

ORDINANCE 2023- 05

<p>“EMERGENCY ORDINANCE” TO REPEAL AND REPLACE ORDINANCE 2019-03 ESTABLISHING FEES AND PENALTIES FOR THE USE OF CITY OF BULL SHOALS PARK FACILITIES</p>
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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BULL SHOALS:

SECTION 1. Purpose and Intent

The purpose of this ordinance is to amend the City of Bull Shoals procedures, ordinances, and resolutions related to park fees to allow for a more flexible and responsive approach in determining park fees. By repealing the prior ordinance setting fixed park fees by “Roll Call Vote”, this ordinance establishes a system where park fees are determined by resolution of the council twice annually, enabling the City Council to consider current financial conditions, community needs, and other relevant factors when setting park fees.

SECTION 2. Amendment

ORDINANCE 2019-03 is, hereby repealed as it relates to park fees, and is replaced with the following:

1. Park Fees

(a) Park fees for the use of Bull Shoals parks, facilities, and services shall be determined by resolution of the City Council. The City Council shall review and may establish or modify park fees twice annually, taking into consideration factors such as maintenance costs, improvements, community feedback, and other relevant considerations.

(b) The Parks and Recreation Committee or other such individuals as determined by the Mayor shall provide the City Council with a comprehensive report on park usage, maintenance needs, and financial considerations to assist in the determination of park fees.

(c) The City Council may, by resolution, adjust park fees as necessary to ensure the responsible and equitable use of park resources.

2. Penalties for Violation of Fees

(a) Persons in violation of this Ordinance or any other Resolution or Ordinance concerning use of the City of Bull Shoals Park Facilities will be fined a maximum of Fifty Dollars

(\$50.00) per day, per incident. For first offence Launch Infractions, purchase of a Bull Shoals Launch Permit may substitute for fine. Second offence fines may be raised to Seventy-Five Dollars (\$75.00) per day, per incident. Enforcement of these Ordinances and Resolutions shall be the duties of the Bull Shoals Police Department.

SECTION 3. Emergency Clause

Due to the necessity of the Parks Department to take reservations for the upcoming 2024 season without interruption and the discovery that ordinance 2019-3 incorrectly allows for fee changes by roll call vote within an ordinance. Therefore an Emergency is declared to exist and this Ordinance being necessary for the public peace, health and safety shall be in force upon its passage and approval.

SECTION 4. Severability

If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application of the provisions to other persons or circumstances shall not be affected unless the invalidation of those aforementioned provisions renders the remainder contrary to the stated purpose and intent of this ordinance.

SECTION 5. Repeal

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

INTRODUCED, READ, AND ADOPTED by the City Council of Bull Shoals, Arkansas on December 28, 2023.

Approved *Mark A. Amy* 11/5/2024
Mayor

Attest *Lina M. Bailey*
Recorder/Treasurer

