

PART 11

PARKS, RECREATION AND CEMETERY

CHAPTER I

LIBRARY

- § 11-101 **Library.**
- § 11-101 **Library board, board of directors.**
- § 11-101 **Term of office.**
- § 11-101 **Directors, removal.**
- § 11-101 **Board, vacancies.**
- § 11-101 **Organization, powers and duties of board.**
- § 11-101 **Rules and regulations.**
- § 11-101 **Annual report of board.**
- § 11-101 **Trustees of donations.**
- § 11-101 **Violations.**
- § 11-101 **Protection of library.**

CHAPTER 2

PARKS AND RECREATION

- § 11-201 **Park areas designated.**
- § 11-202 **Discharging firearms.**
- § 11-203 **Defacing property.**
- § 11-204 **Injuring trees, etc.**
- § 11-205 **Nuisance or indecency.**
- § 11-206 **Throwing stones or rubbish.**
- § 11-207 **Disorderly behavior.**
- § 11-208 **License for selling.**
- § 11-209 **Fouling water.**
- § 11-210 **Hitching animals.**
- § 11-211 **Building fires.**
- § 11-212 **Animals running at large.**
- § 11-213 **Trespassing.**
- § 11-214 **Disturbing picnics.**
- § 11-215 **Domestic fowls at large.**
- § 11-216 **Bicycle regulations.**
- § 11-217 **Hours of use.**
- § 11-218 **Violations hereof and penalties.**
- § 11-219 **Glass containers, fireworks restricted in L.A. Holmes Park.**

- § 11-220 **Advisory Board.**
- § 11-221 **Members of Board.**
- § 11-222 **Procedures.**
- § 11-223 **Absence from meeting.**
- § 11-224 **Duties.**
- § 11-225 **Trustees of Donations.**

CHAPTER 3

CEMETERY

- § 11-301 **Created; membership.**
- § 11-302 **Powers and duties.**
- § 11-303 **Meetings.**
- § 11-304 **Caretaker may be appointed.**
- § 11-305 **Cemetery care fund.**
- § 11-306 **Interest from fund used for improvements.**
- § 11-307 **Any person may make donations of any origin to the cemetery.**
- § 11-308 **Penalty.**
- § 11-309 **City clerk shall keep records for the cemetery.**

CHAPTER 1

LIBRARY

- § 11-101 Library.
- § 11-102 Library board, board of directors.
- § 11-103 Term of office.
- § 11-104 Directors, removal.
- § 11-105 Board, vacancies.
- § 11-106 Organization, powers and duties of board.
- § 11-107 Rules and regulations.
- § 11-108 Annual report of board.
- § 11-109 Trustees of donations.
- § 11-110 Violations.
- § 11-111 Protection of library.

§ 11-101 LIBRARY.

There is hereby created a public library with reading rooms for the use and benefit of the citizens of the city.

State Law Reference: Municipal libraries, boards, composition, duties, 11 O.S. §§ 31-101 et seq.

§ 11-102 LIBRARY BOARD, BOARD OF DIRECTORS.

There is hereby created a board of directors for the government and control of the public library to consist of three (3) members, appointed by the mayor by and with the consent of the city council. Each of the directors shall serve without compensation.

§ 11-103 TERM OF OFFICE.

The directors shall hold office for a period of three (3) years.

§ 11-104 DIRECTORS, REMOVAL.

The mayor may, by and with the consent of the council, remove any directors for misconduct or neglect of duty.

§ 11-105 BOARD, VACANCIES.

Vacancies in the board of directors occasioned by removals, resignations or otherwise shall be reported to the city council, and be filled in like manner as original appointments.

§ 11-106 **ORGANIZATION, POWERS AND DUTIES OF BOARD.**

The directors shall immediately after appointment, meet and organize by the election of one of their number as president, and by the election of such other officers as they may deem necessary. They shall make and adopt such bylaws, rules and regulations for their own guidance and for the government of the library and reading rooms, or either of them as may be expedient, not inconsistent with this chapter. They shall have such powers as may be granted by state law, subject to the supervision of the city council. All moneys received for such library shall be deposited in the treasury of the city to the credit of the library fund, and shall be kept separate and apart from other money of the city, and shall be paid out only upon properly authenticated vouchers.

