CHAPTER XII. PUBLIC PROPERTY

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ARTICLE 1. CITY PARKS

12-101. DEFINITIONS. Terms used in this article shall be as follows, unless the context clearly requires a different meaning:

(a) Vessel - means any watercraft designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water.

(b) Motorboat - means any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion.

(c) Owner - means a individual, partnership, firm, corporation or association other than a lien holder, having the property in or title to a motorboat. This term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment of performance of an obligation, but the term excludes a lessee under a lease not intended as security.

(d) Lake - means the Sabetha City Lake, and shall mean the water reservoir from which the city derives its water supply, and shall also include any lake, pond, pool, or stream located in or upon any of the public lands or properties owned, used or occupied by the city.

(e) Park - means any park or public recreational area owned or operated by the city.

(f) Person - means any individual, partnership, firm, corporation, association, or other entity.

(g) Operate - with reference to Boats - means to navigate or otherwise use a motorboat or a vessel.

(h) Trolling Speed - means 10 miles per hour or planning of water, whichever is less.

(i) Operator - means the person who operates or has charge of the navigation or use of a motorboat or other vessel.

(j) City - means the City of Sabetha, Kansas.

(k) Commission - means the State Forestry, Fish and Game Commission of Kansas.

(Ord. 1089, Sec. 2)

12-102. SABETHA LAKE AND SABETHA LAKE PARK; RECREATIONAL ACTIVITIES. The primary purpose and use of Sabetha Lake shall be as a municipal water supply.

All recreational uses of Sabetha lake and the surrounding lake park shall be subordinate to any rules and regulations imposed by the Kansas Department of Health and Environment, and any emergency regulations imposed by the city with respect to protecting the municipal water supply. (Ord. 1089, Sec. 3)

12-103. SAME; UNLAWFUL ACTS, GENERAL REGULATIONS FOR USE. (a) It shall be unlawful for any person or persons to operate any motor vehicle upon the dam or any impounding structure of Sabetha Lake. Any person found guilty of violation of this section shall be guilty of a violation of this code and subject to a fine of not less than $500 and not more than $1,000, or be imprisoned in the county jail not more than 30 days, or by both such fine and imprisonment, or any combination thereof; and in addition to such fine and imprisonment shall be required to pay the cost of repair of any damages to the impounding structure.

(b) Swimming or bathing in the reservoir or other waters situated upon the land owned, used or occupied by the city except the city swimming pool is hereby prohibited.

(c) The carrying or use of any type of firearms at the Sabetha lake park is prohibited except; Legal Kansas Hunting shall be allowed between October 1st and April 30th of each year.

(d) No person shall operate or manipulate any vessel, tow rope or other device by which the direction or location of water skis, a surf board, or similar device may be affected or controlled in such a way as to cause the water skis, surf board, or similar device, or any person thereon to collide with or strike against any object or person. (Ord. 1089, Sec. 4)

12-104. SAME; REGULATIONS FOR FISHING AND HUNTING. (a) It shall be unlawful for any person to fish or to hunt on the city lake without having procured a valid state license if such license is required by the laws of the State of Kansas.

(b) Fishing in Sabetha lake shall be governed by all laws of the State of Kansas.

(1) It shall be unlawful for any person to retain in his or her possession any black bass less than 15 inches in length caught from Sabetha lake.

(c) Hunting of migratory waterfowl is permitted on Sabetha lake. The bag limits, permissible dates, and other regulations for hunting of migratory waterfowl shall be governed by the laws of the State of Kansas, the commission, and the U.S. Government.
(Ord. 1089, Sec. 6)

12-105. SAME; BOATING AND WATER SPORTS, PERMITS AND FEES. (a) <u>Lighting Requirements</u> -

(1) Every motorboat in all weathers from sunset to sunrise shall carry and exhibit the following lights when underway, and during such time no other lights which may be mistaken for those prescribed shall be exhibited:

(A) A bright white light aft to show all around the horizon.

(B) A combined lantern in the fore part of the vessels and lower than the white light aft, showing green to starboard and red to port, so fixed as to throw the light from right ahead to two points aft the beam on their respective sides.

(2) Manually propelled vessels shall carry, ready at hand, a lantern or flashlight showing a white light which shall be exhibited in sufficient time to avert collision.

