



Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, March 22, 2021
5:00 PM

Location: Remotely

You are invited to a Zoom webinar.

When: Mar 22, 2021 05:00 PM Central Time (US and Canada)

Topic: PW/S & A/HS Standing Committee Meetings

Please click the link below to join the webinar:

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Name

Absent

Commissioner Melissa Bynum, Chair

☐

Commissioner Angela Markley

☐

Commissioner Christian Ramirez

☐

Commissioner Mike Kane

☐

Commissioner Jane Philbrook

☐

Tom Groneman, BPU Board Member

☐

- I. Call to Order/Roll Call**
- II. Revisions to March 22, 2021 Agenda**
- III. Approval of standing committee minutes from December 14, 2020.**
- IV. Committee Agenda**

Item No. 1 - GRANT: FY21 IMPROVING CRIMINAL JUSTICE RESPONSES TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING GRANT PROGRAM

Synopsis: The Police Department is seeking approval to apply for a FY21 US Department of Justice/Office on Violence Against Women grant in the amount of \$500,000, submitted by Michael Vivian, Acting Deputy Police Chief. No match required.

Tracking #: 21721

Item No. 2 - ORDINANCE: RELATING TO PARK HOURS AND RESTRICTED ACTIVITIES

Synopsis: An ordinance relating to the operating hours, hunting and firearms, camping, and digging within UG parks; amending Chapter 25, submitted by Angel Obert, Assistant Director of Parks and Recreation.

Tracking #: 21722

Item No. 3 - RESOLUTION: PARKS & RECREATION CODE OF REGULATIONS

Synopsis: A resolution amending the Unified Government's Parks and Recreation Code of Regulations, including the requirement that all new dock owners are Wyandotte County residents, submitted by Angel Obert, Assistant Director of Parks and Recreation.

Tracking #: 21723

V. Public Agenda

VI. Adjourn

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, December 14, 2020**

The meeting of the Public Works and Safety Standing Committee was held on Monday, November 14, 2020, at 5:00 p.m., remotely via Zoom or on-site. The following members were present: Commissioner Bynum, Chairman; Commissioners Markley, Kane, Philbrook, and BPU Board Member Tom Groneman. Commissioner Ramirez was absent. The following officials were also in attendance: Melissa Sieben, Emerick Cross and Alan Howze, Assistant County Administrators; Bridgette Cobbins, Interim Assistant County Administrator; Misty Brown, Deputy Chief Counsel; James Bain, Assistant Counsel; Kris Finger, Project Engineer; Rocki Mayes, Executive Assistant to County Administrator; Kent Anderson, Deputy Chief, Police Department; Alley Porter, Commission Liaison; Dave Clark, Project Manager; and Casey Meyer, Assistant Counsel.

Chairman Bynum said we will call the Public Works and Safety Standing Committee meeting for December 14th to order. As I call the meeting to order, I do want to announce that due to COVID-19, some committee members, staff and public are attending remotely by Zoom as well as some on site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During our meeting, make sure you announce yourself by name and title when you speak so the public knows who is speaking. This is critical given the number of remote participants and it's also guidance from our Kansas Attorney General.

Due to COVID-19 requirements, in person public comment has been suspended unless otherwise required by law. The public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of our meeting.

Chairman Bynum called the meeting to order. Roll call was taken and all members were present as shown above.

Chairman Bynum said we don't have any revisions on tonight's agenda and there are no minutes to consider there so we can go straight to our committee agenda for the evening.

Committee Agenda:

Item No. 1 – 20521...RESOLUTION: PUMP STATION 15 ABANDONMENT - CMIP 0520

Synopsis: A resolution declaring the necessity and authorizing a survey of lands necessary for the Pump Station 15 Abandonment Project, North 106th Street & Georgia Avenue, CMIP 0520, submitted by James Bain, Assistant Counsel.

James Bain, Assistant Counsel, said this resolution declares the Pump Station 15 Abatement Project to be necessary and a valid improvement project. The resolution authorizes a survey to determine the properties needed to complete the work. Kris Finger, Project Manager, I believe is on the call to talk you through the project and answer any questions. **Chairman Bynum** said thank you.

Commissioner Philbrook asked, where is that located? **Mr. Bain** said I think there's a map that was submitted. **Commissioner Philbrook** said just tell me approximately. I'm not going to dig all that out. **Mr. Bain** said it is, well, I was thinking it could be shown on the screen. **Commissioner Kane** said 106th & Georgia. **Commissioner Philbrook** thanks, Mike.

Mr. Bain said maybe Kris is having a hard time getting in.

Action: **Commissioner Kane made a motion for approval.**

Kris Finger, Project Engineer, asked, James, can you hear me? **Mr. Bain** said hey, there you are. **Mr. Finger** said I had my hand raised. They had me in the public side. This pump station project is located at about 103rd, 104th & Georgia. That's currently where the pump station is, just basically north of Sam's Club. This force main for this pump station ties into the Pump Station 50 force main, which is being abandoned as part of the Lower Conner Creek Interceptor that is being constructed along 435 to go down to the new Wolcott Treatment Plant.

So, with the lack of a new conveyance, or the overly large conveyance source of the Pump Station 50 force main, we're looking at options of how to abandon or realign the flows from Pump Station 15.

Commissioner Philbrook said I second Mike Kane's motion to approve.

Chairman Bynum said thank you. We have a motion and a second for approval. Before we vote, are there questions or comments from our committee and Madam Clerk, do we have any comments from the public? **Ms. Portley Lott** said no comments received.

Roll call was taken on the motion and there were five "Ayes," Groneman, Philbrook, Kane, Markley, Bynum.

Item No. 2 – 20571...RESOLUTION: 7TH & CENTRAL INTERSECTION IMPROVEMENTS

Synopsis: A resolution declaring the necessity and authorizing a survey of lands for the 7th and Central Intersection Improvement Project (KDOT Project No. 105 KA-5148-01), submitted by James Bain, Assistant Counsel.

James Bain, Assistant Counsel, said this resolution declares the 7th & Central Intersection Improvement Project to be a necessary and a valid improvement and authorizes a survey to determine the easements that are needed to complete the project. Dave Clark is the Project Manager and I believe he is on to give you more details about the project and answer any questions. **Chairman Bynum** said thank you.

Chairman Bynum said I did have a question. We did receive a map of this in our packet and I'm just curious. Right now we are authorizing the survey for the project, but, Dave, does it anticipate the closure of Simpson Avenue by chance?

Dave Clark, Project Manager, said, yes, we're still going through comments from KDOT about, well I guess, I should clarify first. Do you mean permanently or do you mean just temporarily while the construction—**Chairman Bynum** said I meant permanently. That's not part of it, is it? **Mr. Clark** said no, no, it's not. **Chairman Bynum** said okay. Yes, because that makes a little triangle there.

Okay, any other questions from the committee or, Mr. Clark, did I interrupt? Are there things you want us to know? **Mr. Clark** said no, it's just general geometric improvements to widen the radii at 7th & Central, primarily, and then there's a mill and overlay as well that goes from Homer to Reynolds, and then on from Simpson to Tremont on Central Avenue. **Chairman Bynum** said great.

Action: **Commissioner Kane made a motion, seconded by Commissioner Philbrook, to approve.**

Chairman Bynum said great. Excellent. I will add that anytime we can widen the radii, I'm all in favor of it. Any comments from the public? **Ms. Portley Lott** said there were no comments received.

Roll call was taken on the motion and there were five "Ayes," Groneman, Philbrook, Kane, Markley, Bynum.

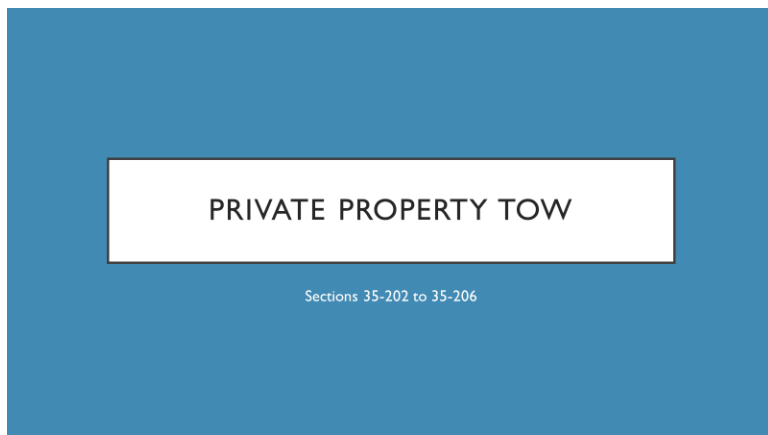
Item No. 3 – 20570...ORDINANCE: AMENDING CHAPTER 35 TRAFFIC, VEHICLE TOWING, IMPOUNDMENT, ETC.

Synopsis: An ordinance relating to Chapter 35 Traffic, Article III – Vehicle Towing, Impoundment, etc., adding new Sections 35-202 to 35-206 addressing the towing or immobilization of motor vehicles from privately owned property and creating a criminal violation for failure to comply with the provisions, submitted by Michael York, Acting Police Chief.

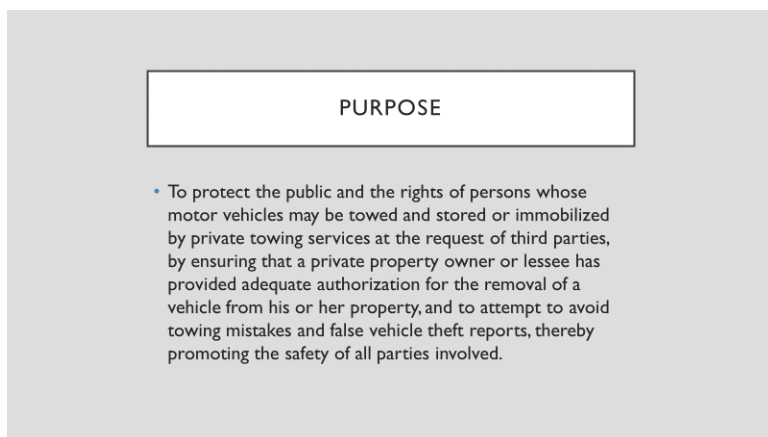
Chairman Bynum asked do I see Chief York on the call tonight? **Casey Meyer, Assistant Counsel**, said Major Anderson. **Chairman Bynum** said excellent. Okay, Kent Anderson, if you would walk us through this discussion, please, and I think there's a presentation. Is there not? **Ms. Meyer** said there is. **Chairman Bynum** said okay. Kent you're muted. Now you're not muted. Are you ready to go?

Kent Anderson, Deputy Chief, Police Department asked, can you hear me? **Chairman Bynum** said yes. **Major Anderson** said okay. Casey is going to be giving the presentation as well and—but it's basically a private property tow ordinance that we asked Legal to look into

because we've had some issues with people parking on private property such as businesses, and then tow companies kind of coming for third parties either towing their vehicle, hooking up their vehicle and not allowing them to leave. Kind of like predatory charging them fees once this is done, and that's kind of what this ordinance that Casey Meyer has put together, kind of looks at. I'll try to share the screen. Well, I thought it would work. **Chairman Bynum** said that's how it always goes.



Deputy Chief Anderson said, Casey, do you want to try to share yours and see if you have better luck? **Ms. Meyer** said you got it. It's on there. **Deputy Chief Anderson** asked, can you see it? **Ms. Meyer** said yes. **Deputy Chief Anderson** said okay. I'll let you take over from here. **Ms. Meyer** said okay. Thank you. In response to the Police Department's request, I pulled ordinances from some other nearby cities which included Lenexa, Overland Park, Kansas City, Missouri, Wichita.



I'd like to add that this ordinance was also requested by an outside attorney who represents some local tow companies who operate within Wyandotte County. So, that also was included in the motivation to propose this ordinance regarding tows from private property. So, the purpose as is included here is—I'm not going to read it to you, but in response to these kind of predatory practices from tow companies, and also there's a statute that requires if we authorize tow from private property that we include certain things in our ordinance, and so that is what is some of the language.

Also, its purpose is to hopefully deter false vehicle theft reports because a lot of times when people's vehicles are towed and they don't know where their car went, they make a theft report to the Police Department and obviously, to hopefully decrease any arguments or fighting that might happen when somebody's car is towed when they don't believe that they had proper notice.



