

## ORDINANCE NO. 15,212

AN ORDINANCE entitled "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, is hereby amended by adding and enacting a new Section 74-117, relating to sledding, ice skating and cross-country skiing in city parks and designated areas in municipal golf courses, and winter activities prohibited on Gray's Lake",

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 adding and enacting a new Section 74-117, relating to sledding, ice skating and cross-country skiing in city parks and designated areas in municipal golf courses, and winter activities prohibited on Gray's Lake, as follows:

### **Sec. 74-117. Sledding at parks and golf courses and ice skating on ponds.**

(a) The city council finds that:

- (1) sledding in city parks and in designated areas in municipal golf courses ("sledding"); and
- (2) skating on designated ponds in city parks and on man-made, temporary ice surfaces created by or under the authority of the park and recreation department ("temporary ice rinks") in municipal golf courses ("ice skating"); and
- (3) cross-country skiing in designated areas in municipal golf courses and in parks ("cross-country skiing")

are valuable, family friendly activities and are favored by considerations of social policy. The city council further finds that the park and recreation department budget does not contain sufficient funds to provide for supervision or inspection or grooming of sledding hills in city parks and golf courses, ponds and temporary ice rinks in parks and municipal golf courses for ice skating, and cross-country skiing trails in municipal golf courses and parks. As a result of the inability to supervise or groom the sledding hills, skating ponds and temporary ice surfaces and cross-country skiing trails, such surfaces are uneven and may contain bumps, dips, ramps, ice, or thinning ice, trees and other hard and fixed objects in close proximity to a sledding or ice skating or skiing area and other dangers associated with numerous people utilizing various devices to proceed rapidly down icy or snowy inclines and enjoying various forms of recreational skating activities and cross-country skiing. As sledding, ice skating and cross-country skiing can be dangerous activities, the city council finds that persons desiring to sled in city parks or golf courses and to skate on ponds in city parks or temporary

ice rinks, and to cross-country ski in municipal golf courses and parks have the obligation to inspect the sledding, ice skating, and skiing area conditions prior to using such areas. In balancing the social policies favoring family friendly but potentially dangerous sledding, ice skating and cross-country skiing activities and the economic policies which prevent the city from supervising or inspecting or grooming such surfaces and areas, the city council finds that:

(1) sledding is allowed in areas and during times designated by the park and recreation director at municipal golf courses designated by the director and at city parks;

(2) ice skating is allowed at temporary ice rinks designated by the park and recreation director at municipal golf courses designated by the director during times designated by the director and at ponds within parks designated by the director during times designated by the director;

(3) cross-country skiing is allowed at municipal golf courses designated by the park and recreation director, except on tees and greens, during the times designated by the director and at city parks.

(b) Winter recreational activities, including skating, sledding, ice fishing, and skiing, are not permitted in or on the water or ice of Gray's Lake.

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. 13-1417), passed by the City Council of said City at a meeting held September 9, 2013 signed by the Mayor on September 9, 2013 and published and provided by law in the Business Record on September 27, 2013. Authorized by Publication Order No. 8620.

Diane Rauh, City Clerk