

ORDINANCE TBD – 2025 PARK USE AMENDMENT

AN ORDINANCE OF THE CITY OF PARMA IDAHO, AMENDING PARMA MUNICIPAL CODE TITLE 7, CHAPTER 3, DEFINING TERMS, SETTING PARK RESERVATION PROCESSES, AMENDING PARK REGULATIONS, AMENDING CAMPING REGULATIONS, SETTING FEES, RENUMBERING VARIOUS SECTIONS, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR CODIFICATION AND AN PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Council of the City of Parma finds the need to amend the Park Use municipal code for the safety, general welfare, proper sanitation of the parks and defining a reservation process so all may enjoy the Parma Municipal Parks.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PARMA, IDAHO, TITLE 7, CHAPTER 3 SHALL BE AMENDED AS FOLLOWS:

SECTION 1: That Section 1, Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended to read as follows:

7-3-1: Park Regulations: DEFINITIONS:

~~A. Hours Of Operation: All Municipal parks of the City, exclusive of the swimming pool area, shall be opened daily to the public during the hours of five o'clock (5:00) A.M. to nine o'clock (9:00) P.M., except for the park adjacent to the City Hall, which shall be opened to the public during the hours of five o'clock (5:00) A.M. to twelve o'clock (12:00) midnight, and it shall be unlawful for any person (other than City personnel conducting City business therein) to occupy or to be present in said parks during any hours which said parks are not opened to the public.~~

~~Park hours shall not apply to duly registered overnight campers who have paid the necessary fees and who do not violate any of the laws of the State or the City to camp overnight in the Old Fort Boise Park of the City.~~

~~B. Camp Regulations:~~

~~—1. Definitions:~~

ADMINISTRATIVE PARK POLICY: A written policy adopted by resolutions of the Parma City Council from time to time concerning the administration, regulation or operation of park amenities.

AMERICA'S PARK: A park amenity located within the City of Parma located at 304 East Starcher Avenue.

CAMP: Temporary occupancy for sleeping or other residential purposes as allowed by this Code, State and Federal laws, as long as done within an enclosed tent or recreational vehicle designed for occupancy on a temporary basis.

CITY PARK: A park amenity as a designated park or recreational land or facilities which are open to or accessible by the public and are owned, leased, or operated by the City of Parma.

CUBS PARK: A park amenity of playground equipment owned by the City of Parma adjacent to Parma City Hall at 305 North 3rd Street.

ORDINANCE TBD – 2025 PARK USE AMENDMENT

FLOWERS MEMORIAL COMMUNITY GARDEN: A community garden area located in the 200 block of North 4th Street, owned by the City of Parma and allowed for community members to cultivate and harvest garden crops.

HEALTH DEPARTMENT: The Southwest District Health Department.

OLD FORT BOISE PARK: A park amenity located on the east side of Parma along Highway 95 owned by the City of Parma.

OVERNIGHT CAMPING: the continuous parking of a vehicle from evening until morning in a recreational vehicle, tent or other device used for the temporary purposes of dwelling or occupying, residing, inhabiting for a short period of time.

OVERNIGHT PARKING: the continuous parking of a vehicle from evening until morning, which is distinct from Overnight Camping as the occupants stay in a licensed and operable vehicle without setting up an outdoor camp or other amenities and have only parked for immediate rest.

PARK AMENITY – NONRESERVABLE: A facility or location owned or operated by the City of Parma which may not be reserved either by implication or omission.

PARK AMENITY: A facility or location owned or operated by the City of Parma and may be reserved for public or private use by reservation.

PARK FEES: A fee set by the Parma City Council adopted by resolution from time to time.

PARK IMPACT FEES: A fee as referenced I Title 5A of the City of Parma.

PARK RESERVATION: The process of reserving a park for solely private or public use by an individual or entity.

PARK SHELTER: An amenity of certain parks available for use by the public.

PARK SPONSOR: An adult person or entity who has applied to reserve a City of Parma Park facility or amenity.

PARKING AREAS: An area designated for motor vehicles off or on street parking, whether marked or not.

RAILROAD PARK: A park amenity located on East Main Street primarily between North 1st Street and North 3rd Street, owned by the City of Parma.

RECREATIONAL VEHICLE: A vehicular unit primarily designated as temporary living quarters for recreation, camping or travel which either has its own power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.

SENIOR CITIZEN: One individual fifty-five (55) years of age or older.