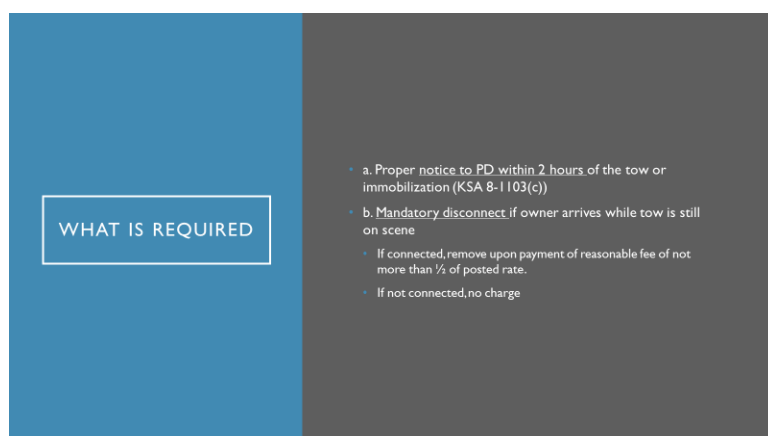
APPLIES TO:

- **Towing from privately owned property** without the consent of the vehicle owner/driver by tow operator
- **Immobilization (booting) on privately owned property** without the consent of the vehicle owner/driver by immobilization service

So, like I said, these sections only apply to privately owned property. As you know, we already have ordinances that apply to tows from public property and these would be the ones without the consent of the vehicle owner or driver, so like when a third party is requesting that your vehicle be towed. This also includes immobilization; which we normally call booting, right? So, when somebody puts a device on your tire, that doesn't allow you to move your vehicle.



Like I said, it doesn't apply to public streets. We already have ordinances for that. It doesn't apply for tows when they have a contract with our city, nor does it apply to request by Code Enforcement personnel, law enforcement or Fire Department personnel.



Okay, so what is required in the ordinance? First of all, proper notice to the Police Department within two hours of the tow or immobilization. That's actually a statutory requirement under KSA 8-1103(c) and that's obviously to notify the Police Department that someone's car has been towed and where it has been towed to so the individual trying to find their car knows that they just need to call the tow company.

Also we included a section on mandatory disconnect. So, if you come to the scene and your vehicle has not yet been connected to the tow truck, then they would be required to not connect your car for no charge. If it is connected already, then they would be required to remove your car upon a payment of a reasonable fee of not more than half of their posted rate. Their posted rate is their going rate, and later on you'll see that their rates cannot exceed 120% of our city contract fees.

WHAT IS REQUIRED

- c. Notice and Sign Requirements:
- **EXCEPT for:**
 - Property appurtenant to and a part of a single-family residence, and to include duplexes, townhomes, residential planned unit developments
 - When notice is personally given to a vehicle owner or operator that the area is reserved or otherwise unavailable for unauthorized vehicles subject to tow or immobilization
 - When private property owner attempting to comply with Chapter 8, Sec. 302.8 of Property Maintenance Code regarding inoperable vehicles

Notice and sign requirements. So, except for property that's appurtenant to or part of a single-family residence, which will include duplexes, townhomes, residential planned unit developments, or when notice is personally given to an owner or driver that the area is reserved or otherwise unavailable for unauthorized vehicles, or when a private property owner's just attempting to comply with our property maintenance code regarding inoperable vehicles. So in those situations, you won't need a sign.

WHAT IS REQUIRED

- Notice for Tow:
- 1. The notice must be prominently placed at each primary driveway access or curb cut allowing vehicular access to the property.
- 2. The notice must clearly indicate with light-reflective letters on a contrasting background, that "Unauthorized Vehicles Will be Towed", "Tow Away Zone" or "Violators Will be Towed".
- 3. The sign structure containing the required notices shall be permanently installed and continuously maintained on the property for not less than twenty-four (24) hours prior to the towing, removal, or immobilization of vehicles.
- 4. All requirements of this section shall be in accordance with the provisions set forth in Chapter 27, Division II of this Code

But, you will need a sign at these locations. So, the notice must be prominently placed at each primary driveway access location so when somebody comes on to the lot, they can actually see the sign. That was a big issue with some of these calls for service that Major Anderson was referencing earlier. Just a note, a sign that clearly indicates that the vehicles will be towed or it's a towaway zone or violators will be towed. The sign structure needs to be a permanent structure that has been there for at least 24 hours and then, of course, we have a large code section that deals with signs

and so I didn't want to conflict with any of that so everybody has to comply with the requirements of our Chapter 27, Division II.

WHAT IS REQUIRED

- d. Owner Access: Any owner of towed vehicle shall have access to personal property for up to 48 hours after tow and property shall be released to owner unless held as evidence (KSA 8-1103(c))
- e. Maximum Tow and Storage Fees: shall not exceed 120% of the rates charged by city tow contracts (KSA 8-1103(c))

Okay. Additionally, there's a section that provides owner access to their personal property for up to 48 hours after the tow. That's, again, a statutory requirement under KSA 8-1103(c), unless, of course, that property is being held as evidence. Then the final is the maximum tow and storage fees which shall not exceed 120% of the rates charged by city tow contracts. That's also establishing the maximum tow and storage fees as is included as a requirement under KSA 8-1103(c).

WHAT IS REQUIRED

- f. Notice/Conditions for Immobilization:
 - Affix notice on driver's side window regarding:
 - potential damage to vehicle
 - contact info to remove device
 - fee to remove which shall not exceed \$75.00
 - when and why immobilized

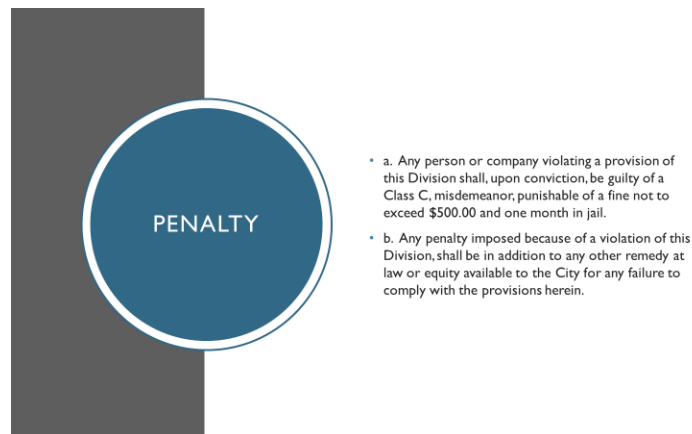
Immobilization service to identify their vehicle, have 24 hour service to remove device, and respond within 1 hour.

Then these are the notice/conditions for the boot. So, we were having several issues where Major Anderson was including. A lot of times they might not tow your vehicle, they were just coming in, they were attaching various things to vehicles not allowing it to move. It wasn't always the standard boot that we're used to. Sometimes it was wires, chains, whatever. This section just

requires that if you're going to boot somebody's vehicle, you put a notice on the driver's window indicating that if they start to try to drive with the boot on that it might damage their vehicle.

It includes the contact information that they can call for someone to remove the device. It also requires that the company that can remove the device, have a 24-hour service for that, which is pretty common and that they respond within one hour. Also, notification of when and why it was immobilized, and then the fee to remove the immobilization device shall not exceed \$75.

Deputy Chief Anderson said I just like to add on some of the incidents that we went out on. They were putting large cables around the tires and this is at night. If you didn't inspect your vehicle before you left, you wouldn't even know that it had been immobilized, that you couldn't drive away. So that's part of this PowerPoint.



Ms. Meyer said and then finally, the penalty. It's just a low, it's a Class C misdemeanor, which is punishable by a fine not to exceed \$500 or 30 days in jail and that's it.

Chairman Bynum said, Casey the very last slide, the penalty. Who would that be imposed upon?

Ms. Meyer said that would be imposed upon the person who didn't follow the requirements prior to actually towing the vehicle or immobilizing the vehicle. So, in these situations, it would be the tow company, the tow operator, or the person who affixed the immobilization device.

Chairman Bynum said so, on a big commercial property where there's a big parking lot, for example, if the property owner did not have appropriate signage and requested the tow, then that property owner might receive that violation. Is that correct or will it always be the—**Ms. Meyer** said yes, but the intent of this is that if the property owner requests the tow and doesn't have proper signage, then the responding tow company or the tow service or immobilization

service actually does it, then you could either ticket either the requester or the tow company, most likely Major Anderson, you would ticket the tow company, correct? **Deputy Chief Anderson** said that's correct. That's the intent.

Chairman Bynum said just another quick question. If this vehicle is on my private property at my home and they've left it, I would have the right to request that be towed. Is that right? **Ms. Meyer** said correct.

Chairman Bynum said once this passes through our committee, it's going to make its way to the full Commission I don't necessarily see that it's being fast tracked so I'm guessing it's going to show up in January sometime. Then at what point, assuming it passes full Commission, does it take effect as law? **Ms. Meyer** said after it's published, which is, Bridgette, a couple of weeks? **Chairman Bynum** said okay. Generally a couple of weeks after the vote it's published and then it's effective as law. **Ms. Meyer** said yes. **Chairman Bynum** said okay.

Chairman Bynum asked, any other questions from the committee? (There were none.) Any comments from the public received on this item? **Ms. Portley Lott** said, no, Chair, there were no comments received.

Action: **Commissioner Markley made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken on the motion and there were five "Ayes," Groneman, Philbrook, Kane, Markley, Bynum.

Adjourn:

Chairman Bynum adjourned the meeting at 5:22 p.m.

tpl



Staff Request for Commission Action

Tracking No. 21721

Full Commission Meeting Date: 4/8/2021

Committee: Public Works & Safety

Date of Standing Committee Action: 3/22/2021

(If none, please explain):

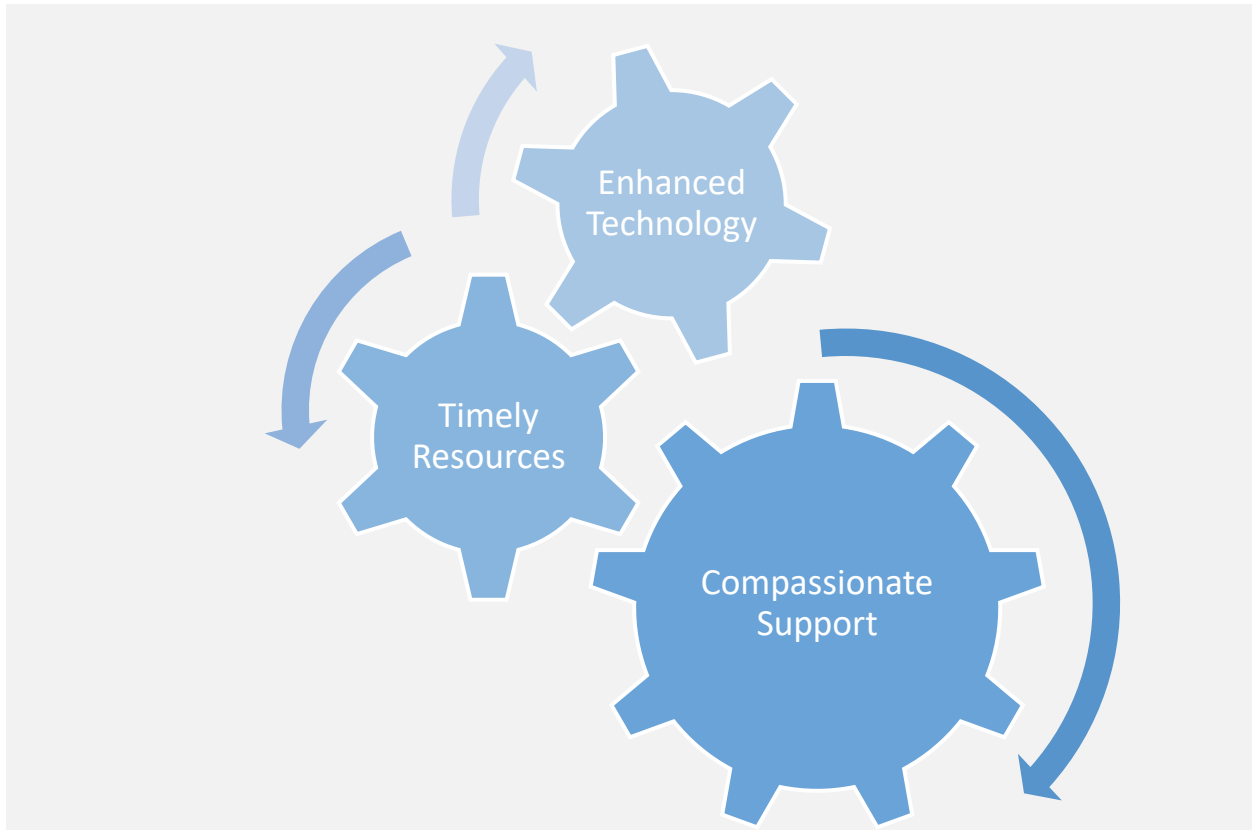
Publication Required: No

<u>Date:</u> 3/9/2021	<u>Contact Name:</u> Michael Vivian	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u> Police Department
<u>Item Description:</u> The Police Department is seeking approval to apply for the FY21 "Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking" federal grant being awarded by the US Department of Justice/Office on Violence Against Women. The award will be \$500,000. This funding will be used to create a Rapid Response Team that will focus on providing real-time, trauma-informed care for sexual assault and human trafficking victims. The awarded funds will be used to purchase equipment needed by the Rapid Response Team to perform their duties in quickly providing compassionate care to our victims. The funds will also be used to purchase equipment that will assist detectives and CSI personnel with investigating the crimes with the latest in police technology. The grant runs October 1, 2021 through September 30, 2025. There is no match required for this grant.				
<u>Action Requested:</u> For approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Power Project Abstract				

