel of the parks, events and recreation board.


ARTICLE II. - PARKS, EVENTS AND RECREATION BOARD

Sec. 33-32. - Established.

There is hereby established a parks, events and recreation board.

Sec. 33-33. - Members and terms.

(a) The board shall consist of nine voting members, all of whom shall be residents of the city or the city public school district no. 16. The members shall be appointed by the city council. One member shall be appointed to represent the interests of cultural and special events; one member shall be appointed to represent the interests of community and recreation service; one member shall be appointed to represent the interests of sports and leagues; one member shall be appointed to represent the interests of park operations; and five members shall be selected at large. In the event of a vacancy in office, the city council shall appoint a successor to the unexpired term of the member whose vacancy is being filled.

(b) Members shall be appointed for three-year staggered terms. Members shall serve no more than two consecutive terms. If any member of the board shall be absent from more than one-half of all meetings of the board, regular or special, held within any period of six consecutive calendar months, he shall cease to hold office and his position shall be vacant.

(c) Members shall serve without compensation or pay, except that any member who shall incur reasonable expenses at the direction of the city, or in official and sanctioned furtherance of their duties shall be entitled to reimbursement in full by the city.

Sec. 33-34. - Rules and procedures; quorum and voting.

Each year the board shall select a chair and a vice-chair from the at-large members to serve for a period of one year. The board shall adopt such bylaws, rules and regulations as may be necessary to effectuate the purposes of this article. Such rules shall be in conformity with chapter 2, article II, division 2 and other applicable ordinances. The board shall conform to the provisions of the Oklahoma Public Meeting Law. A quorum for business shall consist of five members. No measure shall be passed without the affirmative vote of five members.
Sec. 33-35. - Powers and duties.

The board shall have the right to consider any matter relating to the parks, events and recreation board within the following areas, but not limited to cultural and special events, community and recreational service, sports and leagues, and park operations, in addition to the facilities and resources which support such programs, and to make recommendations thereon to the city council, the city manager, the director of community events and to others as may be appropriate.

Secs. 33-36—33-58. - Reserved.

ARTICLE III. - FISHING AND BOATING

Footnotes:

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State Law reference — Fishing license, 11 O.S. § 33-201; fishing regulations, 29 O.S. 4-101 et seq.; boating safety regulations, 70 O.S. § 4200 et seq.

DIVISION 1. - GENERALLY

Sec. 33-59. - Fishing regulations.

All fishing licenses issued under this article are issued subject to the game and fish laws of the state and all such laws are hereby and by reference incorporated herein and made a part hereof, and extended over the impoundments of the city. It is further and specifically provided in addition thereto:

(1) No person granted a license as hereinbefore provided for shall offer for sale or market any fish taken from such water.

(2) No net, seine, minnow seine, gun, trap, or trotline shall be used to take any game fish from city impoundments.

(3) No unused bait of any character, such as minnows, small fish, worms, flesh of animals, or any other deleterious matter which would decay, shall be deposited in the waters of said reservoir or upon the lands adjacent thereto or upon the watershed to city impoundments by any person fishing under any license granted hereunder or by any other person.

(4) Each person granted a license as hereinbefore provided shall be allowed the use of two poles, rods or handlines.

(5) The director of parks, events and recreation shall be authorized to limit take and/or designate slot limits on any species of fish to promote its population.
State Law reference— Authority to grant fishing licenses, 11 O.S. § 33-201.

Sec. 33-60. - Boating rules and regulations.