(3) When propelled by sail or machinery, any motorboat shall carry the lights required by this section for a motorboat propelled by machinery only.

(4) All vessels at anchor between sunset and sunrise, unless anchored at a designated site, shall carry forward, or where it can best be seen, a bright white light to show all around the horizon and visible for one mile.

(5) Any vessel may carry and exhibit the lights required by the federal regulations for preventing collisions at sea, 1960, Federal Act of September 24, 1963 (33 USC 1051-1053) and (1061-1064) as amended in lieu of the lights required by this subsection of this section.

(b) Backfire and Flame Arrestors - Every motorboat shall have the carburetor or carburetors of every engine therein (except outboard motors) using gasoline as fuel equipped with such efficient coast guard approved flame arrester, backfire trap, or other similar device as may be prescribed by the regulations of the commission.

(c) Ventilation - Every such motorboat and every such vessel, except open boats, using as fuel any liquid of a volatile nature, shall be provided with such means as may be prescribed by the regulations of the commission for properly and efficiently ventilating the bilges of the engine and fuel tank compartments so as to remove any explosive or inflammable gases.

(d) Whistle - Every motorboat over 16 foot in length shall be provided with an efficient whistle or other sound-producing mechanical appliance.

(e) Life Saving Equipment -

(1) Categories: Life saving devices such as life preservers, ring life buoy, buoyant vest, special purpose water safety buoyant device, or buoyant cushion are categorized as follows:

Type I - Life preserver or jacket.

Type II - Buoyant vest. (Designed to turn an unconscious person face up in water)

Type III - Buoyant vest. (Not designed to turn an unconscious person face up in water)

Type IV - Ring buoy or buoyant cushion.

Type V - Work vests or other special purpose devices.

(2) Minimum requirements:

(A) On vessels less than 16 feet long and on all canoes or kayaks, there must be one Type I, II, III (wearable) or IV (throwable) device carried for each person.

(B) On vessels 16 feet or longer, except canoes and kayaks, there must be one Type I, II, or III (wearable) device for each person in addition to one Type IV (throwable) device in each vessel.

(3) Type V (special purpose) devices are not approved for recreational vessels.

(4) All approved personal floatation devices must be in good and serviceable condition and so placed as to be readily accessible.

(5) All persons participating in boat towed water sports (except occupants of a vessel who are of the age of 12 or over) must wear a United States Coast Guard approved life jacket or vest of the type which has been approved by the commission for boat towed water sports.

(6) The owner, parent, guardian, or person in possession of the vessel shall require all persons under the age of 12 years to wear United States Coast Guard approved life jackets or vest, which have been approved by the commission, while aboard any vessel.

(f) Fire Extinguishers - Every motorboat shall be provided with such number, size, and type of coast guard approved fire extinguishers, capable of promptly and

effectually extinguishing burning gasoline, as may be prescribed by the regulations of the commission, which fire extinguishers shall be at all times kept in condition for immediate and effective use and shall be so placed as to be readily accessible.

(g) Prohibited Operations -

(1) No person shall operate or give permission for the operation of a vessel which is not equipped as required by the laws of Kansas and regulations of the commission.

(2) No person shall operate a motorboat or vessel close to moored boats, or vessels engaged in fishing or similar activities, without reducing the speed of the vessel so as to prevent wash or wake from the vessel causing damage or unnecessary inconvenience to the occupants of the area or other vessels. Provided, that all vessels shall operate at a trolling speed except during times designated for boat towed water sports.

(3) No person shall operate any motorboat or vessel, or manipulate any waterskis, surfboard, or similar device in a reckless or negligent manner so as to endanger the life or property of any person.

(4) No person shall operate any motorboat or vessel, or manipulate any waterskis, surfboard, or similar device while intoxicated or under the influence of alcohol, non-prescription drugs, narcotic drug, barbiturate, or marijuana. Likewise, no person shall use or consume any intoxicating liquor, cereal malt beverage, non-prescription drug, narcotic drug, barbiturate, or marijuana while occupying a floating vessel. For the purposes of this provision, "under the influence" shall have the same meaning as driving under the influence in Section 30 of the 1986 edition of the Standard Traffic Ordinance.

(5) No owner or person in possession of a vessel shall permit a person under 12 years of age to operate a motorboat unless accompanied and under the direct and audible supervision of a parent or other person over 17 years old.