Kansas City, Kansas Police Department

“The Power Project”

Restoring power, dignity and respect to survivors of sexual assault and human trafficking through compassionate support, timely resources, and enhanced digital forensics.



Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant Program

Acting Deputy Chief Michael S. Vivian

Detective Jefferson Jacobs II

Detective Michael Eckel

Detective David Hopkins

Cost of Project: \$500,000

Federal Amount Requested: \$500,000

The Kansas City, Kansas Police Department is looking to establish a comprehensive initiative to combat sexual assault, human trafficking, domestic violence, and stalking in our city. The primary means to accomplish this goal is by establishing a Rapid Response Team (RRT) that is trained in trauma-informed care methodologies. The team will consist of patrol officers, investigators, prosecutors, and sexual assault counselors. The RRT will be responsible for responding to all sexual assaults and human trafficking incidents that occur in the city. Providing real-time trauma-informed care, at the earliest stage of contact with victims, is paramount to the wellbeing of their mental health. Responding in a quick and timely manner also provides investigators with the opportunity to gather crucial evidence at the outset of the investigation, solve the crimes, and increase prosecution of offenders. Kansas City, Kansas reported 222, 186, and 192 sex related crimes in 2018, 2019, and 2020 respectively. In many of those cases, ancillary crimes such as stalking and domestic violence were reported alongside the sex related crimes. Personnel trained in trauma-informed care applications rarely make the initial contact with victims. The RRT will be trained in Forensic Experiential Trauma Interview (FETI) methods. This allows for a science-based interview that documents the victim's experience in a neutral, equitable, and fair manner. The RRT will be equipped to transport any victim to a medical facility for treatment and evidence collection. The RRT will be supplied with personal items that can be provided to victims at crime scenes and medical facilities that immediately begin restoring power, dignity and respect to the victims. A key component of restoring power, dignity, and respect to victims is solving the crimes committed against them and holding the offender criminally accountable. The Kansas City, Kansas Police Department will be building upon infrastructure already in place by enhancing the digital forensics capabilities of the sex crimes investigators and crime scene technicians. Enhancing the digital forensics of the department will allow sex crimes investigators and crime scene technicians to obtain digital forensic evidence at the scene of a crime in a timelier manner. To combat human trafficking and the sexual assaults and exploitation of trafficked victims, the department will be enhancing its current video surveillance system throughout the city. The department is currently implementing cross-jurisdictional software that is designed to allow front line officers and investigators the ability to share data and information in real-time to large scales of officers throughout the metropolitan area. Additionally, the department will be creating a web-based portal for victims to access in order to track the progress of their case. This application will allow victims the opportunity to connect with the case investigators, prosecutors, and a wide range of social service professionals from the comfort of their own home. This project restores power, dignity, and respect to victims by being timely in its compassionate care of victims with social services readily available at their fingertips. The project continues to strengthen the victims with a user-friendly web portal application allowing them to track their case as it works its way through the criminal justice system. Finally, the project solidifies trust and confidence between the victims and law enforcement through trauma-informed care and a diligent investigation led by real-time digital forensics.



Staff Request for Commission Action

Tracking No. 21722

Full Commission Meeting Date: 4/8/21

Committee: Public Works & Safety

Date of Standing Committee Action: 3/22/21

(If none, please explain):

Publication Required: Yes 4/15/2021

<u>Date:</u> 3/10/2021	<u>Contact Name:</u> Angel Obert	<u>Contact Phone:</u> x8354	<u>Contact Email:</u> aobert@wycokck.org	<u>Department/Division:</u> Parks & Recreation
<u>Item Description:</u> An ordinance relating to the operating hours, hunting and firearms, camping, and digging within parks under the Unified Government jurisdiction, amending original Sections 25-44, 25-49, 25-50, 25-57 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.				
<u>Action Requested:</u> Approve ordinance				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> park.Ord.memo, Ordinance amendments				



**LEGAL DEPARTMENT of the UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

**Ninth Floor-Municipal Office Building
701 North Seventh Street
Kansas City, Kansas 66101
Phone (913) 573-5060
Fax (913) 573-5243**

**Acting Chief Counsel
Angela J. Lawson**

**Deputy Chief Counsel
Misty S. Brown**

**Senior Counsel
Henry E. Couchman Jr.
Patrick M. Waters**

**Assistant Counsel:
Susan Q. Alig
Wendy M. Green
Casey L. Meyer
Daniel E. Kuhn
Jeffrey Conway
Edward James Bain
Chase D. Cook**

**Prosecutors
Andrew K. Kent
Francis X. Altomare**

SUMMARY

TO: Governing Body of the Unified Government of Wyandotte
County/Kansas City, Kansas

FROM: James Bain
Assistant Counsel

DATE: March 11, 2021

RE: Proposed Changes to Unified Government Ordinances

Legal Background:

- On December 9, 2020, the Board of Park Commissioners voted 8-0 to recommend approval of the UG Parks and Recreation Code of Regulations amendments. These ordinances changes are being requested to ensure consistency between ordinance and regulation.

Summary of Proposed Changes:

- Specify each park's hours of operation are determined by the posted hours at the specific park and grants the UG Parks and Recreation Director the authority to set park hours.
- Requires an individual acquire a permit to dig upon UG parks land.
- Excepts individuals traversing to and from the archery range from the weapons possession prohibition.
- Prohibits overnight camping and allows exceptions within the Parks and Recreation regulations.

(Summary Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to the operating hours, hunting and firearms, camping, and digging within parks under the Unified Government jurisdiction, amending original Sections 25-44, 25-49, 25-50, 25-57 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas,

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That original Sections of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and the same are hereby amended to read as follows:

ARTICLE III. – CONDUCT IN PARKS

DIVISION 1. - GENERALLY

Sec. 25-44 Operating Hours

No person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that specific park. The Parks and Recreation Director shall set the operating hours for each park and facility operating under the jurisdiction of the Unified Government.

~~Bethany, Kensington, Eisenhower, City, Rosedale, Shawnee, Klammer, Clopper, Emerson, Highland, Heathwood and Parkwood parks shall be open to the public every day of the year from 6:00 a.m. until 12:00 a.m. All other parks within the city shall be open every day of the year from 6:00 a.m. until 10:30 p.m. Given unforeseen or unusual circumstances, the director may order any park to be closed during hours designated by the director. The hours of operation of individual parks may be extended, provided the person or persons using a park during hours other than those hours the park is normally open have been issued a permit by the director.~~

Sec. 25-49 Same-Trees, shrubbery, lawns

(a) No person shall damage, cut, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant. A person shall not dig in or otherwise disturb grass areas or in any way injure or impair the natural beauty or usefulness of any area unless the individual has a valid permit from the

Parks and Recreation Director and is in compliance with digging regulations which may be hereafter adopted.-

(b) No person shall walk, stand or sit upon monuments, vases, fountains, or upon any other property not designated or customarily used for such purposes.

Sec. 25-50 Animals, hunting and firearms

(a) No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, throw missiles at or give toxic substances to any animal, reptile or bird. No person shall remove or have in his possession the young of any wild animal or the eggs, nests or the young of any reptile or bird.

(b) No person shall use, carry or possess air rifles, spring guns, bows and arrows, slings, any other forms potentially inimical to wildlife and dangerous to human safety, or any kind of trapping device.

(c) Exceptions shall be made for bow and arrow possession and use at the archery range and in regulations which may hereafter be adopted.

Sec. 25-57 Camping

(a) Overnight camping is prohibited in all parks.

(b) Exceptions may be granted under regulations which may be hereafter adopted.

~~No person shall set up tents, shacks, or other temporary shelter for the purpose of overnight camping, nor shall any person leave in a park after closing hours any movable structure or special vehicle that can be used for such purposes, such as a house trailer, camp trailer, camp wagon, or the like.~~

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2021.

APPROVED:

David G. Alvey
Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Chief Counsel



Staff Request for Commission Action

Tracking No. 21723

Full Commission Meeting Date: 4/8/21

Committee: Public Works & Safety

Date of Standing Committee Action: 3/11/21

(If none, please explain):

Publication Required: No

<u>Date:</u> 3/10/2021	<u>Contact Name:</u> Angel Obert	<u>Contact Phone:</u> x8354	<u>Contact Email:</u> aobert@wycokck.org	<u>Department/Division:</u> Parks & Recreation
<u>Item Description:</u> Request approval of the updated Parks and Recreation Code of Regulations, including the requirement that all new dock owners are Wyandotte County residents.				
<u>Action Requested:</u> Adopt resolution				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Parks Regulations Reso (002), MEMO Summary of Changes, Parks Code of Regulations (clean) - Updated_ 3.11, Parks Code of Regulations (red) - Updated_ 3.11				

(Published _____)

RESOLUTION NO. _____

A RESOLUTION amending the Unified Government Parks and Recreation Code of Regulations.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

WHEREAS, pursuant to the provisions of Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A 19-2803a of the Kansas Statutes Annotated, the Board of Commissioners shall have the power, upon recommendation of the Parks Board, to adopt or decline to adopt regulations for the orderly government of parks and recreation areas and prescribe fines and penalties for the violation of the provisions of such regulations; and

WHEREAS, on October 5, 1982 the Board of County Commissioners of Wyandotte County adopted regulations relating to the orderly operation of park grounds within Wyandotte County.

WHEREAS, from time to time Parks and Recreation Directors have added to the rules and regulations for the orderly operation of parks.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

1. That the Unified Government Board of Commissioners hereby approves the amendments to the Unified Government Parks and Recreation Regulations as attached.
2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, adopt fees, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____ 2021.

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk



**LEGAL DEPARTMENT of the UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

**Ninth Floor-Municipal Office Building
701 North Seventh Street
Kansas City, Kansas 66101
Phone (913) 573-5060
Fax (913) 573-5243**

**Acting Chief Counsel
Angela J. Lawson**

**Deputy Chief Counsel
Misty S. Brown**

**Senior Counsel
Henry E. Couchman Jr.
Patrick M. Waters**

**Assistant Counsel:
Susan Q. Alig
Wendy M. Green
Casey L. Meyer
Daniel E. Kuhn
Jeffrey Conway
Edward James Bain
Chase D. Cook**

**Prosecutors
Andrew K. Kent
Francis X. Altomare**

SUMMARY

TO: Governing Body of the Unified Government of Wyandotte
County/Kansas City, Kansas

FROM: James Bain
Assistant Counsel

DATE: March 11, 2021

RE: Proposed Changes to UG Parks and Recreation Code of Regulation

Legal Background:

- Pursuant to the authority provided in Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19-2803a of the Kansas Statutes Annotated, the Board of Commissioners is empowered to adopt rules and regulations pertaining to the use and enjoyment of park property upon the recommendation of the Board of Park Commissioners.
- On December 9, 2020, the Board of Park Commissioners voted 8-0 to recommend approval of the UG Parks and Recreation Code of Regulations amendments.
- On January 25, 2021, the Public Works and Safety Standing Committee voted 6-0 to restrict the rental of Wyandotte County Lake boat dock slips to Wyandotte County residents only.