All boats licensed pursuant to section 33-61 are subject to the following rules and regulations:

1. A 25 mph speed limit shall be enforced except where otherwise posted.
2. All boats shall comply with all state and federal rules and regulations.
3. No boat shall be left on or near the lake unattended for more than 24 hours except in designated areas.
4. An approved personal flotation device shall be worn by persons in boats while the boats are in the water.
5. The city shall have the power to seize unlicensed, illegal or abandoned equipment.
6. No motorized boats except electric trolling motors shall be allowed at Sanborn Lake.
7. Boats requiring trailers for transport or launching shall be launched only at boat ramps designated by sign.
8. Boats may not be left unattended for more than 15 minutes at the boat ramps or boat docks.
9. Every operator of a boat shall at all times operate the boat in a careful and prudent manner and at such rate of speed as not to endanger the life, limb or property of any other person, and shall obey all posted speed limits. Operation of a boat in a manner which unnecessarily interferes with the free and proper use of the navigable waters of this city shall be considered a violation of this provision.
10. No person shall operate any boat at a rate of speed greater than will permit him in the exercise of reasonable care to bring the boat to a stop within the assured clear distance ahead.
11. The operator of a boat shall keep a proper look out at all times while under way.
12. All boats shall maintain a distance of 150 feet from any dock, raft, anchored or moored vessel except when proceeding at a slow steerage-way speed, creating no visible wake.
13. No boats, including but not limited to mini-bass boats or inflatable boats or rafts, shall be allowed on Whittenberg Lake.


Sec. 33-61. - Boat license.

(a) Anyone operating a rowboat, raft, canoe, sailboat, sailboard or motorboat upon the waters of the reservoirs or waterways of the city shall first obtain a license from an authorized agent of the city and shall pay a fee set by the parks, events and recreation director with the advice and counsel of the parks, events and recreation board. The individual applying for said license must present a current state boat registration for said boat. Combination fishing and boating permits shall be available upon payment of the proper fee. Holders of such permits may operate boats upon the waters of the reservoirs during the permit year for which the license has been granted, provided that such persons keeping and maintaining or operating such boats shall keep, maintain and operate the same at their own risk and liability and shall sign proper waiver of liability to the city before being granted the license to operate or maintain such boats, and that no such boats shall be maintained or operated for hire to the public or other person, or for any commercial purpose, unless approved by the parks, events and recreation director with the advice and counsel of the parks, events and recreation board.
(b) The boat license shall be affixed to the boat so as to be readily visible for inspection.

(c) Enforcement or research agencies of the city, county, state or federal governments shall be exempted from the fees, license or permits set forth in subsection (a) of this section when conducting official business as approved by written consent of the parks, events and recreation director.


State Law reference—Boat and motor registration, 70 O.S. § 4100 et seq.; boating safety regulations, 70 O.S. § 4200 et seq.

Sec. 33-62. - Use of funds.

All moneys collected as fees for fishing and boating privileges, together with all fees and forfeitures, shall be used for the sole purpose of purchasing or propagating fish for restocking said waters and the general improvement, upkeep, and operation of said property.


Sec. 33-63. - Penalty; cancellation of license.

Any person violating any provisions of this article is guilty of a Class C offense. The director of parks, events and recreation reserves the right to cancel any license issued hereunder upon the violation of any of the provisions of this article.


Sec. 33-64. - Special boating events.

Any special boating event, including but not limited to a fishing tournament, contest or competition which includes the use of boats; sailboat regatta or any boat race or rally; or any other organized event upon city reservoirs or waterways must have prior written approval from the parks, events and recreation director and follow the rules and guidelines as set forth by the parks, events and recreation department.


Sec. 33-65. - Water skiing.

Water skiing, wakeboarding, knee-boarding or tubing, and the operation of jet skis, water bikes, and any other water ski-type activities are prohibited on city reservoirs except for recognized special events, with prior express written permission of the director of parks, events and recreation department or on days, times, and/or specific locations established by the director of parks, events and recreation department.

(Code 1982, § 20-47; Ord. No. 2244, § 6, 4-7-1986; Ord. No. 3098, § 1, 4-19-2010)

Secs. 33-66—33-88. - Reserved.
DIVISION 2. - FISHING LICENSE

Footnotes:

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State Law reference— Fishing license issued by city, 11 O.S. § 33-201; state fishing license, 29 O.S. 4-110.

Sec. 33-89. - Required.

It is unlawful for any person to fish in or upon waters of any impoundment owned or controlled by the city without having in his possession a current state fishing license or exemption and without having first obtained a fishing license from the city.