~~2. Old Fort Boise Park: Old Fort Boise Park is the only park available for overnight stays up to the number of parking spaces so designated.~~

ORDINANCE TBD – 2025 PARK USE AMENDMENT

~~3. Fees: The fees to be assessed and collected in advance for each tent or recreational vehicle shall be as set by resolution of the Council.~~

~~—4. Maximum Stay: No person, camper, trailer, recreational vehicle or tent may camp in Old Fort Boise Park more than seven (7) days, whether consecutive or not, in any twenty eight (28) day period.~~

~~—5. Failure To Pay Fee: Fees must be paid in advance. Should a tent or recreational vehicle remain in said park forty eight (48) hours without payment of fees in advance, the City shall post on said tent or trailer a notice to remove within twenty four (24) hours. Should said tent or trailer remain in said park in excess of twenty four (24) hours, the City is given permission and is authorized to remove said tent or recreational vehicle to a storage facility of the City's choosing at the sole expense of the owner thereof.~~

~~—6. Additional Rules: The City Council may set other rules and regulations pertaining to said occupancy by resolution.~~

SECTION 2: That Section 2, Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended to read as follows:

7-3-2: LIQUOR PROHIBITED PARK RESERVATIONS:

~~Except when otherwise authorized by a permit issued by the City Clerk, it shall be unlawful for any person to have in said person's possession, custody or control any alcoholic beverage whether beer, wine or liquor in whole or in part of any kind whatsoever. Permits to be issued pursuant to this section shall be made on a form and under the conditions, including payment of fees, prescribed by resolution of the City Council.~~

- A. Parma City Parks may be reserved private individuals, entities and other groups for time periods allowed by city code.
- B. Parma city residents may be offered a reduced rate for reserving a park or park amenity, as set by resolution of the council.
- C. Park Reservations must be applied for at least a week in advance on prescribed forms supplied by the City Clerk's Office.
 - 1. Information on the forms shall include the name of an adult individual who is responsible for the use of the park which will have contact information sufficient to identify and contact if there are issues with the, park or amenity after the reservation.
 - 2. Individual or entity may be required to supply a bond in the amount set by Parma City Council from time to time by resolution.
 - 3. The Parma City Clerk, Public Works Supervisor, Police Chief or Mayor reserve the right to disallow or revoke a reservation for any purpose and shall convey the information to the person reserving the park.
- D. Anyone using the parks at any time shall follow Park Regulations as set by resolution of the City Council as indicated in the park rental agreement offered by the City of Parma City Staff.

ORDINANCE TBD – 2025 PARK USE AMENDMENT

SECTION 3: That Section 3, Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended to read as follows:

7-3-3: VIOLATION AND PENALTY PARK REGULATIONS:

- A. Hours Of Operation: All Municipal parks of the City, exclusive of the swimming pool area, shall be opened daily to the public during the hours of five o'clock (5:00) A.M. to nine o'clock (9:00) P.M., except for the park adjacent to the City Hall, which shall be opened to the public during the hours of five o'clock (5:00) A.M. to twelve o'clock (12:00) midnight, and it shall be unlawful for any person (other than City personnel conducting City business therein) to occupy or to be present in said parks during any hours which said parks are not opened to the public.
- B. Park hours shall not apply to duly registered overnight campers who have paid the necessary fees and who do not violate any of the laws of the State or the City to camp overnight in the Old Fort Boise Park of the City.
- C. Hand Held Metal detecting is permitted within the City of Parma Park systems, however, any individual disturbing the ground must immediately replace the divot created. Disturbance can be no deeper than six (6") inches and no wider than six (6") inches in any three-foot (3') area on the same day. Any item found of significant value shall be turned over to the City of Parma Police Department, City Hall or other legal law enforcement offering services within Canyon County. If after the prescribed time of being unclaimed, the property will be disposed of in the manner prescribed by the laws of the State of Idaho.
- D. It shall be unlawful to litter within the City of Parma Park systems any material on the grounds at any time, with the exception of containers designed for litter or refuse. Litter shall constitute garbage, organic or unorganic materials or any other material deemed inappropriate.

