Repealed by 2015-04

ORDINANCE NO. 2012-02

AN ORDINANCE SETTING RULES AND FEES FOR USE OF PUBLIC PARKS AND RESERVOIR AND TO REPEAL ORDINANCES 2001-05, 2001-09 AND 2011-06

WHEREAS, Fees must be established to cover the costs of the operation of Mulberry City Parks; and

WHEREAS, The City of Mulberry, Arkansas desires to keep these costs as low as possible; and

WHEREAS, Rules must also be established for the use of the parks and Reservoir.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MULBERRY, ARKANSAS:

Section 1: That the City of Mulberry, Arkansas hereby sets the fees for parking and rules for use of the below listed City Parks as described herein:

A. Bluff Hole

1. There is hereby assessed a fee of $3.00 per day for all vehicles parking in Bluff Hole Park. All fees for parking shall be paid prior to occupancy.

2. There is hereby assessed a fee of $25.00 per time slot for use of the Pavilion at Bluff Hole Park. All fees for use of the Pavilion shall be paid prior to occupancy.

B. T. J. House Reservoir

1. The T. J. House Reservoir shall be open for fishing from 6:00 a.m. to 9:00 p.m. beginning April 1 of each year and extending until September 30 of each year. It shall be closed to all recreational activities for the remainder of the year.

2. There is hereby assessed a fee of $3.00 per day for all vehicles parking at T. J. House Reservoir. In the alternative, users may purchase an Annual Pass for $30.00 per annum. Additionally, Golden Age Passport holders may receive a $15.00 reduction on Annual Pass. All fees for parking shall be paid prior to occupancy.

3. Boat fishing is permissible on the T. J. House Reservoir. However, gasoline motors or other motors fueled by combustible fuel shall be operated only on the Reservoir at the boat launching ramp to unload or load the boat from or onto a boat trailer.

4. There is hereby imposed a slot limit for largemouth bass between 13-16 inches. Any largemouth bass caught within those lengths shall immediately be returned

alive into the Reservoir. Only one largemouth bass exceeding 21 inches in length may be kept by any one individual per day. All other fishing regulations shall be in accordance with the applicable State law.

5. Bank fishing is not allowed in any area of the T. J. House Reservoir.

6. Trot-line fishing, jug fishing, net fishing and any type of commercial fishing are expressly and strictly prohibited on the T. J. House Reservoir.

7. Possession or use of firearms, fireworks, camp fires, dumping, littering, swimming, wading, jet skis, skiing, hunting, trapping, alcohol and pets are expressly and strictly prohibited on the T. J. House Reservoir.

8. Driving, walking, hiking climbing or any other means of entering upon the earthen dam at the T. J. House Reservoir is expressly and strictly prohibited.

9. Restricted areas as designated by the Mayor or his representative are off limits at all times to all persons, except authorized personnel. A 300 foot Buffer Zone completely surrounding the T. J. House Reservoir is hereby established as a permanent restricted area.

10. Nothing in this Ordinance shall encroach upon the official duties of the Arkansas Game and Fish Commission, Federal Fish and Wildlife Service or the U.S. Department of Agriculture.

C. Vine Prairie Park

1. There is hereby assessed a fee of $3.00 per day for all vehicles parking in Vine Prairie Park. In the alternative, users may purchase an Annual Pass for $30.00 per annum. Additionally, Golden Age Passport holders may receive a $15.00 reduction on Annual Pass. All fees for parking shall be paid prior to occupancy.

2. There is hereby assessed a fee of $25.00 per time slot for use of the Pavilion at Vine Prairie Park. All fees for use of the Pavilion shall be paid prior to occupancy.

3. There is hereby assessed a user fee of $20/night for use of any camping site equipped with electricity. There is hereby assessed a user fee of $10/night for use of any primitive camping site (not equipped with electricity).

Section 2: The City of Mulberry reserves the right to deny access to any City Park or Reservoir to any applicant who does not meet the standards, oral or written, of the City of Mulberry or who does not strictly abide by all rules and regulations adopted for use of the City Parks and Reservoir. Further, the City of Mulberry retains the right to revoke parking privileges and use of Pavilion privileges from

any occupant who does not abide by all rules and regulations adopted for use of those facilities. Revocation of these privileges shall not result in a refund of any unused portion of the rental fee.

Section 3: It shall be unlawful for any user to occupy any camp sites in any Mulberry City Park for more than seven consecutive nights, without the express approval of the Mayor or his designated representative.

Section 4: The rules and regulations of the Arkansas Board of Health regarding the use of Public Water systems are hereby adopted and incorporated herein by reference as if set out word for word.

Section 5: Any person, firm or corporation or other entity in violation of any provision of this Ordinance concerning parking or use of Pavilions, shall be subject to a fine of $50.00 for each and every violation.

Section 6: Any person, firm or corporation or other entity in violation of any provision of this Ordinance concerning use of the T. J. House Reservoir, shall be subject to a fine of $50.00 for each and every violation.

Section 7: The provisions of this Ordinance, being necessary for the protection of public health and safety, shall be in full force and effect, immediately upon its passage.

APPROVED and ADOPTED on this 20th day of March, 2012.

APPROVED:

Gary D. Baxter, Mayor

ATTEST:

Jerry Dickerson, City Recorder