(6) Operation of vessel beyond safe carrying capacity or powered beyond safe power capacity prohibited. No person shall operate any vessel in the lake carrying passengers, cargo or equipment beyond the safe carrying capacity of the vessel, or powered or equipped with any motor or other propulsion machinery beyond its safe power capacity, taking into consideration the type and construction of such vessel and other existing operating conditions.

(7) It shall be unlawful to operate a motorboat or vessel in violation of the ban or restrictions on such operations as may now exist or hereafter lawfully be imposed by the city administrator.

(h) Muffling Devices - The exhaust of every internal combustion engine used on any motorboat shall be effectively muffled by equipment so constructed and used as to muffle the noise of exhaust in a reasonable manner. The use of cutouts is prohibited except for motorboats competing in a regatta or boat race approved as provided in K.S.A. 82a-814.

(i) Special Rules for Motorboats Participation in Boat Towed Water Sports - The following rules and regulations shall govern the operation of motorboats participating in boat towed water sports:

(1) Vessels participating in water sports shall only be operated on the lake during the period between 30 minutes after sunrise and 30 minutes before sundown.

(2) All such motorboats must be operated at all times in counter-clockwise direction. This provision shall not apply to a motorboat returning to pick up an individual who has fallen into the water from some boat towed water sport.

(3) All motorboats towing individuals participating in water sports shall have at least two occupants, one of whom shall be an adult, and both of whom shall be capable of operating a motorboat.

(4) Motorboats, vessels, jet ski or like powered mechanisms shall not operate close to moored boats, or vessels engaged in fishing or similar activities, without reducing the speed of the vessels so as to prevent wash or wake from the vessel causing damage or unnecessary inconvenience to the occupants of the area or other vessels. Provided, that all vessels shall operate at a trolling speed except during times designated for water sports.

(j) Boat Use - Boats primarily used for fishing may be used at any time, provided however, the maximum speed at which they may be operated is trolling speed or 10 MPH whichever is less.

(k) Private Boat Docks - All private boat docks shall be licensed by the city. The owner shall pay to the city clerk or his or her designated representative on or before the 30th day of April each year, an annual license fee of $25 per year per dock. Any private boat dock not relicensed by the 30th day of June shall become the property of the city, to do with as it sees fit. All private boat docks shall be maintained in good repair at all times, and the owner of the dock shall hold the city harmless from any liability or litigation arising from the use or misuse of the dock. All new docks must be licensed before beginning of constructions, and may be constructed only at a location approved by the city. The public may use any docks at their own risk in absence of the licensed owner during his or her absence, but shall immediately vacate same upon his or her arrival. The city reserves the right to refuse licensing or relicensing of docks when deemed in the public interest.

(Ord. 1089, Sec. 7; Ord. 1112, Sec. 1; Ord. 1177, Sec. 1; Ord. 1279, Secs. 2:3)

12-106. SAME; BOATING ACTIVITIES BANNED; WHEN. The city administrator is authorized to ban or place appropriate restrictions on all boating activities on the Sabetha Lake when the level of the lake drops to 12 inches or more below spillway elevation; which restrictions or ban shall be effective upon notice thereof being published in the official city newspaper. (Ord. 1177, Sec. 2)

12-107. SAME; VEHICULAR TRAFFIC. It shall be unlawful for any person to drive, operate, ride or use any motorized vehicle, including but not limited to: automobile, truck, motorcycle, motorized tricycle, or all terrain vehicle upon any portion of the Sabetha city lake park not clearly marked and designated for use of the vehicles. (Ord. 1089, Sec. 8)

12-108. SAME; CAMPING AND CAMPING FEES. Camping shall be permitted only in designated areas of Sabetha lake park. All persons camping in such areas shall be required to pay a fee as may be established by resolution of the governing body. No camper shall occupy a camping space for more than 72 consecutive hours. Electrical hooks for camping are not provided, in as much as no camper shall occupy a camping space for more than 72 consecutive hours, and all approved camping spaces are on a first come first served basis with no reservations. (Ord. 1089, Sec. 9)

12-109. PUBLIC PARKS OPEN TO FREE USE OF THE PUBLIC. The public parks of the city shall be open to the free use of all persons for rest and recreation during reasonable hours of the day and night. (Ord. 1089, Sec. 10)