Sec. 33-90. - Application.

Any person may obtain a license to fish in or upon the waters of the impoundments owned and controlled by the city by making application to an authorized representative of the city for such a license and paying the appropriate fee.


Sec. 33-91. - Fees.

The fees for boating and fishing shall be established by the parks, events and recreation director with the advice and counsel of the parks, events and recreation board.


Sec. 33-92. - Family licenses.

Family licenses shall cover only those members of the immediate family who are living or residing at the family residence and who are under the age of 18 years. For purposes of this division, the immediate family shall be defined to mean the father, mother, their children and stepchildren.


Sec. 33-93. - Contents, display of fishing license.

All fishing licenses issued by the authorized agent of the city shall bear the date of issuance and date of expiration thereof, and shall be issued upon the form prescribed by the parks, events and recreation
director. All persons holding such license shall, while fishing or while upon the waters or grounds adjacent thereto, controlled or owned by the city, produce such license for inspection by an officer, custodian, or representative of city government exercising the right of demand under the police powers of the city.


Sec. 33-94. - Expiration.

A license issued pursuant to the provisions of this division shall expire at the end of each permit year.


Sec. 33-95. - Transfer and refund of fees.

All licenses issued pursuant to this division are nontransferable and not subject to any rebate or refund unless canceled and voided for violation of this article or other ordinances of the city applicable to city impoundments or the lands adjacent thereto, in which event the proportionate amount for the unexpired license shall be rebated or refunded upon the filing of proper claim therefor by the person entitled thereto.


Sec. 33-96. - Exemption.

No fishing license shall be required, upon showing positive proof of the following:

(1) Any person under 16 years of age; any person over 65 years of age;
(2) Any disabled person with 60 percent or more disability; and
(3) Any totally blind person and one companion accompanying same while the blind person is fishing.


Secs. 33-97—33-120. - Reserved.

ARTICLE IV. - LAKE MCMURTRY

Sec. 33-121. - Fees.

(a) Usage of Lake McMurtry requires the payment of fees as stipulated within the rules and guidelines set forth for the use of the park. All user fees, permits, and leases shall be set by the director of parks, events and recreation with the advice and counsel of the parks, events and recreation board.

(b) It shall be unlawful for any person to bike, hike, fish, boat, hunt, swim, picnic, camp, drive, or use any facility, or participate in any activity without payment of the designated fee.
(c) All moneys collected for activities at Lake McMurtry shall be used solely for the operation, maintenance, promotion, and other direct costs of the facility.


Sec. 33-122. - Trespass.

It shall be unlawful for any person to commit any trespass, or to enter into or upon, that area in the Lake McMurtry area which is bordered on the north side by the Lake McMurtry Dam, all of which area is enclosed by fence; said area being located on the south side of the Lake McMurtry Dam, and containing 46 acres more or less.


Sec. 33-123. - Weapons.

No firearms shall be authorized upon Lake McMurtry or the lands adjacent thereto, owned or controlled by the city; provided, however, shotguns shall be allowed in designated areas and during designated hunting seasons. This section shall not apply to law enforcement personnel while on duty or in training, or to licensed and permitted members of the Stillwater Rifle Club who are using the gun range area.


Sec. 33-124. - Hunting permit.

(a) It shall be unlawful for any person to hunt in, around or upon Lake McMurtry without a permit from the parks, events and recreation department.

(b) The parks, events and recreation department shall cause yearly permits to be printed and sold at the parks, events and recreation office. Each hunter shall have a valid state small game license and federal duck stamp prior to the sale of the Lake McMurtry permit. Permits may be purchased during regular office hours at the parks, events and recreation administrative office. The permit fee shall be established by the parks, events and recreation director with the advice and counsel of the parks, events and recreation board.

(c) Any person may obtain a permit to hunt water fowl by making application to an authorized agent of the city upon payment of the yearly hunting permit.

(d) All hunting permits issued by an authorized agent of the city under this article shall bear the date of issuance, and shall be issued on the form prescribed by the parks, events and recreation department. All persons holding such a permit shall, while hunting upon the grounds of Lake McMurtry, produce it for inspection for any officer, custodian or representative of the city government exercising the right of demand under the police powers of the city.


