

ORDINANCE NO. 2016-OR-795

AN ORDINANCE AMENDING CHAPTER 16  
OF MONTICELLO CITY CODE,  
CONCERNING PARKS AND RECREATION;  
ALLOWING THE HOST OF FISHING  
TOURNAMENTS ON LAKE MONTICELLO  
UNDER CERTAIN CONDITIONS;  
PROVIDING REGULATIONS FOR THEREOF.

WHEREAS, on June 9, 2011 at a meeting of the City Council of Monticello, Arkansas, representatives from the Arkansas Game and Fish Commission, the state agency contracted to manage the fishery of the lake, informed the City Council of the Commission's concerns of affect fishing tournaments might have on the fishery of Lake Monticello; and

WHEREAS, at that meeting, the City Council approved to ban any fishing tournaments on Lake Monticello in hopes to protect the fishery of the lake, at the request of the Arkansas Game and Fish Commission; and

WHEREAS, on March 3, 2016 representatives from the Arkansas Game and Fish Commission met with the Mayor Zackery Tucker, and communicated the Commission's interest in the City to allow fishing tournaments on Lake Monticello; and

WHEREAS, now both residents of Monticello and the Arkansas Game and Fish Commission with a opinion that the fishery of the lake is development to one that could support a managed tournament schedule, request to allow fishing tournaments at the lake; and

WHEREAS, representatives from the Arkansas Game and Fish Commission has further requested the City that if it were to allow fishing tournaments, to establish a permitting process to help manage the large traffic on the lake and to assist in keeping the Commission better informed on the fishery of the lake through the Commission's Arkansas Tournament Information Program (ATIP); and

WHEREAS, due to a request from residents and the endorsement of representatives of the Arkansas Game and Fish Commission, it is the opinion of the City Council that adopting managed fishing tournament process would be beneficial to the community and the lake.

NOW THEREFOR BE IT ORDAINED, by the City Council of the Monticello, Arkansas, that Chapter 16 of Monticello City Code, concerning parks and recreation, is amended to reads as follows:

**"Sec. 16-26 - 30. Reserved.**

### **ARTICLE III. LAKE MONTICELLO**

#### **Sec. 16-31. Fishing tournament permit, when required.**

It shall be unlawful for any person, business, or organization to host a fishing tournament of any kind, which involves ten (10) or more boats or twenty-five (25) or more participants, without having obtained a permit from the mayor for the such conditions as may be prescribed in said permit.

#### **Sec. 16-32. Fishing tournament permit, application.**

(a) All applications for permits shall be made to the city, that shall issue a permit based upon its compliance by the applicant with provision of this article and of any regulations

adopted pursuant thereto, and of any other applicable legal requirements.

(b) Applications for permits shall be in writing signed by the applicant as to the truth of the statement and facts set forth in the application shall contain the following:

(1) Club Name. The name of the organization or group.

(2) Club Representative. The name of the person responsible for submitting the application and required reporting.

(3) Address, City, State, Zip and Phone. The current address and phone number of the Club Representative.

(4) Date and times of Tournament. The date and times of the weigh-in for the tournament.

(5) Estimated Number of Anglers. The estimated total number of people participating in the tournament whether actually fishing or not.

(6) Target Species. The species the tournament will target participates to fish.

(c) Permit applications shall be due at least thirty (30) days prior to the start date of the tournament.

**Sec. 16-33. Fishing tournament permit, fee and deposit.**

(a) A fifty (\$50.00) dollar application fee shall be required for each application, at the time of submittal, to be permitted to host a fishing tournament under this article.

(b) A five-hundred-dollars (\$500.00) refundable deposit shall be required for each application to be paid by check or money order at least seven (7) days prior to the tournament. The deposit shall be held by the city and not deposited in the any fund of the city and made available to be returned to the applicant fifteen (15) days after the tournament; unless:

(1) Being verified by city staff, damage was caused to city property as a result of the tournament or its participants; or within twenty-four (24) hours after the event closes fails to clear and pick up debris from the permitted site.

(2) Tournament officials failed to provide the city proof of completion of the Arkansas Tournament Information Program (ATIP) Weigh-In Summary Report to the Arkansas Game and Fish Commission.

(3) Tournament officials fail to comply with any state or local regulations governing the use, protection, conservation and preservation of the fishery and habitat of the lake.

(c) Failure to request the deposit within thirty (30) days following the tournament or to comply with the terms of the deposit, as outlined in (b) of this section, the Tournament shall forfeit the refundable deposit and such funds shall be deposited by the city in the appropriate fund.

**Sec. 16-34. Fishing tournament limitations, dates.**

(a) Tournament activity shall be limited to the dates requested and approved in the permit.

(b) The <sup>City</sup> shall not issue a permit authorizing a fishing tournament on a date which another fishing tournament has already been permitted.

**Sec. 16-35. Fishing tournament permit, liability.**

The permittee will be solely responsible for health and safety requirements of participants and will carry comprehensive general liability insurance for bodily injury in the minimum limits of \$100,000 per person and \$500,000 per accident for property damage.

**Sec. 16-36. Fishing tournament permit, funds.**

All fees, funds, and penalties received by the city pursuant to this article shall, be deposited in the appropriate fund to be used for improvements to Lake Monticello.

**Sec. 16-37. Public use not limited.**

The issuance of a permit will not prohibit the public's use of recreation resources which are normally open to the public and at which the tournament will be held.

(End of Ordinance)

ADOPTED on this 31st day of May, 2016.

  
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Mayor

ATTEST:

  
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City Clerk