

ORDINANCE NO. 2215

AN ORDINANCE RELATING TO THE PUBLIC USE OF CITY BUILDINGS AND GROUNDS WITHIN THE CITY OF BELOIT, KANSAS.

Sections 14-101 through 14-105 of the Beloit City Code are hereby amended and re-stated as follows:

Section 1. Purpose. The City of Beloit has certain buildings that are established and maintained as areas of recreation, relaxation, and enjoyment for the public. It is intended that they shall be regulated and used to permit enjoyment by a number of people engaged in widely diverse interests and activities as may be practical within the limits of space, design and accommodations available in each unit.

Section 2. Definitions. As used in the ordinance:

1. The term “**public building or public facility**” includes, for the purposes of this ordinance: White Building at Chautauqua Park, Municipal Building, and other City-owned buildings as may be used by the public from time to time.
2. The term “**director**” means the Director of Parks and Recreation, or his or her authorized designee.
3. The term “**person**” means an individual, firm, partnership, group, association, corporation, governmental unit, company, or organization of any kind.

Section 3. Rules and Regulations. The governing body or its designee is authorized to adopt rules, regulations, and policies governing the public use of all public buildings within the city. Such rules, regulations, and policies shall fix the conditions on which said facilities may be used and the charges, where charges are authorized, to be paid to the city for such purposes.

Section 4. Exclusive use; when. The governing body or its designee may, in accordance with sound public policy, grant permission to any individual, organization, or company for the exclusive use of public facilities for temporary periods only. Such permission shall not be inconsistent with the use for which facilities were acquired and made available for public use by the city.

Section 5. Hold Harmless. No person, organization, or company shall be granted a license or permit for use of a public facility until they first have agreed, in writing, to waive any claim against and shall indemnify and hold the city, the city governing body or its representatives harmless against the claims of any or all persons for injury to any person or damage to any property occasioned by or in connection with the use of the premises for which the permit was issued.

Section 6. Commercial Activity and Solicitations.

1. No person shall sell or attempt to sell any merchandise or service or operate any concession in a public building without permission of the director. The director may issue a permit authorizing the selling of merchandise or services or the operating of a concession in a public building if the director determines, in his or her reasonable discretion, that it is in the best interest of the city. The director may include reasonable conditions in said permit, and he or she may revoke a permit if the terms of the permit are violated, or he or she may deny a permit to a person or persons who have violated the terms of a permit within the previous year.
2. No person who holds a valid permit issued by the director under this section shall sell merchandise or service within a public building in violation of any conditions stated in that permit.
3. No person shall beg or solicit any alms or any contribution in any public building. Nor shall any person solicit, collect any donations or charge any fees for any service, whether private or public, except fees as charged by the City, without first having obtained a written permit from the director.

Section 7. Alcohol and Tobacco Prohibited.

1. No alcoholic liquors shall be sold, delivered, given away, or consumed by anyone or at any time in any public building except as allowed by a special permit issued by the City.
2. No person shall utilize tobacco products of any kind within a public building or within 10 feet of any doorway, open window, or air intake.

Section 8. Penalty. Any person who violates any provision of this ordinance shall, upon conviction, be punished by fine of not less than \$25.00 and not more than \$500.00, or by imprisonment of not more than thirty (30) days, or, by both such fine and imprisonment, at the discretion of the court. Each day any violation of this chapter continues shall constitute a separate offense.

Section 9. This ordinance shall take effect and be in full force from and after its passage and one publication in the official newspaper.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 17th day of October, 2017.

ATTEST:

Amanda Lomax
Amanda Lomax, City Clerk

Tom Naasz
Tom Naasz, Mayor