

CHAPTER 90: LEISURE AND RECREATION

Section

- 90.01 Parks and recreational facilities; operation and funding
90.02 Parks and recreational facilities; injury to property

§ 90.01 PARKS AND RECREATIONAL FACILITIES; OPERATION AND FUNDING.

(A) If the village has already acquired or hereafter acquires land for park purposes or recreational facilities or has already built or hereafter builds swimming pools, recreational facilities, or dams, the Board of Trustees may each year make and levy a tax upon the taxable value of all the taxable property in the village. The levy shall be collected and put into the village treasury and shall constitute the park and recreation fund of the village. The funds so levied and collected shall be used for amusements, for laying out, improving, and beautifying such parks, for maintaining, improving, managing, and beautifying such swimming pools, recreational facilities, or dams, and for the payment of salaries and wages of persons employed in the performance of such labor.

(Neb. RS 17-951)

(B) If the Board of Trustees creates a Board of Park Commissioners or Board of Park and Recreation Commissioners, when such Board has been appointed and qualified, all accounts against the park fund or park and recreation fund, as the case may be, shall be audited by such Board, and warrants against the fund shall be drawn by the Chairperson of the Board, and warrants so drawn shall be paid by the Village Treasurer out of the fund.

(Neb. RS 17-952)

(C) (1) Whether the title to real estate for parks, public grounds, swimming pools, or dams, either for recreational or conservational purposes, shall be acquired by gift, devise, or purchase as provided in Neb. RS 17-948, the jurisdiction of the Board of Trustees or Park Board shall at once be extended over such real estate; and the Board of Trustees or Park Board shall have power to enact bylaws, rules or ordinances for the protection and preservation of any real estate acquired as herein contemplated, and to provide rules and regulations for the closing of the park or swimming pool, in whole or in part, to the general public, and charge admission thereto during such closing, either by the village or by any person, persons, or corporation leasing same. They may provide suitable penalties for the violation of such bylaws, rules, or ordinances; and the police power of the village shall be at once extended over the same.

(Neb. RS 17-949)

Villages - General Regulations

(2) The Park Board shall not enter into a contract of any nature that involves an expenditure of funds, except for ordinary operating expenses, unless the contract has been approved by resolution of the majority of the members of the Board of Trustees prior to the contractual agreement.

Statutory reference:

Levy limits, see Neb. RS 77-3442

Parks and recreational facilities generally, see Neb. RS 17-948 through 17-952

§ 90.02 PARKS AND RECREATIONAL FACILITIES; INJURY TO PROPERTY.

It shall be unlawful for any person to maliciously or willfully cut down, injure, or destroy any tree, plant, or shrub in any village park or recreational facility. It shall be unlawful for any person to injure or destroy any sodded or planted area or injure or destroy any building, structure, equipment, fence, bench, table, or any other property of any village park or recreational area. No person shall commit any waste on or litter the village parks or other public grounds.

Penalty, see § 10.99

Statutory reference:

Littering of public and private property, see Neb. RS 28-523

ORDINANCE 211

AN ORDINANCE OF THE VILLAGE OF STRATTON, NEBRASKA, ESTABLISHING HOURS OF OPERATION FOR THE VILLAGE PARK AND BALLFIELD; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THE ORDINANCE.

BE IT ORDAINED BY THE CHAIRMAN AND VILLAGE BOARD OF THE VILLAGE OF STRATTON, NEBRASKA:

SECTION 1. That Section 90.03 of the Village of Stratton, Nebraska read as follows: HOURS ESTABLISHED; CLOSING.

(A) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

PARKS. Includes any park, playground, or other park or recreational use or facility within or without the limits of the village, which is under the village ownership or control.

(B) Except as hereinafter provided, all parks shall be opened daily to the public during the hours of 5:00 a.m. to 11:00 p.m. the following day. It shall be unlawful for any person to occupy or be present in any park during any hours during which that park is not opened to the public.

(C) The Village Board or Utilities Superintendent may, upon request by any resident of the village, grant exceptions to the normal park closing hours for special activities, or where special circumstances arise.

(D) (1) Any park may be declared closed to the public by the Chairman of the Board of Trustees or Utilities Superintendent at any time or regular or at stated intervals when necessary for:

- (a) The care and maintenance of the parks;
- (b) The health, safety, and welfare of the public; or
- (c) The protection or preservation of park property.

(2) When so closed, the Utilities Superintendent shall cause notice to be posted at the entrance of that park to notify the public that the park is closed, and when so posted it shall be unlawful for any person to enter that park; and it shall be unlawful for any person to remain in the park after oral notice by the Board, or any other duly authorized representatives of the Board, that the park is closed, regardless of whether or not any signs have been posted. Penalty, see §10.99.

SECTION 2. That any other ordinance or section or parts of ordinances passed and approved prior to the passage, approval and publication or posting of this Ordinance and in conflict with its provisions is hereby repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage, approval and publication or posting according to law.

PASSED AND APPROVED this 17th day of October, 2022.

ATTEST:

Jilene Chivell Griffiths, Chairman

Tara Hedrick, Village Clerk