12-110. UNLAWFUL TO PULL FLOWERS. It shall be unlawful for any person or persons to cut, pull, tear up, or sever any flower or flowers, shrubs, plants, or trees growing in the parks. It shall be unlawful for any person or persons to tramp down or in any way or manner injure or destroy any flowers, shrubs, plants, trees, or any property whatsoever in, or about the parks. (Ord. 1089, Sec. 11)

12-111. DEFACING PROPERTY. No person shall write, print, paint, stamp, stain or mark upon, or cut carve, deface or otherwise injure, mutilate or destroy any building, toilet, park seat, fence, sign, fixture, in or properly pertaining to, or used in connection with, any park in the city. (Ord. 1089, Sec. 12)

12-112. REMOVAL OR INJURING TREES, ETC. No person shall break, cut, mutilate, or injure, remove or carry away, any tree, shrub, plant, flower, stone or stonework, bench, chair, seat, bower, stand, structure, sign, fence or property, or anything whatsoever in, upon, or near any park in the city, or any street, avenue or highway in or around the same except by permission of the governing body. (Ord. 1089, Sec. 13)

12-113. NUISANCE. No person shall commit a nuisance or any offense against decency and good morals in any city park. (Ord. 1089, Sec. 14)

12-114. BUILDING FIRES. No person shall build a fire for any purpose on the grounds of any park, except in fireplaces or grills constructed for the purpose, other than park employees when so directed by their supervisor. (Ord. 1089, Sec. 15)

12-115. DRIVING IN PARK ROADWAY. No person shall drive a vehicle or ride a horse in any park, except on the roadways or areas set aside for parking: provided, that this shall not apply to the employees in the line of duty in the maintenance and care of parks. (Ord. 1089, Sec. 16)

12-116. LAWS OF THE CITY APPLICABLE TO PARKS. All laws of the city shall extend into the land set aside for parks, unless otherwise provided. (Ord. 1089, Sec. 17)

12-117. PICNICS. Picnics may be held only in any park, or portion thereof as are designated for that purpose. All areas or portions of any parks used by picnickers shall be left in a neat, clean condition by them. All bags, cans, cartons, melon rinds and all left-overs must be taken away or placed in the garbage containers. Salt water from ice cream containers shall not be poured upon the grass in any park. No person shall disturb any picnic nor intrude himself or herself upon it without the consent of those composing it. (Ord. 1089, Sec. 18)

12-118. PENALTY. Any person found guilty of violation of the provisions of this article, except section 12-103(a), shall be deemed guilty of a violation and upon conviction shall be fined not less than $50 nor more than $100 or imprisoned in the county jail for not more than 10 days, or by both such fine and imprisonment, or any combination thereof. In addition to such fine and costs, the governing body of the city may revoke any licenses or permits which the city may have issued to the violator. (Ord. 1089, Sec. 19)

12-119. COPIES OF RULES DISTRIBUTED. Pamphlet form copies of these rules shall be maintained in sufficient supply in the city clerk's office and the city clerk or his or her designated representative shall present to each person purchasing a city permit or license as provided for in this article a copy of the same at the time of issuance of any permit or license provided for in this article. (Ord. 1089, Sec. 20)

12-120. CAPITAL IMPROVEMENTS FUND. (a) There is hereby established under the authority of K.S.A. Supp. 12-1,118, the Sabetha Parks and Recreation Capital Improvements Fund.

(b) The finance officer of the city shall deposit to this fund, all gifts, donations, bequests or other funds earmarked for capital improvements in the parks and recreation department.

(c) The moneys in this fund shall be invested in accordance with the investment policy of the city.

(d) All interest earned on the invested moneys in this fund shall be credited to and reinvested in this fund.