SECTION 4: That Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended by the addition of a NEW SECTION 4, CAMP REGULATIONS, to read as follows:

7-3-4: CAMP REGULATIONS:

- A. Overnight Stays are only allowed at Old Fort Boise Park up to the number of parking spaces so designated.
- B. Fees: The fees to be assessed and collected in advance for each tent or recreational vehicle, shall be as set by resolution of the Council.
- C. Maximum Stay: No person, camper, trailer, recreational vehicle or tent may camp in Old Fort Boise Park more than seven (7) days, whether consecutive or not, in any twenty-eight (28) day period. The maximum stay may be extended by the Parma City Clerk after approval from the Mayor and consultation from the Public Works Supervisor and Police Chief.
- D. Failure To Pay Fee: Fees must be paid in advance. Should a tent or recreational vehicle remain in said park forty-eight (48) hours without payment of fees in advance, the City shall post on said tent or trailer a notice to remove within twenty-four (24) hours. Should said tent or trailer remain in said park in excess of twenty-four (24) hours, the City is given

ORDINANCE TBD – 2025 PARK USE AMENDMENT

permission and is authorized to remove said tent or recreational vehicle to a storage facility of the City's choosing at the sole expense of the owner thereof.

E. Additional Rules: The City Council may set other rules and regulations pertaining to said occupancy by resolution.

SECTION 5: That Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended by the addition of a NEW SECTION 5, PARK AND AMENITY FEES, to read as follows:

7-3-5: PARK & AMENITY FEES

A. Use of Fees

Fees collected by the City of Parma shall be turned over to the City Treasury and used for lawful purposes defined by the City of Parma City Council, primarily for the maintenance, operation and capital projects for the Parma Park Systems.

B. Types of Fees

The following fees may be set by Parma City Council Resolution from time to time.

- A. Park Use Fees – Varying fee structure for residents, non-residents, entities, agencies, non-profits may be charged for the sole use of the applicant.
- B. Clean-up Fees – A clean-up fee may be charged if the park or park amenity is not left in a condition acceptable by the City of Parma. A clean-up fee may also be negotiated for an event held in the Parma Park Systems.
- C. Deposit Fee – A deposit fee will be collected at the time of reservation of park or park amenity, excluding the pool except for large groups. A bond may be negotiated for an event held in the Parma Park System at the time of approval.
- D. Pool Use Fees – Varying fee structure for residents, families, senior citizens, swimming lessons, daily admission, summer passes, non-residents, and pool rental fees, may be charged.
- E. Camping Fees – Varying fees for Recreational Vehicles, Tents and Shower Fees
- F. Park Sheltered Area – A Park Shelter Fee may be charged for reservation of a park sheltered area.
- G. Sewer Dump Fees shall be charged for deposit and disposal of sewage discharged at the Old Fort Boise Park RV Dump Station. This fee shall be applied to the Sewer Department for operations, maintenance or capital Sewer projects identified or as the City of Parma City Council determines from time to time.

The City Council of the City of Parma may charge fees as set by resolution from time to time.

SECTION 6: That Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended by the addition of a NEW SECTION 6, LIQUOR PROHIBITED, to read as follows:

ORDINANCE TBD – 2025 PARK USE AMENDMENT

7-3-6: LIQUOR PROHIBITED:

Except when otherwise authorized by a permit issued by the City Clerk, it shall be unlawful for any person to have in said person's possession, custody or control any alcoholic beverage whether beer, wine or liquor in whole or in part of any kind whatsoever. Permits to be issued pursuant to this section shall be made on a form and under the conditions, including payment of fees, prescribed by resolution of the City Council.

SECTION 7: That Chapter 3, Title 7 of the Parma City Code be, and the same hereby is, amended by the addition of a NEW SECTION 7, VIOLATION AND PENALTY, to read as follows:

7-3-7: VIOLATION AND PENALTY:

Any violation of this chapter shall be a misdemeanor, punishable as set forth in Parma City Code Section 1-4-1-A.

SECTION 8: Repealing Clause: All ordinances, policies or partes thereof, which are in conflict herewith, are hereby repealed.

SECTION 9: Severability: Should any part or provision of the ordinance be declared by the courts to be unconstitutional or invalid, such a decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared be unconstitutional or invalid.

Section 10: Effective Date: This ordinance shall be in full force and effective form the date or passage, publication and signature of the mayor according to law.

Section 11: Codification: The City Clerk is directed to forward the signed and approved ordinance to the codifier for codification.

Approved by the City of Parma Mayor and City Council on this _____ day of _____ 2025.

Angie Lee, Mayor

ATTEST: _____
Melissa Klinge, City Clerk