Summary of Proposed Changes:

- Requirement that all renters of Wyandotte County Lake boat dock slips be residents of Wyandotte County. Current nonresident holders of boat slips will be allowed to continue to rent. The waitlist would include only Wyandotte County residents.
- Addition of regulations pertaining to e-bikes. The proposed regulation mirrors those used in Kansas State Parks.
- Addition of regulations pertaining to drones. Drone operators will be limited to flying at Wyandotte County Park after acquiring a permit from UG Parks and Rec and showing proof of insurance.
- Restricts use of metal detectors unless a permit is obtained. Prohibits digging within designated areas such as soccer or baseball fields, the archery range, near structures, or in areas with irrigation.
- Allows the Wyandotte County Sheriff the ability to close parks in the event of an emergency.

Unified Government of Wyandotte County and Kansas City, Kansas



Parks and Recreation Code of Regulations

Exhibit A

**WYANDOTTE COUNTY AND KANSAS CITY, KANSAS
CODE OF REGULATIONS FOR PARKS AND RECREATION
2021 EDITION**

CHAPTER 1

ARTICLE 1

General Provisions

Section 1.1.1 – Title.

This Code shall be known and may be cited as the Unified Government of Wyandotte County and Kansas City, Kansas Code of Regulations for Parks, 2021 Edition.

Section 1.1.2 – Purpose.

The purpose of this Code is:

- (a) To provide quality park facilities and leisure opportunities to the residents of Wyandotte County; and
- (b) To prescribe rules, regulations and enforcement procedures for public safety and awareness, to conserve park resources, to emphasize the highest standards for services and programs, and to ensure that the future recreational needs of Wyandotte County residents are met.

Section 1.1.3 – Authority.

This Code is adopted pursuant to the authority provided in Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19-2803a of the Kansas Statutes Annotated, and any amendments thereto, if any.

Section 1.1.4 – Scope.

This Code shall be applicable to all Wyandotte County, Kansas, Parks and Recreation park lands and facilities. All parks under the jurisdiction of this Code shall include the following:

<i>Bethany Park</i>	<i>Edgerton Park</i>	<i>Hope Park</i>	<i>Matney Park</i>
<i>Big Eleven Lake</i>	<i>Eighth Street Park</i>	<i>Huron Park</i>	<i>Mt. Marty Park</i>
<i>Bill Clem Park</i>	<i>Eisenhower Park</i>	<i>Jersey Creek Park</i>	<i>Northrup Park</i>
<i>Boston Daniel Park</i>	<i>Emerson Park</i>	<i>Kaw Point Park</i>	<i>Parkwood Park</i>
<i>City Park</i>	<i>Fairfax Park</i>	<i>Kensington Park</i>	<i>Pierson Park</i>
<i>Clifton Park</i>	<i>Fisher Park</i>	<i>Klamm Park</i>	<i>Prescott Park</i>
<i>Clopper Park</i>	<i>Flat Iron Park</i>	<i>Lally Park</i>	<i>Quindaro Park</i>
<i>Coronado Park</i>	<i>Heathwood Park</i>	<i>Leo Alvey Park</i>	<i>Regan Park</i>
<i>Delaware Park</i>	<i>Holy Family Park</i>	<i>Mac's Park</i>	<i>Riverview Park</i>
<i>Rosedale Park</i>	<i>Silver City Park</i>	<i>St. Margaret's Park</i>	<i>Waterway Park</i>
<i>Ruby Park</i>	<i>Splitlog Park</i>	<i>Thomson Park</i>	<i>Welborn Park</i>
<i>Shawnee Park</i>	<i>Stony Point Park</i>	<i>Trolley Park</i>	<i>Westheight Park</i>
<i>Simpson Park</i>	<i>St. John's Park</i>	<i>Vega Park</i>	<i>Wyandotte County Lake Park</i>
			<i>Wyandotte County Park</i>

This Code shall apply uniformly to all Wyandotte County Parks that now exist and those that are later developed and shall supersede any prior Wyandotte County Parks and Recreation Code.

Section 1.1.5 – Severability.

If any clause, sentence, paragraph, section or subsection of this Code shall be judged invalid by a court of competent jurisdiction, such judgement shall not affect, repeal or invalidate the remainder of the provision of any other section or subsection, and shall be confirmed to the specific clause, sentence, paragraph, section or subsection which was found invalid.

Section 1.1.6 – Disclaimer of Liability.

- (a) This code shall not be construed nor interpreted as imposing upon Wyandotte County, or any of their officials, officers, agents, or employees:
 - (1) any liability or responsibility for damages to any property; or
 - (2) any liability or responsibility for any personal injury

Section 1.1.7 – Amendments and Additions.

This code may be supplemented, or its provisions may be amended by resolution duly adopted by the Board of County Commissioners of Wyandotte County, Kansas, and any such amendments or additions shall be incorporated within and codified as part of this Code.

Section 1.1.8—Permits & Fees

Unified Government may charge fees for the permits required under the Parks and Recreation Code of Regulations. The permit fee will be in an amount established by the County Administrator and may be changed from time to time.

Section 1.1.9 – Effective Date.

This Code shall be effective upon its adoption by the Board of County Commissioners.

CHAPTER 2

ARTICLE 1

Public Safety

Section 2.1.1- Park Hours.

Except as outlined below no person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that park.

- (a) All park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.
 - (1) Exceptions for on-duty UG Parks and Recreation employees and law enforcement.
- (b) The Wyandotte County Sheriff or designee may close any park in an emergency situation where the health and safety of park patrons is in peril. Park closures due to inclement weather must be approved by the Parks Director.
- (c) Boating – Wyandotte County Lake opens at 6:00 A.M and closes at midnight from March 1-October 15. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30.
- (d) Sledding – Sledding is only permitted from the time the park opens to ½ hour after sunset.

Section 2.1.2 - Trail Riding.

- (a) Riding hours are limited to Sunrise to Sunset.
- (b) Unloading and loading of animals for riding must be done at the marked horse trailer area at 83rd street.
- (c) Cleanliness of the loading and unloading area depends mainly on its users. Each rider is expected to clean up after themselves and those they are responsible for. Brooms and shovels should be used to clean up any droppings animals leave, and not just in this area, but any area in the park including roadways and parking lots.
- (d) Alcoholic beverages or cereal malt beverages are not allowed on the trails.
- (e) Children under the age of 18, must be accompanied by an adult of at least 18 years of age.
- (f) All animals being ridden will stay on the trails at all times. No rider will exit the trail and approach any shelter, building and watering holes where park patrons frequent. Exiting the trails is a violation of park rules and is not permitted. If your animal needs water, you must dismount and lead it to the nearest part of the lake that allows the animals a safe drinking environment for both the rider and park patrons.
- (g) All riders ride at their own risk. Any injuries shall be reported to Park Rangers at (913) 573-8327. All riders must have insurance coverage on their animals and themselves when riding.
- (h) Any group of riders of ten or more, must report to the administration office prior to the use of their trail. A contact person and cell phone number should be given to park staff. (913) 573-8327.
- (i) It is the responsibility of all riders to know the rules and regulations of both that of horseback riding and other park rules that may pertain to them.
- (j) Riders shall notify the maintenance division of any safety issues, or maintenance items on the trail that needs their attention at (913) 596-7084.
- (k) Any violation of the park rules, ordinances, or state laws, may result in the loss of future use of the trails.

Section 2.1.3 – Animals.

- (a) It shall be unlawful for any person owning or keeping any animal to permit or allow the animal to run at large within any park unless inside of an area designated as approved for off-leash activity.
 - 1. Dogs allowed to run loose in the designated dog park must at all times be under the control of the owner, not aggressive, and up to date on vaccines.
- (b) Pet owners shall to follow all municipal ordinances regarding animals.

Section 2.1.4 – Swimming, Wading, Bathing.

- (a) No person shall swim, wade, or bathe in any waters of the said parks, except at such times and in such places as the park director may designate for a special event, park personnel training or for UG Parks and Recreation approved educational purposes or from boats conforming to rules set forth by the park director.
- (b) Swimming is allowed from boats only, no shoreline swimming.
- (c) No fisherman will wade in park waters to fish.
- (d) Park patrons using sail boards and sail boats will stay on their boats. In the case of capsizing or falling off such sail vessels the operator or occupants will get back into the vessel as soon as possible.

Section 2.1.5 – Ice Skating.

Ice skating or being on the ice in any Unified Government Park waters is prohibited.

Section 2.1.6 – Archery.

- (a) The range will be used during daylight hours only.
- (b) The archery range is the only area a bow and arrow is to be used.
- (c) Anyone with a bow and arrow must be directly in route to or from the range or at the range.
- (d) No broad arrow tips, will be allowed.

Section 2.1.7 – Alcoholic Beverages.

- (a) Unless otherwise posted, no person shall be in possession of, with the intent to ~~dispense in any manner~~ sell alcoholic beverages or cereal malt beverages other than in shelter houses or buildings designated for such purpose with proper permits.
- (b) No person under the age of 21 will consume or possess alcoholic beverages.
- (c) Alcohol is permitted in Parks unless otherwise posted NO ALCOHOL or as noted herein.
- (d) No person will drive any boat, vehicle, or operate a remote-control object, ride a horse or mule while under the influence of drugs or alcohol.

Section 2.1.8 – Firearms and Weapons.

- (a) No person shall bring into any park, discharge or use, within park boundaries, any air gun, spring gun, blank gun, BB gun, slingshot, or blow gun..
- (b) Water guns are allowed if they do not resemble any real firearm.
- (c) This section shall not apply to any law enforcement officer who is engaged in the discharge of official duties.
- (d) This section shall not apply to persons using archery equipment in conformity with the provisions of Section 2.1.6 of this Code.

Section 2.1.9 – Camping.

- (a) Camping is prohibited in all parks except for the Scout Area located at Wyandotte County Lake Park which requires a permit.
- (b) All scout groups must be affiliated by a 501c3 organization such as the Campfire Girls of America or the Boy Scouts of America. All scout groups will have a group leader that must be 21 years of age. All overnight campers must have proof of affiliation documentation by a recognized organization.

Section 2.1.10 – Nudity.

Nudity is prohibited in UG Parks.

Section 2.1.11 – Aviation.

- a. The following definition apply to this section:
 - 1. *Unmanned aircraft vehicle* means any aircraft that is not operated from within the aircraft.
 - 2. Operate means fly via remote control, perform the process of flying via remote control, or cause a machine designed for flight to fly via remote control
- b. In order to lawfully operate an unmanned aircraft vehicle, all unmanned aircraft vehicle operators must comply with applicable FAA regulations and meet the requirements below:
 - 1. Obtain a Flying Permit issued by UG Parks and Rec
 - A. Permit will be issued for flight at Wyandotte County Park unless otherwise requested and agreed to by UG Parks and Rec staff
 - 2. Show proof of liability insurance in the amount of \$2.5 million prior to receiving the permit.

ARTICLE 2
Conservation of Park Resources

Section 2.2.1 – Protection of Wildlife.

- (a) No person, except under a special permit issued by the park director, will be allowed to hunt, trap, or in any way molest any animal, bird, or reptile on Unified Government park property.
- (b) No person will turn loose any animal within the park unless special permission has been granted by the proper Federal or State authorities and the Unified Government Parks Director.
- (c) No animal, reptile, bird, amphibian, or eggs or nest of any bird or reptile shall be removed out of the park without special permission from the proper Federal or State authorities and the Unified Government Parks Director.

Section 2.2.2 – Damage to Park Property.

- (a) No person shall destroy, alter, damage, injure, or remove any real or personal property which belongs to the Unified Government. No person shall remove or carry away any asphalt, flagstone, rock, stone, clay, or earth; or make any excavation of any kind. No person shall destroy or alter any ruins, relics, or geological formations found within the boundaries of Unified Government Parks.
- (b) This section shall not apply to persons performing work on behalf of the Unified Government or to persons who are engaged in scientific or educational collection and who possess, and are in compliance with, specific prior written permission obtained from the Director of Parks and Rec for such activity.