§ 11-107 **RULES AND REGULATIONS.**

The library or reading room established under this chapter shall always be subject to such reasonable rules and regulations as the library board may adopt, as approved by the city council, in order to render the use of the library and reading room, or either of them, of the greatest benefit to the greatest number. The board may exclude from the use of the library and reading room any and all persons who shall willfully violate such rules.

§ 11-108 **ANNUAL REPORT OF BOARD.**

The board of directors shall make on or before the first day of April in each year an annual report to the city council, stating the conditions of their trust on the first day of March of the year; the various sums of money received from the library fund and other sources, and how much moneys have been expended and for what purposes; the number of books and periodicals on hand; the number added by purchase, gift or otherwise during the year; the number of lost or missing; the number of persons attending, the number of books loaned out; and the general character and kind of such books with such other statistics, information and suggestions as they may deem of general interest.

§ 11-109 **TRUSTEES OF DONATIONS.**

Any person desiring to make donations of money, personal property or real estate, for the benefits of such library or for the establishment, maintenance or endowment of public lectures in connection with such library upon any subject designated by the donor in the field of literature, science, and the arts (except that lectures in the interest of any political party, politics or sectarian religion are expressly prohibited) shall have the right to vest the title to the money, personal property or real estate so donated to the board of directors, to be held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property, the board shall be held and considered to be a special trustee.

§ 11-110 VIOLATIONS.

Any person who shall willfully violate any rules and regulations, regularly adopted by the board of directors for government, care and use of the library or reading room, or both, shall be deemed guilty of an offense and punished accordingly.

§ 11-111 PROTECTION OF LIBRARY.

Any person who shall destroy or deface any book, periodical or other property of the library, or who shall fail to return any such book, periodical or other property at such time as the same should have been returned, and shall fail to comply with the regulations of the board of directors, thereto, shall be guilty of an offense and punished accordingly.

CHAPTER 2

PARKS AND RECREATION

- § 11-201 Park areas designated.
- § 11-202 Discharging firearms.
- § 11-203 Defacing property.
- § 11-204 Injuring trees, etc.
- § 11-205 Nuisance or indecency.
- § 11-206 Throwing stones or rubbish.
- § 11-207 Disorderly behavior.
- § 11-208 License for selling.
- § 11-209 Fouling water.
- § 11-210 Hitching animals.
- § 11-211 Building fires.
- § 11-212 Animals running at large.
- § 11-213 Trespassing.
- § 11-214 Disturbing picnics.
- § 11-215 Domestic fowls at large.
- § 11-216 Bicycle regulations.
- § 11-217 Hours of use.
- § 11-218 Violations hereof and penalties.
- § 11-219 Glass containers, fireworks restricted in L.A. Holmes Park.
- § 11-220 Advisory Board.
- § 11-221 Members of Board.
- § 11-222 Procedures.
- § 11-223 Absence from meeting.
- § 11-224 Duties.
- § 11-225 Trustees of Donations.

§ 11-201 PARK AREAS DESIGNATED.

All places heretofore owned by the city and used as parks are hereby declared to be public parks within the meaning of this chapter, and are subject to all rules and regulations set out in this chapter.

§ 11-202 DISCHARGING FIREARMS.

No person shall discharge firearms in any public park.

§ 11-203 DEFACING PROPERTY.

No person shall write upon or mark or deface in any manner or use in any improper way, any water closet, park seat, any building, fence or other property in any park.

§ 11-204 INJURING TREES, ETC.

No person shall break, cut, mutilate or injure, remove or carry away any trees, shrubs, plants, flowers, stone or stone walk, bench, chair, seat, bower, stand, structure, fence or property, anything whatsoever in, upon or near any park, or any street, avenue or highway around the same.

§ 11-205 NUISANCE OR INDECENCY.

No person shall commit any nuisance or any offense against decency and good morals in the parks.

§ 11-206 THROWING STONES OR RUBBISH.

