

ORDINANCE NO. 2007-03-04

AN ORDINANCE OF THE CITY OF LEEDS, ALABAMA TO ESTABLISH RULES AND REGULATIONS REGARDING THE HOURS OF USE OF CITY PARKS AND TO ESTABLISH CRIMINAL PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED by the City Council of the City of Leeds, Alabama as follows:

Section 1: Definitions.

“Public Park” shall mean any land or facility owned or operated by the City of Leeds, Alabama (the “City”) and used as a park, playground, recreational facility, athletic facility, stadium or other recreational activity or purpose.

Section 2: Enforcement.

- (a) The provisions of this ordinance shall be enforced by any police officer of the City and by any person who may be, or who may hereafter be, duly authorized by the City as a park attendant; provided that only police officers shall have the power of arrest.
- (b) Any duly authorized park attendant shall have authority to direct any person to leave any Public Park who is violating any applicable law, rule or regulation. Any person who fails or refuses to leave any Public Park after having been so directed shall be guilty of an offense against the City and punished in accordance with Section 4 of this ordinance.

Section 3: Public Park Operating Policy.

- (a) Except for unusual and unforeseen emergencies, maintenance, repairs, construction, or as may hereafter be determined by the City, Public Parks shall be open to the public every day of the year during designated hours.
- (b) The opening and closing hours for each Public Park shall be posted therein for public information; provided, however, that unless otherwise posted, all Public Parks shall close at 11:00 PM. Unless participating in a scheduled event authorized or allowed by the City, it shall be unlawful for any person to use any Public Park at a time contrary to the posted hours for use of any such Public Park.
- (c) The City shall conspicuously post signs at each Public Park indicating the hours of authorized use of each Public Park. Such signs shall be posted at the entrance to all such Public Parks and at such other places on or throughout such Public Parks as shall be reasonably necessary in the sole opinion of the City Council.
- (d) Any section or part of any Public Park may be declared closed to the public by the City at any time and for any interval of time, either temporarily or at regular and stated intervals, as the City may find reasonably necessary. It shall be

unlawful to use any Public Park or any area thereof which has been posted by the City as closed.

Section 4. Penalties.

Any person who shall violate any provision of this Ordinance, or who shall do any act made unlawful by this Ordinance, shall, upon conviction thereof, be punished by imprisonment of not more than six (6) months, or by fine not to exceed Five Hundred and No/100 Dollars (\$500.00), or both.

Section 5. Severability Clause.

It is hereby declared to be the intention of the City Council of the City of Leeds that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of same shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6. Conflicting Ordinances.

That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.


Section 7. Publication.

This Ordinance shall become effective upon its passage and publication as provided by law.

APPROVED and ADOPTED this the 5 day of March, 2007.

CITY OF LEEDS, ALABAMA

By:



James O. Whitfield, Mayor

ATTEST:



Brad Watson, Acting City Clerk