(e) The governing body may from time to time transfer additional funds earmarked for this stated purpose to this fund.
(Ord. 1140, Secs. 1:5)

ARTICLE 2. MARY COTTON PUBLIC LIBRARY

12-201. LIBRARY BOARD: MEMBERSHIP, APPOINTMENT. The mayor, with the approval of the governing body, shall appoint a library board for the city library of the city, which is known and hereafter designated as the Mary Cotton Public Library of the city. The library board shall consist of seven members, or such other number as may be specifically provided by the laws of the State of Kansas, if the number shall be changed, to be appointed in the manner and for the terms provided by law, and the mayor of the city who shall be ex-officio a member of such board with the same powers as appointive members. (Code 1964, 11-301)

12-202. OFFICERS OF BOARD: MEETINGS. The library board shall annually meet and organize by the election of a chairperson, a secretary and a treasurer and such other officers as they may deem necessary. The board shall fix the date and place of its regular meetings; and special meetings may be called by the chairperson, or upon the written request of a majority of the members in the manner provided by law. (Code 1964, 11-302)

12-203. POWERS AND DUTIES OF BOARD. The library board shall be responsible for the general operation and maintenance of the Mary Cotton Public Library and shall make and adopt rules and regulations for the administration thereof. (Code 1964, 11-303)

12-204. DAMAGE TO LIBRARY PROPERTY. It shall be unlawful for any person to willfully injure or damage any building occupied by the Mary Cotton Public Library or to willfully injure or to destroy any book, map, chart, magazine, picture, statuary, or other personal property belonging to or under the control of the Mary Cotton Public Library. (Code 1964, 11-304)

12-205. REMOVAL OF BOOKS, ETC. It shall be unlawful for any persons to take from the Mary Cotton Public Library or any premises thereof any book, map, plat, chart, picture, or other personal property belonging to or under the control of the Mary Cotton Public Library, except with the permission of the librarian or person or persons in charge thereof, and in compliance with the rules of the Mary Cotton Public Library or, after having lawfully obtained possession of the same, to retain such property in his or her possession or to keep the same out of the Mary Cotton Public Library for a longer period of time than that designated on each book or date card after having been notified by the librarian to return same. (Code 1964, 11-305)

ARTICLE 3. CITY CEMETERY

12-301. DEFINITION. The city cemetery shall be defined as any city cemetery now situated within the city limits of the city, the former Montrose cemetery situated approximately two miles north of the city, Chapel Lawn cemetery and any future extension of either of the cemeteries, or any future cemetery the city may acquire. (Code 1964, 11-401; Code 1986)

12-302. LAWS OF THE CITY APPLICABLE TO CEMETERY; APPROVAL OF LOTS NOW PLATTED. All laws of the city shall extend to the cemetery. All lots, streets, and roadways now platted in the city cemetery are approved in all respects. (Code 1964, 11-402)

12-303. CEMETERY BOARD: MEMBERSHIP; APPOINTMENT. There is hereby created a cemetery board of seven directors, to manage, operate, maintain, and improve the city cemetery of the city, located within or without the corporate limits of the city, such directors to be appointed by the mayor of the city, with the consent of the governing body thereof, from the residents of the city at large, but no person holding any official position under the city shall be appointed a director while holding such office. The directors shall receive no compensation for such services. The present directors will hold office until their respective terms of office expire; and new directors will be appointed for terms of three years as the terms of the present directors, respectively, shall expire, and directors so appointed shall hold office for three years and until their successors are appointed and qualified. The mayor may, by and with the consent of the governing body, remove any director for misconduct or neglect of duty. Vacancies in the board of directors occasioned by removal, resignation, or otherwise, shall be filled in like manner as the original appointments for unexpired terms. (Code 1964, 11-403)

12-304. OFFICERS OF BOARD: DUTIES. (a) The directors shall elect one of their number as president, and may elect such other officers as they may deem necessary, and who shall hold office for one year. The president will receive no compensation for his or her duties. The directors shall also appoint a secretary to keep records of the sale of the lots, and to perform other duties devolving upon him or her in that office; and the secretary may be paid such compensation for his or her services as the directors may deem just and reasonable. The directors shall also elect a treasurer of the board,

whose duties are set forth in section 12-305. The treasurer shall hold office for a term of two years.

(b) The directors shall make and adopt such by-laws, rules, and regulations for their guidance, and for the regulation and government of the city cemetery of the city as they may deem expedient, and not inconsistent with the laws of the State of Kansas pertaining thereto. The directors shall have charge of, and supervision over, the city cemetery of the city, with exclusive power to expend cemetery funds in maintaining, caring for, and improving the cemetery.

