

ORDINANCE NO. 15,118

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 74-101, relating to park facility hours.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 74-101 relating to park facility hours, as follows:

**Sec. 74-101. Park facility hours.**

The hours of operation for all public parks, community centers, and city recreational facilities, except for the Botanical Center and Zoo, shall be established by the Des Moines park and recreation board and must receive two readings for final approval. The park and recreation director shall thereafter have authority to adjust park and recreation facility hours, except for the Botanical Center and Zoo, for a period of one season, unless otherwise directed by the Des Moines park and recreation board. For the purposes of this section, "one season" shall mean the first weekend in April through the last weekend in October and the Monday following the last weekend of October up to the first weekend in April.

- (a) No person shall remain in any public park, community center or city recreational facility during the periods of time set by this section unless special permission shall have been given by the park and recreation director for such persons or group of persons to remain there. Such permit shall not allow use of the park for more than two (2) hours prior to its opening time or more than two (2) hours after its closing time, unless issued in compliance with section 74-101.5.
- (b) No person shall remain in or on any city park, inclusive of municipal golf courses, and Waveland tennis courts, from one-half hour after sunset to 6:00 a.m. during central standard time.
- (c) Exceptions are made for:
  - (1) Clubhouses and related facilities on golf courses. These facilities may remain open until 2:00 a.m.
  - (2) Concerts at the Simon Estes Amphitheater. This facility may remain open until 12:00 midnight.

- (3) Birdland Tennis Courts. This facility may remain open until 11:00 p.m.
  - (4) Birdland Marina. This facility may remain open until 11:00 p.m.
  - (5) Brenton Skating Plaza. This facility may remain open until 12:00 midnight.
  - (6) Park between Tenth and Fifteenth Streets and Grand Avenue and Locust Street. This facility may remain open until 12:00 midnight.
- (d) For purposes of this chapter, *sunrise* and *sunset* shall be the time for sunrise and sunset on each date provided by United States Naval Observatory data.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Ann DiDonato, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 12-1111), passed by the City Council of said City at a meeting held July 9, 2012 signed by the Mayor on July 9, 2012 and published as provided by law in the Business Record on July 27, 2012. Authorized by Publication Order No. 7925.

Diane Rauh, City Clerk