Section 2.2.3 – Illegal Fireworks.

No person shall bring into or have in said parks any fireworks, explosives including any substance compound mixture or article having properties of such a character that alone or in combination or contiguity with other substances or compounds may decompose suddenly and generate sufficient heat, gas, pressure or any or all of them to produce rapid flame, combustion or administer a destructive blow to surrounding objects, unless approved in writing by the parks director.

Section 2.2.4 – Fires.

- (a) No person shall kindle, build, maintain, or use a fire, except in fireplaces provided for the purpose of under special permit. Charcoal fires are only to be used in shelter fire pits and shelter grills. No logs or wood will be used in any shelter grill or pit.
- (b) Campfires may be used in accordance with the Wyandotte County Parks fire permit issued by the Unified Government Parks Director. All campfires will be placed in an area where the fire will not get out of control and the perimeter shall be contained by rocks.
- (c) Any fire shall remain continuously under the care and direction of a competent person over twenty-one (21) years of age, from the time it is kindled until it is extinguished. All fires must be completely extinguished with water or dirt before they are left behind.

Section 2.2.5 – Littering.

No person shall throw, cast, lay or drop, discharge into, or on any park, or allow an agent, servant or employee of any person in his or her charge, do likewise. Dropping discharge to include diseased or dead animals, organic refuse, or other offensive matter. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried

away from the park by the person responsible for its presence and properly disposed of elsewhere. Littering in parks located within the City of Kansas City, Kansas are subject to UG Code of Ordinance Section 22-380.

Section 2.2.6 – Sound

Only those persons who hold a valid Parks and Rec permit and who are acting in conformity with the terms and conditions of the permit are allowed to set up or use amplified sound equipment within the boundaries of any Unified Government park.

Section 2.2.7 Excessive Noise

Municipal ordinances regarding excessive noise are enforced in Unified Government Parks.

Section 2.2.8 – Digging & Use of Metal Detectors.

- (a) No person shall dig or use a metal detector without a permit obtained through UG Parks and Rec.
- (b) Digging and metal detection is strictly prohibited on soccer fields, baseball/softball fields, historical sites, golf courses, archery ranges, campgrounds, within 50 yards of an existing structure, in any area with irrigation, and within the designated unmanned aircraft flying area.
- (c) Digging instruments are limited to ice picks, screwdrivers, or other probes not exceeding six inches in width and eight inches in length.
- (d) No person shall dig a hole exceeding six inches in depth.
- (e) All ground moved must be replaced to its previous condition.

ARTICLE 3 Special Events

Section 2.3.1 – Vending without Permit.

No person shall solicit contributions, sell, barter, exchange, or conduct any other transactions involving any type of merchandise for profit within the boundaries of parks without written authorization of the park director. This shall be construed to mean any item for resale or profit which would include, but not limited to beverages, ice cream, food products, ice, picnic and fishing supplies, etc.

Section 2.3.2 – Protesting.

No one person, or group will in anyway disturb the normal operation, the flow of traffic, or interfere with a gathering that has been approved by the park director. No one person or group will interrupt any meeting, shelter reservation, building reservation, or special function.

Section 2.3.3 – Advertising.

No person shall post, affix, paint, distribute, hand out, deliver, place, cast, or leave about, any bill, billboard, placard, ticket handbill, circular or advertisement; display any flag, banner, transparency, target, sign, placard, or other matter for advertisement purposes; or operate any musical instrument, drum or cause any noise to be made, for advertising purposes or for the purpose of attracting attention to any exhibition performance, show, building reservation, concert, shelter reservation or other purpose unless permission has been granted by the park director.

Section 2.3.4 – Solicitation.

No person shall solicit alms or contributions for any purpose.

ARTICLE 4

Fishing

Section 2.4.1 – Fishing.

- (a) Unless modified by the Parks Director fishing is only permitted during park hours. Fishermen must vacate the park by midnight.
- (b) Fishing season is the first Saturday in March through November 30th.
- (c) Fishing in restricted and posted areas is prohibited, unless granted permission from the park director.
- (d) All fishermen will abide by all State and County rules and regulations regarding fishing. Failure to do so may result in fine or loss of fishing permit.
- (e) Only children 15 years of age and under may fish in the kiddy pond at Wyandotte County Lake. Children fishing in the kiddy pond must abide by the rules posted there. Any adult helping a childfish must possess proper licenses and permits. If an adult is just watching and not actively fishing including, by reeling in, or casting out, they do not need to possess a license and permit. The parent or guardian may bait hooks and take off fish. Children should always have a parent or guardian supervising them while at kiddy pond.
- (f) All fishermen will abide by all length and creel limits designated by the park director.
- (g) All fishermen between the age of 16 and 65 75 must possess a Kansas State fishing license.
- (h) A Wyandotte County Lake fishing permit is required for those age 16-65.
 - a. Both State and County permits must be in possession of the fisherman while fishing in park waters.
 - b. Non residents on active military stationed in Kansas are entitled to purchase a resident Wyandotte County Lake fishing permit.
- (i) All fish must be put on a stringer or in a suitable place so that identification of ownership may be made by the rangers. Fishermen using a live well must have individual markers if sharing the same live well.
- (j) Trot, limb, or jug lines are prohibited.
- (k) There is no open season for frogs or turtles.

Section 2.4.2 Bowfishing

No person shall bowfish unless obtaining a special permit issued by the Unified Government Parks Director. Bowfishers must also follow the regulations outlined in Sec. 2.4.1 & Sec. 2.4.2 herein. Catch and release bowfishing is strictly prohibited.

ARTICLE 5

Boating, Sailboards and Water Safety

Section 2.5.1 – Definitions

Watercraft means every vessel designed to be propelled by machinery, oars, paddles, or wind action upon a sail for navigation on the water.

Section 2.5.2 – Boat Slip Rental

- (a) Except as set out in (c) Boat slip rental at Wyandotte County Lake is restricted to Wyandotte County residents only.
- (b) Only Wyandotte County residents may place themselves on the boat slip rental waiting list.

- (c) Current renters of boat slips may renew their rental agreement no matter their county of residence so long as all other requirements of boat slip rental including paying appropriate rental fees and State of Kansas boat registration are met.
- (d) A fee may be charged, as set by the County Administrator, for the boat slip rental.
- (e) Dock slips are non-transferable. The name listed on the dock slip rental record or waitlist may not be added to or changed from year to year.
- (f) Upon changing residential address, slip holders shall provide the new address to the Lake Marina Manager within 14 days of the change.
- (g) Slip holder may be asked for boat license and registration by Lake Marina Manager, Unified Government employee or law enforcement at anytime. Slip holder must provide requested documentation in an expeditious manner.
- (h) All boats must be secured to the dock as not to swing freely causing damage to neighboring boats and docks. All boats that work free and are loose on the lake are the responsibility of the boat owner to retrieve.
- (i) The docks are not to be altered in any manner (such as adding bumpers, hooks, etc.) All alterations will be removed after a two-week notice with slip holders required to pay costs to remove alterations and facing charges under Section 2.2.2 of these regulations
- (j) All boats must be off the water no later than December 1st. After that date, all boats will be removed and stored at the owner's expense.

Section 2.5.3 – Boating

- (a) Boating season is the first Saturday in March through November 30 unless modified.
- (b) State of Kansas and U.S. Coastguard Boating Rules and Regulations strictly enforced. The Lake patrol has complete jurisdiction of all watercraft on the lake.
- (c) A valid County Boat Permit is required prior to placing any watercraft in park waters. The required Boat Permit shall be affixed to the right bow of the watercraft and visible above the water line. County Boat Permit's shall be non-transferable to any other watercraft or person.
- (d) No inflatable boats or rafts are allowed on the lake. Hand powered and wind powered watercrafts have the right-of-way over motorboats. Pontoon boats have right-of-way over motorboats.
- (e) All boats must be at least 10 feet in length.
- (f) All boat operators at Wyandotte County Lake will abide to the no wake zones, 20-mph speed limit, no boating areas, right of way rules and use correct navigational rules.
- (g) All boats will be equipped with proper boat registration and lettering, county permit and sticker, flotation devices, fire extinguishers, horn or whistle, lights, ventilation, and flame arrestor, as required by Kansas State Law. Classification of boats will determine which if all items are needed. Capacity limits for both occupants' capacity, weight, and gear will be followed, along with max. hp. for each boat.
- (h) All boats, except sailboats, must be launched from launching ramp in Boathouse Cove and inspected by marina operator.
- (i) The operator of every watercraft shall require every person 12 years of age or younger to wear a United States Coast Guard approved personal flotation device.
- (j) Consistent with State law, no person under the age of 12 shall operate a motorized boat unsupervised. No person between the age of 12 and 20 shall operate a motorized boat unsupervised unless the operator is licensed and has successfully completed a boating education course approved by Kansas Wildlife, Parks, and Tourism.
- (k) No watercraft shall be moored/tied to any buoy on the lake.
- (l) Waterskiing, wakeboarding, wakesurfing, or tubing is prohibited.

(m) Canoes, kayaks, and paddleboards must have a County Boat Permit and can only launch from the boat ramp or from the sailboat/kayak launch area.

1. Consistent with State law all individuals in a canoe, kayak, and paddleboard are required to properly wear a Coast Guard approved personal flotation device.

Section 2.5.4 – Sailboards.

(a) Sailboard season is May 15 to October 15.

(b) Sailboards must be registered with the State of Kansas.

(c) Wyandotte County Lake Permits will be required and placed on the board or mast as to be visible when in the water. Constant with State law all individuals on a sailboard are required to properly wear a Coast Guard approved personal flotation device.

(d) The sailboards may be put in the water at the sailboat launching ramp only.

ARTICLE 6

Traffic

Section 2.6.1 – Commercial Vehicles.

Commercial trucks, tour buses, tractor trailers, tractor, farm machinery, industrial equipment, and all other vehicles the parks director or Rangers feel are too large and cause unsafe roadway for other traffic will not be allowed. Special permission may be granted for deliveries, special functions and other projects which the park director or Rangers approve.

Section 2.6.2 – Bicycles.

No person shall ride a bicycle other than on the right side of the road paving as close as conditions permit, and bicycles shall not be ridden more than two abreast when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting. No person shall leave a bicycle other than in a bicycle rack when such is provided and there is a space available. No person shall ride a bicycle on any road between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front and without a red taillight or red reflector plate visible at least 100 feet from the rear of such bicycle.

Section 2.6.3 – ATV's and Motorized Dirt Bikes.

No all-terrain vehicle or motorized dirt bikes will be used in any Unified Government Park. A dirt bike, if properly licensed and insured, may use park roads but will never leave park roadways or parking areas. Special permission by the park director may be granted for special events.

Section 2.6.4 – e-Bikes.

(a) The following definition apply to this section:

- i. *Electric bike or e-bike* means a bike with two or three wheels, fully operable pedals, and an electric motor not to exceed 750 watts of power
- ii. *Class 1* means an e-bike equipped with a motor that provides assistance only while peddling. Motorized power ceases when the e-bike reaches 20 MPH.
- iii. *Class 2* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 20 MPH.

- iv. *Class 3* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 28 MPH.
- (b) Class 1 and 2 e-bikes are allowed on roadways and designated bike lanes as well as on multi use trails and other areas that are open to non-motorized biking with the exception of horse trails.
 - i. No person shall operate a Class 3 e-bike on multi-use trails or other areas open to non-motorized biking.
- (c) Class 3 e-bikes are only allowed on roadways and designated bike lanes.

Section 2.6.5 – Snow Sledding.

- (a) Sled riding is only permitted during safe light starting when the park opens and ending ½ hour after sunset.
- (b) Snow sledding /cross country skiing is permitted in all Unified Government parks. If the Park Ranger feels that a location is unsafe, sledding and snow skiing will be stopped.
- (c) No ramps will be built or used for jumps.
- (d) All sleds will be made of safe material and design. No car hoods will be allowed.
- (e) No sledding in closed or prohibited areas of the parks.
- (f) If the director of parks and recreation or her designee feels that you are operating a sled in a reckless manner, you will be required to leave the park.

