

## **CHAPTER XII: PUBLIC PROPERTY**

### **Article**

- 1. CITY PARKS**
- 2. CAMPING**



## **ARTICLE 1: CITY PARKS**

### Section

- 12-101 Purpose of city parks
- 12-102 Maintenance
- 12-103 Use
- 12-104 Procedure to secure permission
- 12-105 Rules, regulations for park use
- 12-106 Duties of City Clerk

### **§ 12-101 PURPOSE OF CITY PARKS.**

All city parks which exist in the city limits shall exist for the expressed purpose of serving the general welfare and for the sole use and enjoyment of the public; provided, that succeeding sections of the article relating to the use of city parks in general as specifically pertaining to the city park conveyed to the city by the Silver Lake Lions Club, Inc., are subject to the original covenants detailed in the original deed which subjects the Silver Lake Lions Club, Inc., to retaining the right to operate and supervise and improve the premises; said rights to include the period that the club shall exist.  
(Ord. 882, passed 9-5-1972; Ord. 892, passed 3-5-1973)

### **§ 12-102 MAINTENANCE.**

It shall be the prime responsibility of the governing body of the city to maintain, regulate, make improvements, establish rules and regulations for the operation thereof, and in general to supervise all events of any nature held at the city parks, or to designate or delegate the authority therefor to a civic, social, fraternal, or other organization organized for the general welfare of the public.  
(Ord. 882, passed 9-5-1972)

### **§ 12-103 USE.**

All individual persons, families, groups, institutions, schools, civic groups, social organizations, fraternal orders, religious organizations, and in general any organization specifically organized for the general welfare of the general public may have access and use of city parks. For all uses, other than for personal or family uses, permission to use the park area must be obtained from the city governing body, or its designated agent. Applicants will be required to follow all rules and regulations as hereinafter prescribed by the city governing body. Reservations of the park area and shelter house will have priority

over individual or family uses, which do not require reservations. There shall be no use of any city park area for the purpose of camping or staying overnight. There shall be no operation of any motor vehicles in the city park area except on designated roads or parking areas in accordance with § 14-202 of the city code.

(Ord. 1557, passed 3-15-1993)

#### **§ 12-104 PROCEDURE TO SECURE PERMISSION.**

It shall be necessary for any group or organization which wishes to utilize the city parks or any portion thereof for any purpose to obtain permission from the governing body of the city by submitting the following information:

- (a) Name of group or organization;
- (b) Date and hours park to be used;
- (c) Expected number of persons to attend specific function;
- (d) Who is responsible for the individual or group; and
- (e) Nature of park use and brief description of what the event or use will consist of.

(Ord. 882, passed 9-5-1972)

#### **§ 12-105 RULES, REGULATIONS FOR PARK USE.**

The governing body of the city hereby prescribes the following rules and regulations governing the use of all city parks:

(a) Individuals or groups or organizations using city parks will be required to clean up the facilities and premises of the parks and leave them in the same general condition as they found them;

(b) Individuals or groups or organizations using city parks will be required to provide the necessary enforcement and protection for all persons attending specific functions, the costs to be borne by them, if it is deemed necessary by the governing body that such protection and law enforcement is in the best interests of the general public;

(c) There shall be no existing park equipment removed from the city parks and all equipment of any nature moved into the parks for specific events shall be removed within 24 hours after the scheduled event, or sooner, if another event is scheduled which would require the removal of equipment;

(d) There shall be no events held in any city parks, which make a charge or donation for admission, unless the charges or donations are made by groups or organizations which have as their specific purpose the general welfare of the public or the community;

(e) It shall be unlawful for any person except a public officer in the discharge of his or her duty to visit, loiter about, or be found in any public park in the city after the hour of 11:00 p.m. and until 6:00 a.m. of the following day without having first obtained a permit from the city;

(f) There shall be no events scheduled in city parks which might result in excessive noise or otherwise cause or create a disturbance of the peace of surrounding businesses or homes, as determined by the governing body; and

(g) No persons or organizations shall turn on the existing lights for the softball field without the expressed authorization of the governing body or its designated agent.  
(Ord. 2149, passed 9-8-2010)

**§ 12-106 DUTIES OF CITY CLERK.**

Duties of the City Clerk in regard to the regulations relating to the use of the city park shall be as follows:

(a) To receive any requests for park use as described above and to grant or deny the requests based upon the information submitted by the applicant, as authorized by the governing body;

(b) To maintain an events calendar of use of city parks; and

(c) To report such park uses to the governing body upon request.  
(Ord. 882, passed 9-5-1972)



## ARTICLE 2: CAMPING

### Section

- 12-201 Replacement housing restricted
- 12-202 Occupation of recreational vehicles and campers on private property
- 12-203 Camping on public property

### § 12-201 REPLACEMENT HOUSING RESTRICTED.

The City Council has found that persons are residing in campers and recreational vehicles on private property within the city, and that this use is in violation of the zoning and utility of the city and otherwise harms the aesthetics, sanitation, public health and safety of the city and its citizens. These activities are not being pursued as a recreational activity, but as a replacement for regular housing.  
(Ord. 2555, passed 2-6-2023)

### § 12-202 OCCUPATION OF RECREATIONAL VEHICLES AND CAMPERS ON PRIVATE PROPERTY.

(a) The occupation or use of campers and recreational vehicles as residences or accessory residences on private property is prohibited, except as provided in this section.

(b) For the purposes of this section, *OCCUPATION* or *USE* of a camper or recreational vehicle is defined as allowing persons to reside in, sleep within or otherwise inhabit the noted vehicles. It is presumed that if a recreational vehicle is connected to power or wastewater systems, that the same is being occupied or used in violation of this article.

(c) It is irrelevant, for the purposes of this article, that the persons residing in the camper or recreational vehicle are related to the property owner, has permission of an owner to reside there or that the property owner is not the owner of the camper or recreational vehicle.

(d) A property owner may obtain a temporary permit to allow a limited occupation or use of a recreational vehicle or camper on the owner's property. A request for a permit must be completed and submitted to the City Clerk, and the owner must provide or comply with all of the following requirements:

(1) The proposed temporary use cannot exceed 30 days, and only one request per property owner can be submitted per year;

**Silver Lake - Public Property**

(2) The temporary use must be on a property zoned for residential use, or be allowed as an accessory use under the city's zoning code;

(3) The name and phone numbers of all persons engaged in the temporary use shall be disclosed. No permit may be applied for if the occupancy will be for more than four people, unless an exception is requested and granted by the City Council, upon evidence that the recreational vehicle is suited for such increased occupancy;

(4) The property owner shall provide information as to whether the camper or vehicle will be connected to utilities, and the location of the proposed connections. In addition, in occupations for more than 48 hours, the property owner shall detail how any human waste or sewage shall be disposed of. Any use that improperly uses city services or facilities shall be denied;

(5) The permit shall allow, and the property owner shall agree to allow, city officers or employees to inspect the camper or vehicle during the use upon reasonable evidence that the camper or vehicle is not in compliance with this article; and

(6) Submit payment of a \$30 application fee.

(e) Property owners or persons found to be in violation of §§ 12-201 through 12-203 shall be subject to prosecution in Municipal Court with any penalty assessed pursuant to § 1-116. Each day a violation shall continue shall be considered a separate offense.  
(Ord. 2555, passed 2-6-2023)

**§ 12-203 CAMPING ON PUBLIC PROPERTY.**

(a) For the purposes of this section, *CAMPING* is defined as:

(1) Sleeping or otherwise being in a temporary shelter out-of-doors;

(2) Sleeping out-of-doors; or

(3) Sleeping in an automobile or other non-recreational vehicle in an area not designated by the city as an area for camping, nor private property licensed with the city as being a business engaged in camping services for recreational vehicles.

(b) Camping is prohibited on all public property, except as may be specifically authorized by the City Council.

(c) It shall be insufficient for purposes of arrest or prosecution of a violation of this article for a person merely to be upon city property during nighttime or early morning hours. In absence of evidence that the person is sleeping inside a tent, sleeping bag, vehicle or other temporary shelter.



(d) Persons found to be in violation of §§ 12-201 through this section 12-203 shall be subject to prosecution in Municipal Court with any penalty assessed pursuant to § 1-116. Each day a violation shall continue shall be considered a separate offense.

(Ord. 2555, passed 2-6-2023)