Sec. 33-125. - Hunting regulations.
(a) Hunting will be allowed in the Lake McMurtry area only as it pertains to the hunting of migratory water fowl. At no time shall hunting be permitted for turkey, dove, deer, quail, rabbit, or any other species of wildlife, unless allowed by the parks, events and recreation director for the purpose of wildlife population management.

(b) For the purposes of this section, Lake McMurtry shall be divided into two separate areas by an imaginary line running east and west across said lake. The aforementioned line shall run from a point of beginning which shall be located at a point 50 feet north of the east boat launching ramp and shall run across the entire width of Lake McMurtry in a westerly direction until said imaginary line has reached the west bank of said lake.

(c) That portion of Lake McMurtry which lies north of the previously referred to imaginary line shall be designated as an area in which waterfowl hunting is allowed by provisions of this section. Hunting shall take place in this area only during specified days and dates which coincide with department of wildlife rules and regulations and federal regulations. The lake and lake shore area north of the imaginary line shall then be closed to the public for fishing, hiking, biking, boating, and/or other activities on the designated hunting days; provided, however, this restriction does not apply to leaseholders. This period begins in September and ends in January at the close of the hunting season. The hunting season, daily shooting hours, and bag limits for each type of game as herein permitted shall be set by the state department of wildlife conservation; however, the city parks, events and recreation department shall have the power to adopt more restrictive rules and regulations than those of the state department of wildlife conservation as it deems necessary.

(d) The parks, events and recreation department office shall cause each hunter to be furnished with a map indicating the blind areas within Lake McMurtry. The blinds will be made available through a draft, drawing, or other system as determined by the parks, events and recreation department.

(e) Each hunter is required to fill out a daily reservation card and check-in and check-out at the Lake McMurtry Hunting Reservation Board. Failure to do so will result in possible forfeiture of all hunting privileges and/or arrest.

(f) Each blind will be specifically designated on the map. The individual blind area will extend 100 yards in any direction from the specifically designated point; provided, however, that the blind area shall not extend beyond 50 yards from the shoreline. Blind construction must follow the guidelines specified by the parks, events and recreation department. The number of individuals who may use any one blind area shall be determined by the parks, events and recreation director.

(g) Firearm shall be limited to shotgun use only.

(h) Access to blinds will be limited to pedestrian and boat traffic only; vehicles are required to park in designated parking areas only or on section line roads.


Sec. 33-126. - Fishing.

Fishing will be permitted north of the imaginary line running east and west across Lake McMurtry from a point of beginning which shall be located at a point 50 feet north of the east boat launching ramp and shall run across the entire width of Lake McMurtry in a westerly direction until said imaginary line has reached the west bank of said lake at all times except on legal migratory game hunting days designated by the state or federal governments. Fishing shall be subject to all other boating and fishing ordinances of the city and to all applicable state wildlife fisheries regulations. It shall be unlawful for any person to fish in violation of this section.

(Code 1966, § 15-21; Code 1982, § 20-80; Ord. No. 1527, § 6, 8-12-1974)
Sec. 33-127. - Penalty; revocation of Lake McMurty license.

Any person who violates the provisions of this article commits a Class C offense. Any person found in violation of any of the provisions of this article shall also be liable to revocation of his fishing license and/or hunting permit by the director of parks, events and recreation.


Sec. 33-128. - Camping.

(a) Overnight vehicular camping shall be unlawful except as permitted in areas designated by sign and only one camping unit shall occupy a campsite at any one time.

(b) Overnight camping shall be limited to a duration of 14 cumulative days during any 30-day period (unless in specified designated area). A camper in violation of city or park ordinances shall forfeit his full 14 days of camping or the remainder thereof, and at the discretion of the parks, events and recreation department, may also forfeit the privilege of returning to the city campgrounds.


Sec. 33-129. - Gun range permit.