CHAPTER 3

ARTICLE 1

Adoption and Penalties

Section 3.1.1 – Use of Park Property or Services.

No person shall build, improve, or in any other manner encroach upon any Unified Government property, and no person shall use any unified Government property, equipment, or service for which a permit fee is required without first obtaining such permit of paying such fee. The Unified Government hereby reserves the right to restrict or close Unified Government Parks or facilities temporarily should weather, safety or incompatible resource or program use so require.

Section 3.1.3 – Enforcement, Violations and Penalties.

- (a) From and after the effective date of this Code, no person shall violate any of the provisions of this Code, or fail to comply with any of its requirements, including, but not limited to, any condition or term established in connection with granted permits or use of Unified Government property, and any act, conduct, or use that fails to comply with the provisions of this Code and any rules or standards adopted as a part of the Code, shall be and hereby is declared to be unlawful as a violation of this Code.
- (b) The failure of any person to comply with, or the violation of any provision, requirement, standard, or condition contained within this Code, shall be a public offense punishable, upon conviction, by a fine in an amount determined according to the Fine Schedule which is attached hereto as Appendix A and incorporated herein by reference and up to 30 days in jail.
- (c) Multiple or repeated violations shall be deemed a violation of the next most serious violation class and shall be subject to a higher fine amount, as provided in the attached fine schedule.

Fine Schedule

Section	1 st Offense	2 nd Offense	3 rd Offense
2.1.1	\$25.00	\$50.00	\$100.00
2.1.2	25.00	50.00	100.00
2.1.3	50.00	75.00	100.00
2.1.4	25.00	50.00	100.00
2.1.5	25.00	50.00	100.00
2.1.6	25.00	50.00	100.00
2.1.7(a)	50.00	75.00	100.00
2.1.7(b) & (d)	State or Municipal charges	State or Municipal charges	State or Municipal charges
2.1.8	25.00	50.00	100.00
2.1.9	25.00	50.00	100.00
2.1.10	25.00	50.00	100.00
2.1.11	25.00	50.00	100.00
2.2.1	100.00	100.00	100.00
2.2.2	100.00	100.00	100.00
2.2.3	100.00	100.00	100.00
2.2.4	50.00	100.00	100.00
2.2.5	Municipal Charges and Penalties	Municipal Charges and Penalties	Municipal Charges and Penalties
2.2.6	50.00	75.00	100.00
2.2.7	50.00	100.00	100.00
2.2.8	50.00	100.00	100.00
2.3.1	50.00	100.00	100.00
2.3.2	50.00	100.00	100.00
2.3.3	25.00	50.00	100.00
2.3.4	25.00	75.00	100.00
2.4.1	50.00	75.00	100.00
2.4.2	50.00	75.00	100.00
2.5.3	50.00	75.00	100.00
2.5.4	25.00	50.00	100.00
2.6.1	25.00	50.00	100.00
2.6.2	50.00	100.00	100.00
2.6.3	50.00	100.00	100.00
2.6.4	50.00	100.00	100.00
2.6.5	50.00	100.00	100.00

**Unified Government of Wyandotte County and
Kansas City, Kansas**



Parks and Recreation Code of Regulations

Exhibit A

**WYANDOTTE COUNTY AND KANSAS CITY, KANSAS
CODE OF REGULATIONS FOR PARKS AND RECREATION
2021 EDITION**

CHAPTER 1

ARTICLE 1

General Provisions

Section 1.1.1 – Title.

This Code shall be known and may be cited as the Unified Government of Wyandotte County and Kansas City, Kansas Code of Regulations for Parks, 2021 Edition.

Section 1.1.2 – Purpose.

The purpose of this Code is:

- (a) To provide quality park facilities and leisure opportunities to the residents of Wyandotte County; and
- (b) To prescribe rules, regulations and enforcement procedures for public safety and awareness, to conserve park resources, to emphasize the highest standards for services and programs, and to ensure that the future recreational needs of Wyandotte County residents are met.

Section 1.1.3 – Authority.

This Code is adopted pursuant to the authority provided in Charter Ordinance No. CO-05-08 and Charter Resolution No. CR-01-08 of the Unified Government and K.S.A. 19-2803a of the Kansas Statutes Annotated, and any amendments thereto, if any.

Section 1.1.4 – Scope.

This Code shall be applicable to all Wyandotte County, Kansas, Parks and Recreation park lands and facilities. All parks under the jurisdiction of this Code shall include the following:

<i>Bethany Park</i>	<i>Edgerton Park</i>	<i>Hope Park</i>	<i>Matney Park</i>
<i>Big Eleven Lake</i>	<i>Eighth Street Park</i>	<i>Huron Park</i>	<i>Mt. Marty Park</i>
<i>Bill Clem Park</i>	<i>Eisenhower Park</i>	<i>Jersey Creek Park</i>	<i>Northrup Park</i>
<i>Boston Daniel Park</i>	<i>Emerson Park</i>	<i>Kaw Point Park</i>	<i>Parkwood Park</i>
<i>City Park</i>	<i>Fairfax Park</i>	<i>Kensington Park</i>	<i>Pierson Park</i>
<i>Clifton Park</i>	<i>Fisher Park</i>	<i>Klamm Park</i>	<i>Prescott Park</i>
<i>Clopper Park</i>	<i>Flat Iron Park</i>	<i>Lally Park</i>	<i>Quindaro Park</i>
<i>Coronado Park</i>	<i>Heathwood Park</i>	<i>Leo Alvey Park</i>	<i>Regan Park</i>
<i>Delaware Park</i>	<i>Holy Family Park</i>	<i>Mac's Park</i>	<i>Riverview Park</i>
<i>Rosedale Park</i>	<i>Silver City Park</i>	<i>St. Margaret's Park</i>	<i>Waterway Park</i>
<i>Ruby Park</i>	<i>Splitlog Park</i>	<i>Thomson Park</i>	<i>Welborn Park</i>
<i>Shawnee Park</i>	<i>Stony Point Park</i>	<i>Trolley Park</i>	<i>Westheight Park</i>
<i>Simpson Park</i>	<i>St. John's Park</i>	<i>Vega Park</i>	<i>Wyandotte County Lake Park</i>
			<i>Wyandotte County Park</i>

This Code shall apply uniformly to all Wyandotte County Parks that now exist and those that are later developed and shall supersede any prior Wyandotte County Parks and Recreation Code.

Section 1.1.5 – Severability.

If any clause, sentence, paragraph, section or subsection of this Code shall be judged invalid by a court of competent jurisdiction, such judgement shall not affect, repeal or invalidate the remainder of the provision of any other section or subsection, and shall be confirmed to the specific clause, sentence, paragraph, section or subsection which was found invalid.

Section 1.1.6 – Disclaimer of Liability.

(a) This code shall not be construed nor interpreted as imposing upon Wyandotte County, or any of their officials, officers, agents, or employees

(1) any liability or responsibility for damages to any property; or

(2) any liability or responsibility for any personal injury

~~In addition, no individual duly authorized to enforce the Code, who acts in good faith and without malice in the performance of official duties shall assume or have imposed upon them any personal liability, and they are hereby relived from personal liability for damage that may occur to any person or property as a result of any act required by this Code in the discharge of official duties.~~

Section 1.1.7 – Amendments and Additions.

This code may be supplemented, or its provisions may be amended by resolution duly adopted by the Board of County Commissioners of Wyandotte County, Kansas, and any such amendments or additions shall be incorporated within and codified as part of this Code.

Section 1.1.8—Permits & Fees

Unified Government may charge fees for the permits required under the Parks and Recreation Code of Regulations. The permit fee will be in an amount established by the County Administrator and may be changed from time to time.

Section 1.1.9 – Effective Date.

This Code shall be effective upon its adoption by the Board of County Commissioners.

CHAPTER 2

ARTICLE 1

Public Safety

Section 2.1.1- Park Hours.

Except as outlined below no person shall enter or remain within the boundaries of any Wyandotte County park at any time other than the posted hours of operation for that park.

(a) All park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.

(1) Exceptions made for on-duty UG Parks and Recreation employees and law enforcement.

~~Night horse riding — Horse riding hours are limited to Sunrise to Sunset. Night riding is prohibited.~~

- (b) The Wyandotte County Sheriff or designee may close any park in an emergency situation where the health and safety of park patrons is in peril. Park closures due to inclement weather must be approved by the Parks Director.
- (c) ~~Archery range— Archery Range will be used during daylight hours only.~~
- (c) ~~Camping—Camping is prohibited.~~
- (c) ~~Fishing— Fishing is only permitted during park hours. Fishermen must vacate the park by midnight.~~
- (c) ~~Boating – Wyandotte County Lake opens at 6:00 A.M and closes at midnight from March 1-October 15. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30.~~
- (d) ~~Sledding – Sledding is only permitted from the time the park opens to ½ hour after sunset.~~

Section 2.1.2 - Trail Riding.

- (a) Riding hours are limited to Sunrise to Sunset. ~~NO NIGHT RIDING.~~
- (b) Unloading and loading of animals for riding must be done at the marked horse trailer area at 83rd street.
- (c) Cleanliness of the loading and unloading area depends mainly on its users. Each rider is expected to clean up after themselves and those they are responsible for. Brooms and shovels should be used to clean up any droppings animals leave, and not just in this area, but any area in the park including roadways and parking lots.
- (d) Alcoholic beverages or cereal malt beverages are not allowed on the trails.
- (e) Children under the age of 18, must be accompanied by an adult of at least 18 years of age.
- (f) All animals being ridden will stay on the trails at all times. No rider will exit the trail and approach any shelter, building and watering holes where park patrons frequent. ~~Riders are expected to stay on the trail at all times.~~ Exiting the trails is a violation of park rules and is not permitted. If your animal needs water, you must dismount and lead it to the nearest part of the lake that allows the animals a safe drinking environment for both the rider and the park patrons.
- (g) ~~Littering on the trail, or in the park is prohibited. This includes signs or markers that have not been approved or posted by park personnel.~~
- (g) All riders ride at their own risk. Any injuries ~~shall~~ will be reported to Park Rangers ~~at~~ (913) 573-8327. All riders must have insurance coverage on their animals and themselves when riding.
- (h) Any group of riders of ten or more, must report to the administration office prior to the use of their trail. A contact person and cell phone number should be given to park staff. (913) 573-8327.
- (i) It is the responsibility of all riders to know the rules and regulations of both that of horseback riding and other park rules that may pertain to them.
- (j) Riders shall notify the maintenance division ~~The maintenance division would appreciate notification of any safety issues, or maintenance items on the trail that needs their attention at n-~~ (913) 596-7084.
- (k) ~~These rules and regulations may be amended at any time to better reflect the needs of the park. Any violation of the park rules, ordinances, or state laws, may result in the loss of future use of the trails.~~

Section 2.1.3 – Animals.

- (a) It shall be unlawful for any person owning or keeping any animal to permit or allow the animal to run at large within any park unless inside of an area designated as approved for off-leash activity.
 - 1. Dogs allowed to run loose in the designated dog park must at all times be under the control of the owner, not aggressive, and up to date on vaccines.
- (b) Pet owners ~~shall~~ are expected to follow all municipal ordinances regarding animals.

Section 2.1.4 – Swimming, Wading, Bathing.

- (a) No person shall swim, wade, or bathe in any waters of the said parks, except at such times and in such places as the park director may designate for a special event, park personnel training or for UG Parks and Recreation approved educational purposes or from boats conforming to rules set forth by the park director.
- (b) Swimming is allowed from boats only, no shoreline swimming.
- (c) No fisherman will wade in park waters to fish.
- (d) Park patrons using sail boards and sail boats will stay on their boats. In the case of capsizing or falling off such sail vessels the operator or occupants will get back into the vessel as soon as possible.

Section 2.1.5 – Ice Skating.

Ice skating or being on the ice in any Unified Government Park waters is prohibited. ~~illegal.~~

Section 2.1.6 – Archery.

- (a) The range will be used during daylight hours only.
- (b) The archery range is the only area a bow and arrow is to be used.
- (c) Anyone with a bow and arrow must be directly in route to or from the range or at the range.
- (d) No broad arrow tips, will be allowed.

Section 2.1.7 – Alcoholic Beverages.

