

ORDINANCE NO. OR-2016-803

AN ORDINANCE AMENDING CHAPTER 16 OF
MONTICELLO CITY CODE, CONCERNING
PARKS AND RECREATIONS; ADOPTING
STANDARD RULES AND REGULATIONS FOR
LAKE MONTICELLO; AND ESTABLISHING
PENALTIES RELATED THERETO.

WHEREAS, the City of Monticello is in the process of constructing a nature and recreational pedestrian trail at Lake Monticello; and

WHEREAS, as the Lake's recreational use increases, the Parks & Recreation Committee has determined it necessary for the city to adopt standard rules regulating the recreational use of said lake; and

WHEREAS, the Parks & Recreation Committee has recommended to the mayor the establishment of certain rules; and

WHEREAS, said recommended rules have been outlined below for their adoption in the Monticello City Code for enforcement by the City of Monticello, Drew County Sherriff's Office and the Arkansas Game & Fish Commission.

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

"Sec. 16-38 - 40. Reserved.

Sec. 16-41. Defining Lake Monticello.

For the purposes of this article, Lake Monticello shall be defined as the body of water consisting of at least 1,520 acres

located in Range 7 north of the corporate limits of the City of Monticello; including all contiguous land or grounds owned by the City of Monticello abutting said body of water.

Sec. 16-42. Animals at Lake Monticello.

(a) *Un-restrained dogs.* Any dog found un-restrained or un-confined to a boat or automobile at Lake Monticello shall be founded as being at-large, as defined in § 5-32, and upon conviction thereof, the owner shall be fined as defined in § 5-55.

(b) *Hunting or disturbing native animals.* It shall be unlawful for any person to frighten, annoy, injure, trap or kill or attempt to frighten, annoy, injure, trap or kill any wild or native animal or bird in any public space, with the exception of city staff and/or approved representatives of the city who may need to attend to wildlife management issues.

(c) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00).

Sec. 16-43. Camping at Lake Monticello.

(a) *Camping prohibited.* It shall be unlawful for any person to camp or occupy camp facilities over night at Lake Monticello.

(b) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00).

Sec. 16-44. Disrupting wildlife.

(a) *Disrupting wildlife, prohibited.* It shall be unlawful for any unauthorized person to intentionally or knowingly pick, pull, uproot, dig up, cut, break, injure, burn, or otherwise destroy any flower, shrub, or tree, or to deface, mark, injure, damage, or destroy any natural or artificial improvement in any public space owned by the city.

(b) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon

conviction thereof, shall be punished by fine for not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00).

Sec. 16-45. Firearms at Lake Monticello.

(a) *Firearms, when prohibited.* It shall be unlawful for any person to possess a firearm or weapon, excluding utility knives with a blade less than three (3) inches, while on any trail or designated youth recreational area, including but not limited to swimming areas and playgrounds, at Lake Monticello.

(b) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00).

Sec. 16-46. Fires at Lake Monticello.

(a) *Non-cooking fires prohibited.* It shall be unlawful for any person to create a fire for any non-cooking purpose. Fires are only allowed for the purposes of cooking / grilling food, and such fires must be located within a grilling unit that are self-contained and above-ground.

(b) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00).

Sec. 16-47. Injuring or destroying the Lake Monticello Dam.

(a) *Unauthorized traffic.* It shall be unlawful for any person who willfully and maliciously cuts down, breaks, injures, or destroys the structural integrity of the Lake Monticello Dam, including but not limited to driving, digging, rutting, diving off of, or swimming on its embankments, slopes, base, spillway, toe drain or piping.

(b) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than five hundred (\$500.00) and not more than one thousand dollars (\$1,000.00).

Sec. 16-48. Park curfew at Lake Monticello.

(a) *Limited hours.* Any person being present on Lake Monticello property after 11:00 PM and before sunrise shall be in violation of the city's park curfew defined in § 16-1.

(b) *Limited hours, exception.* The limitation of hours defined in this section shall be exempt from any person fishing on the lake or engaged in any reasonable related boating activities.

(c) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00).

Sec. 16-49. Vehicles at Lake Monticello.

(a) *Prohibition of ATVs at Lake Monticello.* Any person operating an all-terrain vehicle at Lake Monticello shall be founded in violation of § 24-6.

(b) *Unauthorized traffic.* It shall be unlawful for any person to operate or park a motor vehicle, of any kind, on any unpaved road, trail, ground, etc. not designated for use of a vehicle.

(c) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00).

Sec. 16-50. Glass containers at Lake Monticello

(a) *Glass containers, prohibited.* It shall be unlawful for any person exhibit, use, possess or dispose glass beverage containers at Lake Monticello.

(b) *Penalty for violation.* Any person violating the provision of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine for not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00).

Sec. 16-51. Fishing at Lake Monticello, general allowed.

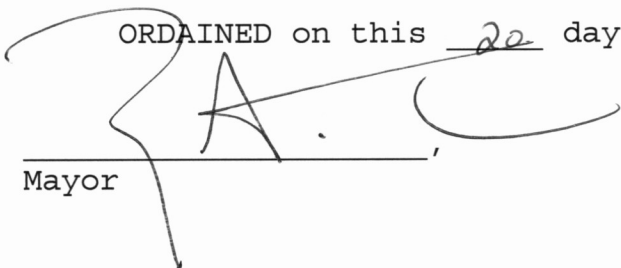
Fishing shall be allowed at Lake Monticello subject to the rules, regulations, and restrictions of the Arkansas Game and Fish Commission.

Sec. 16-52. Hunting at Lake Monticello, bullfrogs allowed.

The bagging of bullfrogs by using hands, hand nets, hook-and-line, gig, spear, or bow-and-arrow shall be allowed at Lake Monticello subject to the rules, regulations, and restrictions of the Arkansas Game and Fish Commission.


(End of Ordinance)

ORDAINED on this 20 day of DECEMBER, 2016.



Mayor

ATTEST:



City Clerk