(a) It is unlawful for any person to shoot firearms in, around, or upon Lake McMurtry without a permit from the city or its agent. Furthermore, rifle and handgun shooting will only be done in the area designated as the gun range by members of the Stillwater Rifle Club and police enforcement officials.

(b) All shooting permits issued by the authorized agent of the city under this article shall bear the date of issuance and shall be issued on the form prescribed by the parks, events and recreation department. All persons holding such a permit shall, while shooting upon the grounds of Lake McMurtry, produce it for inspection when requested to do so by any officer, custodian, or duly authorized representative of the city government exercising the right of demand under the police powers of the city, or by the range officer.


Sec. 33-130. - Shooting regulations.

(a) Rifle and pistol shooting will be allowed at the Lake McMurtry gun range only as it pertains to target shooting. At no time shall hunting be allowed for turkey, dove, quail, rabbit, or any other species of wildlife.

(b) Shooting will be allowed only when a qualified member of the club is in attendance, or if four or more members are present, a "qualified range officer" or a member of the police department must be in control of the range.

(c) Each shooter group will "sign in" and "sign out" at the Lake McMurtry Hunting Reservation Board at the ranger station. Individuals failing to do so may forfeit all their shooting privileges and be subject to arrest.

(d) Full automatic weapons are forbidden. (BATF Class III)
(e) The Stillwater Rifle Club shall carry its own liability insurance and name the city as an additional insured. The rifle club also agrees to indemnify and hold harmless the city for all liability or claims which may arise out of their use of the gun range area.

(f) The rifle club shall keep (in good repair) a four strand fence around the perimeter of the gun range area. This fence shall be posted every 100 feet: "Gun Range, No Trespassing, Keep Out."


ARTICLE V. - TRAIL BIKE RIDING

DIVISION 1. - GENERALLY

Sec. 33-159. - Scope.

The provisions of this article shall apply to the riding of motorcycles, bicycles, and other approved vehicles on trail bike areas designated, established, controlled or operated by the city and to the riding of motorcycles, bicycles, and other approved vehicles on public property.


Sec. 33-160. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bicycle* means every manually powered vehicle having a seat or saddle for the use of the rider and designed to travel on not more than two wheels in contact with the ground.

*Immediate family* means the father, mother, and their children or step-children who are at home and under 18 years of age.

*Motorcycle* means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than four wheels in contact with the ground, but excluding a tractor or an automobile.

*Public property* means any property owned or in the control of the city, or any other municipal corporation, governmental agency or instrumentality, including parks, playgrounds, easements or drainage areas.


Sec. 33-161. - Police powers extended.

All police powers of the city and all ordinances relating to the health and rules and regulations of the health officers of the city, together with all laws and regulations of the state relating to the health, preservation, and welfare of the citizens are hereby extended over all of the lands, grounds, and properties owned or controlled by the city to which this article is applicable. Any person who violates any such ordinance, law, or regulation is guilty of an offense.
Sec. 33-162. - Stillwater parks, events and recreation trail riders associations.

(a) There is hereby formed a club known as the Stillwater Parks, Events and Recreation Motorcycle Trail Riders Association. This association will function within the parks, events and recreation department and will assist in the administration and policing of any and all motorcycle trail riding or off-set riding areas which are established, controlled, or operated by the city.

(b) There is hereby formed a club known as the Stillwater Parks, Events and Recreation Bicycle Trail Riders Association. This association will function within the parks, events and recreation department and will assist in the administration and policing of any and all bicycle trail riding or off-street riding areas which are established, controlled, or operated by the city.

Sec. 33-163. - Litter.

No person granted a permit pursuant to this article shall deposit or cause to be deposited any refuse or rubble on any land affected by the provisions of this article other than to place refuse and rubble in those containers specifically designated for such deposits.

Sec. 33-164. - Alcoholic beverages, drugs, etc.

(a) It shall be unlawful for any person under the influence of alcoholic beverage or any other drug, stimulant, or depressant to be in or upon any lands affected by this article.

(b) No person shall be in possession of any intoxicating alcoholic beverages or beer while such person is upon any lands affected by provisions of this article.