- (a) ~~Unless otherwise posted~~, no person shall be in possession of, with the intent to ~~dispense in any manner sell~~, alcoholic beverages or cereal malt beverages other than in shelter houses or buildings designated for such purpose with proper permits, ~~within the boundaries of the park.~~
- (b) ~~A fee may be charged, as set by the County Administrator, for a permit allowing the sale of alcohol.~~
- (b) No person under the age of 21 will consume or possess alcoholic beverages.
- (c) ~~Alcohol is permitted in Parks unless otherwise posted~~ **NO ALCOHOL** or as noted herein.
- (d) No person will drive any boat, vehicle, or operate a remote-control object, ride a horse or mule while under the influence of drugs or alcohol.

Section 2.1.8 – Firearms and Weapons.

- (a) No person shall bring into any park, ~~discharge or use, within park boundaries~~, any ~~firearm~~, air gun, spring gun, blank gun, BB gun, slingshot, or blow gun, ~~or any other device in which force is used to propel projectiles.~~
- (b) Water guns are allowed if they do not resemble any real firearm.
- (c) ~~This section shall not apply to any law enforcement officer who is engaged in the discharge of official duties.~~
- (d) ~~This section shall not apply to persons using archery equipment in conformity with the provisions of Section 2.1.6 of this Code.~~

Section 2.1.9 – Camping.

- (a) ~~Camping is prohibited in all parks except for the Scout Area located at Wyandotte County Lake Park which requires a permit.~~
- (b) ~~A fee may be charged, as set by the County Administrator, for the permit allowing overnight camping.~~
- (b) ~~Unless hours are posted otherwise, all park patrons shall be out of the park by midnight. Anyone still in the park after midnight will be presumed to be trespassing.~~

- (b) ~~All scout groups wishing to use the scout area and camp overnight may do so by making special arrangements at the administrative office. All scout groups must be affiliated by a 501c3 recognized organization such as the Campfire Girls of America or the Boy Scouts of America. All scout groups will have a group leader that must be 21 years of age. All overnight campers must have proof of affiliation documentation by a recognized organization.~~

Section 2.1.10 – Nudity.

Nudity is prohibited in UG Parks.

~~No person shall be undressed in any Unified Government park. No person shall be in any restroom, building, vehicle, wooded area, open area or any other place in the park with their clothes off.~~

~~Park patrons may change their clothes in restrooms., no two people can be in a restroom when one person is changing clothes.~~

~~Men and women will wear clothing that properly covers all sexual organs. The act of sex will not be conducted in Unified Government parks, either in a car, restroom, building, shelter, wooded area, open area, or any other place in the park.~~

Section 2.1.11 – Aviation.

1. The following definition apply to this section:

- a. *Unmanned aircraft vehicle* means any aircraft that is not operated from within the aircraft.
- b. Operate means fly via remote control, perform the process of flying via remote control, or cause a machine designed for flight to fly via remote control

2. In order to lawfully operate an unmanned aircraft vehicle, all unmanned aircraft vehicle operators must comply with applicable FAA regulations and meet the requirements below:

- a. Obtain a Flying Permit issued by UG Parks and Rec
 - 1. Permit will be issued for flight at Wyandotte County Park unless otherwise requested and agreed to by UG Parks and Rec staff
- ~~b. A fee may be charged, as set by the County Administrator, for the permit allowing the operation of unmanned aircraft.~~
- b. Show proof of liability insurance in the amount of \$2.5 million prior to receiving the permit.

ARTICLE 2

Conservation of Park Resources

Section 2.2.1 – Protection of Wildlife.

- (a) No person, except under a special permit issued by the park director, will be allowed to hunt, trap, or in any way molest any animal, bird, or reptile on Unified Government park property.
- ~~(b) A fee may be charged, as set by the County Administrator, for the permit allowing hunting or trapping.~~
- (b) No person will turn loose any animal within the park unless special permission has been granted by the ~~the proper Federal or State authorities~~ and the Unified Government Parks Director.
- (c) No animal, reptile, bird, amphibian, or eggs or nest of any bird or reptile shall be removed out of the park without special permission from the proper Federal or State authorities and the Unified Government Parks Director.

~~No animal, reptile, bird, amphibian, or eggs or nest of any bird or reptile shall be removed out of the park without special permission from the proper Federal or State authorities and the Unified Government Parks Director.~~

~~This section does not apply to cats or dogs.~~

(a) **Section 2.2.2 – Pollution of Waters.**

- (a) ~~No person shall, within the park, throw, cast, lay, drop or discharge into, or leave in the waters, in any park, or in any storm sewer, or drain flowing into said waters, any substance, matter, or thing, liquid or solid, which may or shall result in the pollution of said waters.~~
- (a) ~~No person shall have brought in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, or refuse or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.~~

Section 2.2.23 – Damage to Park Property.

- (a) No person shall destroy, alter, damage, injure, or remove any real or personal property which belongs to the Unified Government. No person shall remove or carry away any asphalt, flagstone, rock, stone, clay, or earth; or make any excavation of any kind. No person shall destroy or alter any ruins, relics, or geological formations found within the boundaries of Unified Government Parks.
- (b) ~~This section shall not apply to persons performing work on behalf of the Unified Government or to persons who are engaged in scientific or educational collection and who possess, and are in compliance with, specific prior written permission obtained from the Director of Parks and Rec for such activity.~~

Section 2.2.3 – Illegal Fireworks.

No person shall bring into or have in said parks any fireworks, explosives including any substance compound mixture or article having properties of such a character that alone or in combination or contiguity with other substances or compounds may decompose suddenly and generate sufficient heat, gas, pressure or any or all of them to produce rapid flame, combustion or administer a destructive blow to surrounding objects, unless approved in writing by the parks director.

Section 2.2.45 – Fires.

- (a) No person shall kindle, build, maintain, or use a fire, except in fireplaces provided for the purpose of under special permit. Charcoal fires are only to be used in shelter fire pits and shelter grills. No logs or ~~f~~ wood will be used in any shelter grill or pit.
- (b) Campfires may be used in accordance with the Wyandotte County Parks fire permit issued~~s~~ by the Unified Government Parks Director. All campfires will be placed in an area where the fire it will not get out of control ~~and, usually the fires the~~ perimeter ~~shall be~~ is contained by rocks.
- (c) ~~A fee may be charged, as set by the County Administrator, for the permit allowing campfires.~~
- (c) Any fire shall remain continuously under the care and direction of a competent person over twenty-one (21) years of age, from the time it is kindled until it is extinguished. All fires must be completely extinguished with water or dirt before they are left behind.

Section 2.2.56 – Littering.

No person shall throw, cast, lay or drop, discharge into, or on any park, or allow an agent, servant or employee of any person in his or her charge, do likewise. Dropping discharge to include diseased or dead animals, organic refuse, or other offensive matter. No such refuse or trash shall be placed in any waters in or

contiguous to any park or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided. Where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere. Littering in parks located within the City of Kansas City, Kansas are subject to UG Code of Ordinance Section 22-380.

Section 2.2.67 – Amplified Sound

Only those persons who hold a valid Parks and Rec permit and who are acting in conformity with the terms and conditions of the permit are allowed to set up or use amplified sound equipment within the boundaries of any Unified Government park. ~~A fee may be charged, as set by the County Administrator, for the permit allowing amplified sound.~~

Section 2.2.78 Excessive Noise

~~Municipal ordinances regarding excessive noise are enforced in Unified Government Parks. Unified Government Ordinances Sec. 22-124, Sec. 22-125, and Sec. 22-128, et seq and amendments thereto are enforced at parks within the city limits of Kansas City, KS. Bonner Springs Ordinance Sec. 12-217, et seq and amendments thereto are enforced at Wyandotte County Park.~~

Section 2.2.89 – Digging & Use of Metal Detectors.

- (a) No person shall dig or use a metal detector without a permit obtained through UG Parks and Rec.
- (b) ~~A fee may be charged, as set by the County Administrator, for the permit allowing digging or the use of a metal detector.~~
- (b) Digging and metal detection is strictly prohibited on soccer fields, baseball/softball fields, historical sites, golf courses, archery ranges, campgrounds, within 50 yards of an existing structure, in any area with irrigation, and within the designated unmanned aircraft flying area.
- (c) Digging instruments are limited to ice picks, screwdrivers, or other probes not exceeding six inches in width and eight inches in length.
- (d) No person shall dig a hole exceeding six inches in depth.
- (e) All ground moved must be replaced to its previous condition.

ARTICLE 3 Special Events

Section 2.3.1 – Vending without Permit.

No person shall solicit contributions, sell, barter, exchange, or conduct any other transactions involving any type of merchandise for profit within the boundaries of parks without written authorization of the park director. This shall be construed to mean any item for resale or profit which would include, but not limited to beverages, ice cream, food products, ice, picnic and fishing supplies, etc. ~~A fee may be charged, as set by the County Administrator, for the permit allowing vending.~~

Section 2.3.2 – Protesting.

No one person, or group will in anyway disturb the normal operation, the flow of traffic, or interfere with a gathering that has been approved by the park director. No one person or group will interrupt any meeting, shelter reservation, building reservation, or special function. ~~without the permission of the park director.~~

Section 2.3.3 – Advertising.

No person shall post, affix, paint, distribute, hand out, deliver, place, cast, or leave about, any bill, billboard, placard, ticket handbill, circular or advertisement; display any flag, banner, transparency, target, sign, placard, or other matter for advertisement purposes; or operate any musical instrument, drum or cause any noise to be made, for advertising purposes or for the purpose of attracting attention to any exhibition performance, show, building reservation, concert, shelter reservation or other purpose unless permission has been granted~~exempted~~ by the park director.

Section 2.3.4 – Solicitation.

No person shall solicit alms or contributions for any purpose.

ARTICLE 4

Fishing

Section 2.4.1 – Fishing.

- (a) ~~Unless modified by the Parks Director~~ fishing is only permitted during park hours. Fishermen must vacate the park by midnight.
- (b) ~~Fishing season is the first Saturday in March through November 30th.~~
- (c) Fishing in restricted and posted areas is prohibited, unless granted permission from the park director.
- (d) All fishermen will abide by all State and County rules and regulations regarding fishing. Failure to do so may result in fine or loss of fishing permit.
- (e) Only children 15 years of age and under may fish in the kiddy pond at Wyandotte County Lake. Children fishing in the kiddy pond must abide by the rules posted there. Any ~~adult~~parent helping a child-fish must possess proper licenses and permits. If an ~~adult~~ parent is just watching and not actively fishing including, by reeling in, or casting out, they do not need to possess a license and permit. The parent or guardian may bait hooks and take off fish. Children should always have a parent or guardian supervising them while at kiddy pond.
- (f) All fishermen will abide by all length and creel limits designated by the park director.
- (g) All fishermen between the age of 16 and ~~65~~ 75 must possess a Kansas State fishing license.
- (h) ~~A Wyandotte County Lake fishing permit is required for those age 16-65.~~
 - a. Both State and County permits must be in possession of the fisherman while fishing in park waters.
 - b. ~~Non residents on active military stationed in Kansas are entitled to purchase a resident Wyandotte County Lake fishing permit.~~
- (i) All fish must be put on a stringer or in a suitable place so that identification of ownership may be made by the rangers. Fishermen using a live well must have individual markers if sharing the same live well.
- (j) Trot, limb, or jug lines are prohibited.
- (k) There is no open season for frogs or turtles.

Section 2.4.2– Fishing Permit.

~~No fishing shall be allowed on any lake until a fishing permit is first obtained from the Unified Government Parks and Rec or designated agent. Said permit shall not be used in any violation of any regulation of the park director that shall be established from time to time, which will include rules for fishing and fees for the permits.~~

~~A fee may be charged, as set by the County Administrator, for the permit allowing fishing.~~

Section 2.4.23 Bowfishing

No person shall bowfish unless obtaining a special permit issued by the Unified Government Parks Director. A fee may be charged, as set by the County Administrator, for the permit allowing bowfishing. Bowfishers must also follow the regulations outlined in Sec. 2.4.1 & Sec. 2.4.2 herein. Catch and release bowfishing is strictly prohibited.

ARTICLE 5

Boating, Sailboards and Water Safety

Section 2.5.1 – Definitions

Watercraft means every vessel designed to be propelled by machinery, oars, paddles, or wind action upon a sail for navigation on the water.

