

**Six (6) Affs**

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ORDINANCE NO. 47-028

AN ORDINANCE AMENDING SECTIONS 9.04.030, 9.04.040, 9.04.080, 9.04.180 AND 9.04.190 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO CONDUCT IN PARKS AND REPEALING THE ORIGINALS OF 9.04.030, 9.04.040, 9.04.080, 9.04.180, AND 9.04.190.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Section 9.04.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**" Community Event.** It is unlawful for any person or persons to hold or stage a community event, as defined by Section 3.10.020 of the Code of the City of Wichita, in or upon any public parks, recreation facilities or other property under the ownership, jurisdiction, or control of the Board of Park Commissioners of the City of Wichita, Kansas, or the City of Wichita, Kansas, without first obtaining a permit to do so from the Community Event Committee. Such events will only be approved in the areas designated for such activity by the Board of Park Commissioners in 'A Standard of Rules and Regulations'."

SECTION 2. Section 9.04.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**" Parades.** It is unlawful for any person or persons to hold or stage any parade in or upon any streets or to enter upon any property under the ownership, jurisdiction or control of the Board of Park Commissioners of the City of Wichita, Kansas or the City of Wichita, Kansas, without first applying for and acquiring a

permit to do so from the City of Wichita, which permit shall be issued in accordance with Chapter 3.13 of this code.”

SECTION 3. Section 9.04.080 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“**Audio and sound amplifiers.** Except as authorized by Section 7.41.010(b)(1) of the Code of the City of Wichita audio or sound amplifiers of any type are not authorized for use in any of the public parks, recreation facilities or other property under the ownership, jurisdiction or control of the Board of Park Commissioners of the City of Wichita, Kansas, or the City of Wichita, Kansas,”

SECTION 4. Section 9.04.180 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**Intended use of parks, playgrounds and related areas.** No person shall use or occupy any public parks, recreation facilities or other property under the ownership, jurisdiction or control of the board of park commissioners of the city of Wichita, Kansas, or any part thereof, for any purpose or purposes other than those designated by the board of park commissioners, except as set forth in "A Standard of Rules and Regulations."

Any person who, after having been advised by any law enforcement officer or authorized representative of the board of park commissioners to cease and desist such occupancy, refuses or neglects to do so, is guilty of a misdemeanor.

Further, it is unlawful for any person to interfere with the rights of another person to use the public parks, recreation facilities or other property under

the ownership, jurisdiction or control of the board of park commissioners of the city of Wichita, Kansas, by committing any of the following acts:

(a) Impeding, disrupting, hindering or denying another person the right to enter, use or leave any park or recreation facility; or

(b) Impeding another person in the lawful use of park or recreation facilities through the use of restraint, abduction, coercion and intimidation, or by force and violence, or threat thereof; or

(c) Impeding, disrupting or hindering another person by any act or intrusion into an area for which the other person has a permit issued by the board of park commissioners for that facility and at that time, and in which said permittee is then present for the purpose of occupying the facility; or

(d) Refusing or failing to leave any such park or recreation facilities upon being requested to do so by any law enforcement officer or authorized representative of the board of park commissioners charged with maintaining order in such public parks, recreation facilities or other property under the ownership, jurisdiction or control of the board of park commissioners of the city of Wichita, Kansas, if such person is committing, threatens to commit or incites others to commit any act which would, or would if completed, disrupt, impair or interfere with the rights of another person to lawfully use the property or facilities; or

(e) Disrupting, impairing or interfering with the rights of another person, after having been requested to cease and desist such use or occupancy by any law enforcement officer or authorized representative of the Board of Park Commissioners.”

SECTION 5. Section 9.04.190 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Application for permits or reservations.** All applications for permits except those for community events, shall be made at least three days in advance of the proposed event, provided picnic and musical permits will be issued when facilities are available and in accordance with the provisions of ‘A Standard of Rules and Regulations’. Applications for community events must be submitted in accordance with the provisions of Section 3.10.070 of the Code of the City of Wichita.”

SECTION 5. The originals of Sections 9.04.030, 9.04.040, 9.04.080, 9.04.180 and 9.04.190 of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 6. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective April 1, 2007 with its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 16<sup>th</sup> day of May, 2006.

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Carlos Mayans, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Gary E. Rebenstorf  
Director of Law