(c) The board of directors shall have power to appoint a suitable sexton and necessary assistants, and fix their compensation, and shall also have the power to remove such appointees, and, in general, to carry out the spirit of this article and the laws of the State of Kansas, and to maintain the cemetery in proper and suitable condition.

(d) The board of directors shall, on or before the 15th day of January of each year, make an annual report to the governing body of the city, stating the conditions of the trust of the cemetery on the 31st day of December preceding, the various sums of money received from the cemetery funds, and other sources, and how much money has been expended, and such other information and suggestions as they may deem of general interest. Such report shall be verified by affidavit of the president and secretary of the board and filed in the office of the city clerk.
(Code 1964, 11-404)

12-305. TREASURER: QUALIFICATIONS; DUTIES. The treasurer of the cemetery board shall be appointed by the board of directors of the cemetery, and he or she shall hold office for a term of two years, and until his or her successor is elected and qualified. The treasurer shall give bond in such amount as the cemetery board may direct, to be approved by the board, for the safe-keeping and due disbursement of all funds that may come into his or her hands as such treasurer. He or she shall be paid from the treasurer of the city all money that may come into the hands of the treasurer of the city for the credit of the cemetery board, either by gift or tax collection, or otherwise. He or she shall keep an accurate account of the receipts and disbursements made from the funds in his or her hands as treasurer of the cemetery board at all times. (Code 1964, 11-405)

12-306. ABANDONMENT OF CEMETERY BOARD. The city may abandon the cemetery board method of governing the cemetery, and abolish the cemetery board by a majority of the qualified electors of the city at any regular election, or at any special election called for that purpose, and such election shall be called only upon the presentation of a petition to the governing body of the city, signed by not less than 25 percent of the qualified voters of the city, praying for such election; the question to be submitted in the usual form. (Code 1964, 11-406)

ARTICLE 4. SABETHA COMMUNITY HOSPITAL

12-401. SABETHA COMMUNITY HOSPITAL; PURPOSE. (a) To establish and maintain a hospital in the city with permanent facilities that include inpatient beds and medical services to provide both diagnosis and treatment.

(b) To become involved with and house, when appropriate, educational activities related to the rendering of care to the sick or injured and/or the promotion of health to the community.

(c) To operate to the extent of it's financial ability, to provide service(s) to the needy without regard to one's race, color, creed or ability to pay.
(Code 1986)

12-402. HOSPITAL ADVISORY COMMITTEE; ESTABLISHED. There is hereby established a hospital advisory committee as a liaison between the contractual management firm and the governing body. (Code 1986)

12-403. SAME; MEMBERSHIP TERMS. The hospital advisory committee shall consist of five members appointed by the governing body. Each member shall be appointed for a term of five years. No member may serve more than two consecutive terms or 10 years on the advisory committee. Vacancies occurring on the committee due to resignation or other causes shall be filled by appointment of the governing body to complete the unexpired term. (Code 1986)

12-404. SAME; APPOINTMENTS. Appointments to the committee shall be made by the governing body in April of each year. The committee may submit to the governing body in March a recommendation of person(s) to be appointed to the advisory committee. (Code 1986)

12-405. SAME; OFFICERS ELECTED. At the meeting of the committee in May of each year the committee shall reorganize and elect from it's numbers, a chairperson, a vice-chairperson, secretary, treasurer and any other officers it deems appropriate. (Code 1986)

12-406. SAME; RECOMMENDATIONS. The committee shall make recommendations to the governing body for the hiring of a management firm to manage Sabetha Community Hospital and for any other contractual services which shall be awarded by the governing body. (Code 1986)

12-407. SAME; MEETINGS. The committee shall meet monthly at a time and place acceptable to the members of the committee. Elected members of the governing body shall be invited to attend all regular and special meetings.

(b) A copy of the minutes of each meeting of the committee shall be provided to the governing body.
(Code 1986)

12-408. SAME; POWERS. (a) The committee is authorized to receive and expend funds in the name of the hospital, and may accept and expend all bequests, devises, gifts, donations, and/or contributions for the betterment of Sabetha Community Hospital in addition to the annual subsidy provided to the hospital advisory committee by the governing body. All funds shall be accounted for to the governing body on an annual basis, and the accounts of the committee shall be audited as a part of the annual audit of the city.