Sec. 33-165. - Helmets.

No person shall operate or ride upon any vehicle covered by this article unless such person is equipped with and wearing on the head a crash helmet of a type and design manufactured for such use; all helmets shall consist of lining, padding and chin straps and be of the type as not to distort the view of the driver.

Sec. 33-166. - Mufflers.

All vehicles covered by this article shall be equipped with a muffler which is standard equipment for a legal street machine, and has not been modified; any muffler system which comes as standard equipment and which does adequately restrict sound emitted by the vehicle will be acceptable in the riding area; any vehicle which did not have a standard muffler system as an exhaust system shall be required to add an effective bolt on muffler system before being allowed access to the riding area.
Sec. 33-167. - Spark arrestors.

All vehicles covered under this article shall be equipped with an effective spark arrestor system.

Sec. 33-168. - Use of trails.

Holders of licenses issued pursuant to this article shall refrain from riding on other than the designated trail areas unless they have the written consent of the director of the department of parks, events and recreation. Users are to ride only on established trails and refrain from riding on any closed trails while such trails are being rebuilt or maintained under a rotation system for land restoration or are closed due to overly saturated ground; access to the riding area is to be by means of a central point or points only and any access made by opening a gate or cutting a fence is unlawful.

Sec. 33-169. - Obedience to rules, regulations, etc.

All persons in areas covered by this article shall observe all rules, signs, and safety regulations which have been posted in the designated riding areas; failure to observe any of the posted rules, signs, regulations or safety markers is hereby deemed to be a violation.

Sec. 33-170. - Violations.

Any person violating any provision of this article commits a Class C offense. The director of parks, events and recreation is hereby granted the right to cancel any permit issued hereunder upon the violation of any of the provisions of this article.

Sec. 33-171. - Special motorcycle or bicycle events.

(a) Any special motorcycle or bicycle event, including but not limited to a race, rally, contest or competition, or any other organized event upon trail bike areas must have prior written approval from the parks, events and recreation director and follow the rules and guidelines as set forth by the parks, events and recreation department.

(b) It shall be unlawful for any person other than a registered participant, an event official, an employee of the parks, events and recreation department or other duly authorized individual to be present upon the event course while the event is in progress.

Secs. 33-172—33-195. - Reserved.
DIVISION 2. - PERMIT

Sec. 33-196. - Required.

It is unlawful for any person to ride upon any lands which have been designated as trail bike areas and which are owned or controlled by the city without having in his possession a current city trail bike rider's permit.


Sec. 33-197. - Application.

Any person may obtain a permit to participate in trail bike riding upon lands or properties owned or controlled by the city by making application to the parks, events and recreation department or authorized agent.


Sec. 33-198. - Fee.

(a) The permit required by the provisions of this division may be obtained upon payment to the city of the appropriate fee. Fees for the permit are set by the director of parks, events and recreation with the advice and counsel of the parks, events and recreation board.

(b) The weekly family permit and yearly family permit shall cover those members of the immediate family who are living or residing at the family residence and who are under the age of 18 years.

(c) Permit fees shall not be subject to any rebate or refund unless canceled and voided by other ordinances of the city. In any event the proportionate amount for the unexpired permit shall be rebated or refunded upon the filing of proper claim therefore by the person entitled thereto.


Sec. 33-199. - Form.

All permits issued by the parks, events and recreation department pursuant to the provisions of this division shall bear the date of issuance, and shall be issued on the form prescribed by the parks, events and recreation department.


Sec. 33-200. - Term.

A permit issued pursuant to the provisions of this division shall expire on January 31 of each year.

Sec. 33-201. - Transfer.

A permit issued pursuant to the provisions of this division shall not be transferable from person to person or from place to place.


Sec. 33-202. - Display.

All persons holding a permit issued pursuant to the provisions of this division shall, while riding motorcycles or bicycles upon the lands or grounds adjacent thereto controlled or owned by the city, produce it for inspection by any officer, custodian or representative of the city government exercising the right of demand under the police powers of the city.