Section 2.5.2 – Boating Permits

~~A valid County Boat Permit is required prior to placing any watercraft in park waters. The required Boat Permit shall be affixed to the right bow of the watercraft. County Boat Permit's shall be non-transferable to any other watercraft or person. A fee may be charged, as set by the County Administrator, for the permit allowing boating.~~

Section 2.5.23 – Boat Slip Rental

- (a) ~~Except as set out in (c)~~ Boat slip rental at Wyandotte County Lake is restricted to Wyandotte County residents only.
- (b) ~~Only Wyandotte County residents may place themselves on the boat slip rental waiting list.~~
- (c) ~~All Current renters of boat slips (as of February 2021) are allowed to continue to may renew their rental agreement no matter their county of residence so long as the individual adheres to all other requirements of boat slip rental including paying appropriate rental fees and State of Kansas boat registration are met.~~
- (d) A fee may be charged, as set by the County Administrator, for the boat slip rental
- (e) Dock slips are non-transferable. The name listed on the dock slip rental record or waitlist may not be added to or changed from year to year.
- (f) Upon changing residential address, slip holders shall provide the new address to the Lake Marina Manager within 14 days of the change.
- (g) Slip holder may be asked for boat license and registration by Lake Marina Manager, Unified Government employee or law enforcement at anytime. Slip holder must agree to provide requested documentation in an expeditious manner.
- (h) All boats must be secured to the dock as not to swing freely causing damage to neighboring boats and docks. All boats that work free and are loose on the lake are the responsibility of the boat owner to retrieve.
- (i) The docks are not to be altered in any manner (such as adding bumpers, hooks, etc.) All alterations will be removed after a two-week notice with slip holders required to pay costs to remove alterations and facing charges under Section 2.2.2 of these regulations.
- (j) All boats must be off the water no later than December 1st. After that date, all boats will be removed and stored at the owner's expense.

Section 2.5.34 – Boating

- (a) ~~Wyandotte County Lake opens at 6:00 A.M and closes at midnight from March 1-October 15 each year. Wyandotte County Lake opens at 7:00 A.M. and closes at midnight from October 16-April 30 each year.~~

- (a) ~~-Boating season is the first Saturday in March through November 30 unless modified weather permitting.~~
- (b) ~~Swimming is allowed from boats only, no shoreline swimming.~~
- (c) State of Kansas and U.S. Coastguard Boating Rules and Regulations strictly enforced. The Lake patrol has complete jurisdiction of all watercraft on the lake.
- (d) A valid County Boat Permit is required prior to placing any watercraft in park waters. The required Boat Permit shall be affixed to the right bow of the watercraft and visible above the water line. County Boat Permit's shall be non-transferable to any other watercraft or person.
- (e) No inflatable boats or rafts are allowed on the lake. Hand powered and wind powered watercrafts have the right-of-way over motorboats. Pontoon boats have right-of-way over motorboats.
- (f) All boats must be at least 10 feet in length.
- (g) All boats operators operating at Wyandotte County Lake will abide to the no wake zones, 20-mph speed limit, no boating areas, right of way rules and use correct navigational rules.
- (h) All boats will be equipped with proper boat registration and lettering, county permit and sticker, flotation devices, fire extinguishers, horn or whistle, lights, ventilation, and flame arrestor, as required by Kansas State Law. Classification of boats will determine which if all items are needed. Capacity limits for both occupants' capacity, weight, and gear will be followed, along with max. hp. for each boat.
- (i) All boats, except sailboats, must be launched from launching ramp in Boathouse Cove and inspected by marina operator.
- (j) The operator of every watercraft shall require every person 12 years of age or younger to wear a United States Coast Guard approved personal flotation device.
- (k) Consistent with State law, no person under the age of 12 shall operate a motorized boat unsupervised. No person between the age of 12 and 20 shall operate a motorized boat unsupervised unless the operator is licensed and has successfully completed a boating education course approved by Kansas Wildlife, Parks, and Tourism.
- ~~(l) Boating under the influence charges will be filed on anyone operating a water vessel while legally intoxicated. Operators will be tested by lake patrol with portable breathalyzers.~~
- ~~(l) All boats will be operated in a safe manner. No riding on bow of boats, no reckless driving.~~
- ~~(l) All boats will comply with all state and county laws. Failure to do so may result in fine or loss of boating privileges at the lake.~~
- ~~(l) No watercraft shall be moored/tied to any buoy on the lake.~~
- (m) Waterskiing, wakeboarding, wakesurfing, or tubing is prohibited.
- (n) Canoes, kayaks, and paddleboards must have a County Boat Permit and can only launch from the boat ramp or from the sailboat/kayak launch area.
 - 1. Consistent with State law all individuals in a canoe, kayak, and paddleboard are required to properly wear a Coast Guard approved personal flotation device.

Section 2.5.5 Personal Flotation Device

~~The operator of every watercraft shall require every person 12 years of age or under to wear a United States Coast Guard approved type I, type II, or type III personal flotation device while aboard such watercraft. A life belt or ring shall not satisfy this requirement.~~

Section 2.5.6 — Launching Watercraft.

~~All boats, except sailboats, must be launched from launching ramp in Boathouse Cove and inspected by marina operator before safety for lake permit is issued.~~

Section 2.5.7 — Personal Watercraft.

~~No personal watercrafts, such as wet bikes, jet skis or wave runners.~~
~~No water skiing from any device or towing of any object or boat except in an emergency.~~

Section 2.5.48 – Sailboards.

- (a) Sailboard season is May 15 to October 15.
- (b) Sailboards must be registered with the State of Kansas, the same as any other boat.
- (c) ~~Failure to have the sailboard registered with the state or have valid lake permit will result in the same penalties as any other craft.~~
- (c) Wyandotte County Lake Permits will be required and placed on the board or mast as to be visible when in the water.
- (c) Constant with State law all individuals on a sailboard are required to properly wear a Coast Guard approved personal flotation device.
- (d) ~~Personal flotation device (belt or vest) is always required on the operator's person when in the water (Coast Guard approved).~~
- (d) ~~Failure to wear a personal flotation device or wearing one not Coast Guard approved will result in the operator and/or owner being required to leave the lake. On the same offence involving the lake board, the lake permit will be revoked permanently.~~
- (e) The sailboards may be put in the water at the sailboat launching ramp only.

ARTICLE 6

Traffic

Section 2.6.1 – Commercial Vehicles.

Commercial trucks, tour buses, tractor trailers, tractor, farm machinery, industrial equipment, and all other vehicles the parks director or Rangers feel are too large and cause unsafe roadway for other traffic will not be allowed. Special permission may be granted for deliveries, special functions and other projects which the park director or Rangers approve.

Section 2.6.2 – Bicycles.

No person shall ride a bicycle other than on the right side of the road paving as close as conditions permit, and bicycles shall not be ridden more than two abreast when two or more are operating as a group. Bicyclists shall at all times operate their machines with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking, and pass to the right of any vehicle they may be meeting. No person shall leave a bicycle other than in a bicycle rack when such is provided and there is a space available. No person shall ride a bicycle on any road between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front and without a red taillight or red reflector plate visible at least 100 feet from the rear of such bicycle.

Section 2.6.3 – ATV's and Motorized Dirt Bikes.

No all-terrain vehicle or motorized dirt bikes will be used in any Unified Government Park. A dirt bike, if properly licensed and insured, may use park roads but will never leave park roadways or parking areas. Special permission by the park director may be granted for special events.

Section 2.6.4 – e-Bikes.

- (a) The following definition apply to this section:

- i. *Electric bike or e-bike* means a bike with two or three wheels, fully operable pedals, and an electric motor not to exceed 750 watts of power
 - ii. *Class 1* means an e-bike equipped with a motor that provides assistance only while peddling. Motorized power ceases when the e-bike reaches 20 MPH.
 - iii. *Class 2* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 20 MPH.
 - iv. *Class 3* means an e-bike equipped with a motor that provides assistance with or without peddling. Motorized power ceases when the e-bike reaches 28 MPH.
- (b) Class 1 and 2 e-bikes are allowed on roadways and designated bike lanes as well as on multi use trails and other areas that are open to non-motorized biking with the exception of horse trails.
- i. No person shall operate a Class 3 e-bike on multi-use trails or other areas open to non-motorized biking.
- (c) Class 3 e-bikes are only allowed on roadways and designated bike lanes.

Section 2.6.5 – Snow Sledding.

- (a) Sled riding is only permitted during safe light starting when the park opens and ending ½ hour after sunset.
- (b) Snow sledding /cross country skiing is permitted in all Unified Government parks. ~~Safety will be the main issues.~~ If the park Ranger feels that a location is unsafe, sledding and snow skiing will be stopped in that specific area.
- (c) No ramps will be built or used for jumps.
- (d) All sleds will be made of safe material and design. No car hoods will be allowed.
- (e) No sledding in closed or prohibited areas of the parks.
- (f) If the director of parks and recreation or her designee feels that you are operating a sled in a reckless manner, you will be required to leave the park.

CHAPTER 3

ARTICLE 1

Adoption and Penalties

Section 3.1.1 – Previous Regulations.

~~This Code shall apply uniformly to all Wyandotte County Parks that now exist and those that are later developed and shall supersede any prior Wyandotte County Parks and Recreation Code.~~

Section 3.1.12 – Use of Park Property or Services.

No person shall build, improve, or in any other manner encroach upon any Unified Government property, and no person shall use any unified Government property, equipment, or service for which a permit fee is required without first obtaining such permit of paying such fee. The Unified Government hereby reserves the right to restrict or close Unified Government Parks or facilities temporarily should weather, safety or incompatible resource or program use so require.

Section 3.1.3 – Enforcement, Violations and Penalties.

- (a) From and after the effective date of this Code, no person shall violate any of the provisions of this Code, or fail to comply with any of its requirements, including, but not limited to, any condition or term established in connection with granted permits or use of Unified Government property, and any act, conduct, or use that fails to comply with the provisions of this Code and any rules or standards adopted as a part of the Code, shall be and hereby is declared to be unlawful as a violation of this Code.
- (b) The failure of any person to comply with, or the violation of any provision, requirement, standard, or condition contained within this Code, shall be a public offense punishable, upon conviction, by a fine in an amount determined according to the Fine Schedule which is attached hereto as Appendix A and incorporated herein by reference and up to 30 days in jail.
- (c) Multiple or repeated violations shall be deemed a violation of the next most serious violation class and shall be subject to a higher fine amount, as provided in the attached fine schedule.

Fine Schedule

Section	1 st Offense	2 nd Offense	3 rd Offense
2.1.1	\$25.00	\$50.00	\$100.00
2.1.2	25.00	50.00	100.00
2.1.3	50.00	75.00	100.00
2.1.4	25.00	50.00	100.00

2.1.5	25.00	50.00	100.00
2.1.6	25.00	50.00	100.00
2.1.7(a)	50.00	75.00	100.00
2.1.7(b) & (d)	State or Municipal charges	State or Municipal charges	State or Municipal charges
2.1.8	25.00	50.00	100.00
2.1.9	25.00	50.00	100.00
2.1.10	25.00	50.00	100.00
2.1.11	25.00	50.00	100.00
2.2.1	100.00	100.00	100.00
2.2.2	100.00	100.00	100.00
2.2.3	100.00	100.00	100.00
2.2.4	50.00	100.00	100.00
2.2.5	Municipal Charges and Penalties	Municipal Charges and Penalties	Municipal Charges and Penalties
2.2.6	50.00	75.00	100.00
2.2.7	50.00	100.00	100.00
2.2.8	50.00	100.00	100.00
2.3.1	50.00	100.00	100.00
2.3.2	50.00	100.00	100.00
2.3.3	25.00	50.00	100.00
2.3.4	25.00	75.00	100.00
2.4.1	50.00	75.00	100.00
2.4.2	50.00	75.00	100.00
2.5.3	50.00	75.00	100.00
2.5.4	25.00	50.00	100.00
2.6.1	25.00	50.00	100.00
2.6.2	50.00	100.00	100.00
2.6.3	50.00	100.00	100.00
2.6.4	50.00	100.00	100.00
2.6.5	50.00	100.00	100.00