(b) The committee shall submit annually a written report of the operation of the hospital along with a listing of needs, proposed improvements and long-range goals. (Code 1986)

ARTICLE 5. MUNICIPAL FACILITY USE

12-501. USER FEES. The following fee schedule shall be in effect for the named municipal facilities of the city.

(a) Auditorium, City Hall - For Profit Organizations, $60 per performance. For public and civic groups, 50% discount.

(b) Community Room-Community Building - Meetings, $20 per day. For public and civic groups, 50 percent discount. Garage Sales, $25 per day.

(c) Community Room, Midtown - Meeting, $20 per day. For public and civic groups, 50% discount.

(d) Conference Room-Lobby Level, City Hall - For Profit Organizations, $15 per meeting. For public and civic group, 50% discount.

(e) Emergency Building Training Center - Meeting, $15 per day.

(f) Gym-Lower Level, City Hall - For open play, No charge. For private activities, $20 per day.

(g) Gymnasium, Midtown - Private activity, $8 per hour or $30 per day.

(h) No. 1 Room, Midtown - Meeting $10 per day. For public and civic groups, 50% discount.

(i) No. 2 Room, Midtown - Meeting, $10 per day. For public and civic groups, 50 discount. Scouts, No Charge.

(Ord. 1206, Sec. 1)

12-502. FEES; WAIVED. The city administrator is authorized to waive fees for the rental of city facilities, if it is deemed to be in the public interest. (Ord. 1206, Sec. 2)

ARTICLE 6. PONY CREEK LAKE PARK

12-601. ADOPTION. The Pony Creek Lake Park Regulations as promulgated by the governing body of the city and incorporated by reference herein are hereby adopted and made a part of the city code of the city. (Ord. 1271, Sec. 1)

12-602. AMENDMENTS. The Pony Creek Lake Park Regulations be, and they hereby are, amended by addition of the following provisions concerning special use permits:

(a) Special Events Permit Regulations

(1) No permits shall be issued for events or activities which would involve any violations of the laws of the State of Kansas, any rules or regulations of the Kansas Department of Parks and Wildlife, or the Sabetha Pony Creek Lake Park Regulation, nor shall any such activities be allowed by reason of the fact that a person has a special events permit.

(2) The special events permits allow sponsored organizations to reserve an identified area at Pony Creek Lake Park for an approved activity described on the application.

(3) All permitted activities at the park shall be restricted to preserve the natural or man-made habitant for wildlife. It shall be unlawful to remove or disturb any plant life (grass, trees, shrubs, bushes, fruit, flowers or branch, root or leaf of any living thing) growing within the park. It shall be prohibited to disturb, molest or destroy any wildlife habitant at Sabetha Pony Creek Lake.

(b) Application for Special Events

(1) The applicant shall complete an application, provided by the city, and provide detailed information of the proposed event.

(2) Any applicant or agent of the applicant providing false/misleading information on the application or violating any provision of Sabetha Pony Creek Park regulations will be subject to penalties as stated in Section 8 of the regulations.

(3) The special event shall be approved on the merit of the application. Any and/or all activities at the park may be prohibited for a period of time to manage and/or enhance wildlife habitat and preserve the natural state of the park.

(4) Any vehicle that enters the park for a special event shall be required to display a valid park permit as stipulated in Section 2 of the Sabetha Pony Creek Park regulations.

(5) The special event permit shall be issued by the city clerk. The permit fee is $25. (Ord. 1283, Sec. 1)

ARTICLE 7. MUNICIPAL AIRPORT

12-701. USER FEES. The following fee schedule shall be in effect for the named municipal facilities of the city.

(a) Hangar 1 through 8 – Storage and general use, $90 per month. Aviation (based aircraft) storage $50 per month, $10 per day.

(b) Hangar 11, 12, 17, 18 – Storage and general use, $170 per month. Aviation (based aircraft) storage, $90 per month, $10 per day.

(c) Hangar 13, 14, 15, 16 – Storage and general use, $190 per month. Aviation (based aircraft storage, $100 per month, $10 per day.

(d) Quonset – Storage and general use, $280 per month. Aviation (based aircraft) storage, $150 per month, $20 per day.
(Ord. 1287, Sec. 1)

12-702. FEES; WAIVED. The city administrator is authorized to waive fees for the rental of city facilities, if it is deemed to be in the public interest. (Ord. 1287, Sec. 2)