



## **ARTICLE II – PARK POLICIES, RULES, AND REGULATIONS**

### **Section 1 – Regulations**

#### **2.1.1 General**

The Board provides area residents approximately 737 acres of parkland. The existing amenities within the park system comprise the majority of the opportunities for outdoor recreation activities in the Moberly area. Therefore, because parks play a vital role in meeting the outdoor recreation needs of area residents, certain regulations must be enforced to ensure that the parks will continue to meet the needs of area residents.

#### **2.1.2 Park Hours**

All parks are open to the public from 5:00 a.m. until 11:00p.m. No overnight stays at the park are allowed except for permitted overnight fishing (see section 4), camping (see section 7), and facility renters who are cleaning up and leaving following a rental. Anyone found in the parks without authorization after 11:00 p.m. will be subject to fine and law enforcement action for trespassing. Some amenities and facilities may be subject to different hours than the general 5:00 a.m. to 11:00 p.m. as determined by the Director in consultation with the Board.

#### **2.1.3 Vehicles**

All persons operating any type of motor vehicle in any public park shall do so in a prudent and careful manner so as not to obstruct traffic and shall observe all speed and traffic regulations. All motor vehicles must park in designated areas which include those areas paved, graveled or otherwise marked for parking. For events that require more parking than space available, vehicles will need to be parked at a place that will not obstruct the use or enjoyment of any of the amenities of the park.

All public motor vehicles, which include four wheel drives, ATVs, motorcycles and any other motorized vehicle, must stay on designated roadways at all times. No vehicles, except those work vehicles of the Department, public utility vehicles, public safety vehicles, and other vehicles engaged in maintenance or upkeep of the park are allowed to drive on non-roadway areas of the park.

#### **2.1.4 Dumping/Trash**

It is unlawful for any person(s) to discard of trash, yard waste, refuse, or any other type of outside waste product on City property, including any City Parks. The Department provides proper trash receptacles throughout the parks and trash created during park use may only be discarded in those receptacles. Violators of this policy may be subject to fines and other penalties as allowed by law.



### **2.1.5 Leases of Park Property**

It is the practice of the Department and Board not to enter into any leases of park property with private individuals, firms, corporations, or organizations beyond ordinary rentals.

### **2.1.6 Commercial Operations**

Generally, commercial operations are not allowed at any City of Moberly park. Commercial operations are defined as any individual, business, group, or entity that is selling a product or providing a service for a fee.

If an individual, business, group, or entity wishes to engage in a commercial operation, written permission specifically authorizing such activity must be obtained from the Director or his/her designee. If such permission is given, the commercial operator is entering into a contractual agreement to pay the Department a specified percentage of the gross income taken during operations. Typically, it is 10% for a non-profit group, and 20% for a for-profit or commercial operation. The specific percentage can be negotiated by the Director at time of agreement signing, in lieu of a percentage and in certain circumstances a flat fee may be negotiated (cost recovery may also be achieved in an alternative way).

In the case of an individual, business, group, or entity that is renting a facility within the park, the Department must be made aware that selling a product or providing a service for a fee will be taking place.

### **2.1.7 Rental of Park Property**

Persons or groups wishing to rent park property, shelters, or facilities shall do so in accordance with the rules and procedures specified in this manual.

### **2.1.8 Use of Firearms and Fireworks**

No person shall be permitted to carry or discharge any firearms in the park unless specific permission has been granted by the City Council and Moberly Police Department.

The discharging of fireworks in the park is not allowed, in compliance of Ordinance 15-229 (10) and City Code. A licensed and insured pyrotechnic company discharge fireworks for special events with the written authorization of the Director and permit from the Moberly Fire Department.

### **2.1.9 Annoyance of Animals / At-Large Animals**

No individual, club, group, or organization shall be permitted to annoy, throw at, trap, or hurt in any way, any animal in the park, whether the animal is in captivity or running at large. Violation may result in fines and/or arrest.



No domesticated animal shall be allowed to run loose in the park or allowed to be in the lakes. Animals found running loose in the parks shall be turned over to Animal Control. Owners of animals found or observed being at-large will have complaints signed against them and they are responsible for any fines and other related costs.

No domestic or exotic animals may be released or allowed to roam free in the park.

#### **2.1.10 Hunting**

It is unlawful for any person to trap or hunt with weapons, dogs, or any other equipment within the boundaries of any park except as authorized by City Code or City Council.

#### **2.1.11 Carnivals, Fairs, etc.**

Any carnival, circus, fair, or other similar type of event shall be held only in the Agricultural Area of Rothwell Park, unless otherwise determined by the Director and Board. No such event shall be allowed unless first approved by the Board. The Board reserves the right to establish the dates for an event, establish specific requirements for each event, and expects payment to reimburse staff costs, utilities, and use of the grounds.

#### **2.1.12 Alcohol**

Per Moberly City Code, *"except by permit, it is unlawful for any person to publicly drink any intoxicating liquor...within any public park, square or cemetery, or other public grounds, or within any public building or part thereof or grounds attached thereto, within the city."*

Groups wishing to either serve or sell alcohol at Rothwell Park must obtain either a Picnic Permit, which is for beer garden types of events, or a Catering Permit if the event will be held in one of the facilities. Please refer to Moberly City Code for full definitions. Refer to the Facility Use Policy for alcohol procedures.

#### **2.1.13 Metal Detectors**

It is the interest of the Department and the City to ensure well maintained park grounds for public use. Because opening the door to metal detector use in City parks would lead to issues including increased maintenance, patches of dead grass, and declining aesthetics, the use of metal detectors are prohibited within certain areas of City parks including near any utilities, ball fields, the Aquatic Center, and the Athletic Complex. As well, no digging shall be deeper than 12 inches below surface grade and no tools larger than a hand gardening shovel may be used. Exceptions to this policy may be made by the Director at his/her discretion or through the creation of a designated zone(s) for metal detector use.



#### **2.1.14 Geocaching**

Geocaching is allowed in the park as long as you:

- Do not damage property, trees, or wildlife.
- Do not locate cache near facilities or in maintained areas.
- Ensure the cache contents are both safe and appropriate.

#### **2.1.15 Concessions**

When possible and reasonable, the Department will try to provide healthy concession options as identified by the Eat Smart in Parks criteria. Concession stands at the Howard Hills Athletic Complex will be open when at least two fields are in play and at the pool during regular hours.

**Disclaimer:** Park users are also responsible for abiding by all written policies as updated periodically. The MPRD policy manual is updated annually and available on the website. Please refer to this for up to date written policies for all areas of the Department. Please note that park rules are subject to change. Park users are expected to listen to instruction and requests from City of Moberly Parks and Recreation staff members.