

CHAPTER 93: PARKS

Section

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§ 93.01 OPERATION AND FUNDING.

(A) If the city 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 Mayor and City Council may each year make and levy a tax upon the taxable value of all the taxable property in the city. The levy shall be collected and put into the city treasury and shall constitute the Park and Recreation Fund of the city. The funds so levied and collected shall be used for amusements, for laying out, improving and beautifying the parks, for maintaining, improving, managing and beautifying the swimming pools, recreational facilities or dams, and for the payment of salaries and wages of persons employed in the performance of the labor.

(Neb. RS 17-951)

(B) If the Mayor and City Council create a Board of Park Commissioners or Board of Park and Recreation Commissioners, when the 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 the Board, and warrants against the Fund shall be drawn by the Chairperson of the Board, and warrants so drawn shall be paid by the City 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 City Council or Park Board shall at once be extended over the real estate; and the City Council 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 the closing, either by the city or by any person, persons or

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corporation leasing same. They may provide suitable penalties for the violation of the bylaws, rules or ordinances; and the police power of the city shall be at once extended over the same.
(Neb. RS 17-949)

(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 City Council prior to the contractual agreement.
(1999 Code, § 3-701)

Statutory reference:

Levy limits, see Neb. RS 77-3442

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

§ 93.02 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 city 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 city park or recreational area. No person shall commit any waste on or litter the city parks or other public grounds.
(1999 Code, § 3-702) Penalty, see § 93.99

Statutory reference:

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

§ 93.03 UNLAWFUL ENTRY.

It shall be unlawful for any person to be on the grounds of the municipal park between the hours of 12:00 a.m. and 6:00 a.m., except for those individuals who are renting existing park structures and for those individuals who are camped in the municipal park with the permission of the city.
(1999 Code, § 3-703) (Ord. 01-565, passed 6-5-2001) Penalty, see § 93.99

§ 93.99 PENALTY.

(A) Any person, or any person's agent or servant, who violates any of the provisions of this chapter, unless otherwise specifically provided herein, shall be deemed guilty of an offense and upon conviction thereof shall be fined in any sum not exceeding \$500. A new violation shall be deemed to have been committed every 24 hours of failure to comply with the provisions of this chapter.

(B) (1) Whenever a nuisance exists as defined in this title, the municipality may proceed by a suit in equity to enjoin, abate and remove the same in the manner provided by law.

(2) Whenever, in any action, it is established that a nuisance exists, the Court may, together with the fine or penalty imposed, enter an order of abatement as a part of the judgment in the case. (1999 Code, § 3-1101) (Ord. 00-20, passed 6-6-2000)