No person shall throw stones or rubbish of any kind into any lake or pond or stream or other place in the parks except into receptacles designated for that purpose.

§ 11-207 DISORDERLY BEHAVIOR.

No person shall curse, swear or use abusive language or fight, throw stones, or behave in a riotous or disorderly manner in any park.

§ 11-208 LICENSE FOR SELLING.

No person shall set up any booth, table, stand or device for vending or retailing any candies, ice cream or other articles whatsoever without first obtaining permission therefore from the mayor and council.

§ 11-209 FOULING WATER.

No person shall pollute or foul in any manner any pool, spring or drinking fountain or stream in any park.

§ 11-210 HITCHING ANIMALS.

No person shall fasten any horse, cow or other animal to any tree, stake, building, post or other fastening in any park.

§ 11-211 BUILDING FIRES.

No person, except park employees, shall make a fire for any purpose in the parks, unless permission is given therefore by the mayor and council.

§ 11-213 TRESPASSING.

No person shall go or walk upon any place in the parks reserved for flowers or other plants or otherwise invade any plot reserved by the city for shrubbery or grass or flowers or for any other purposes.

§ 11-214 DISTURBING PICNICS.

No person shall disturb or interfere with any public or social gathering or program of any group of persons in any city park.

§ 11-215 DOMESTIC FOWLS AT LARGE.

No person shall permit any domestic fowls to run at large in the parks.

§ 11-216 BICYCLE REGULATIONS.

No person shall ride or drive any bicycle, tricycle in the parks, except upon the driveways thereof; and when passing another vehicle or equestrian from the rear to the front, such person shall pass to the left side and at a moderate rate of speed. Bicycles, tricycles and motorcycles must not travel more than two (2) abreast.

§ 11-217 HOURS OF USE.

A. The parks of the city shall be open to the public daily from 7:00 a.m. until dusk. Except as otherwise set forth in this section, it shall be unlawful for any unauthorized person to be upon the premises of any city park during the hours occurring between dusk and 7:00 a.m.

B. Any activity which is held in a city park and is sponsored by the Geary public schools or Geary summer athletic leagues shall be permitted without regard to the hours set forth in this section. Other special events may be permitted to be held outside the hours set forth in this section upon prior notification to and approval from city hall. (Amended. 4-11-2005 by Ord. No. 2005-4)

§ 11-218 VIOLATIONS HEREOF AND PENALTIES.

Any person violating any of the provisions of this chapter shall be deemed guilty of an offense and upon conviction thereof shall be punished as provided in § 1-108 of this code.

§ 11-219 GLASS CONTAINERS, FIREWORKS RESTRICTED IN L.A. HOLMES PARK.

A. It is unlawful for any person to bring glass beverage containers into L.A. Holmes Park.

B. It is unlawful for any person to use fireworks in the L.A. Holmes Park except for the baseball field and the softball field. (Added 1989)

Cross Reference: See also § 10-303 of this code regulating fireworks.

§ 11-220 ADVISORY BOARD.

There is hereby created an advisory board to the city to be known as the park and recreation board.

§ 11-221 MEMBERS OF BOARD.

A. The board shall consist of seven (7) members who shall be residents of the City or the Geary School District, to be appointed by the mayor, with the approval of the city council. The terms of each member shall be three (3) years, or until the member's successor takes office. Vacancies shall be filled for the unexpired term in the same manner as provided herein for appointment. Members of the park and recreation board shall serve without compensation. Of the members first appointed:

1. Two (2) shall serve initial one year terms.
2. Two (2) shall serve initial two (2) year terms.
3. Three (3) shall serve initial three (3) year terms.

Thereafter all members shall serve three (3) year terms. Additionally, not more than five (5) nonvoting, advisory members may be appointed to the park and recreation board by the mayor with the approval of the city council

B. At the first meeting of the park and recreation board following their appointment and on the first meeting in June of each year, or as soon thereafter as practical, the park and recreation board shall elect a chairman, vice chairman and secretary; the secretary need not be a member of the board. The board shall determine the time and place of its regular meetings, but shall meet at least twice a year. The mayor, chairman, or any four (4) members may call special meetings of the park and recreation board. The board shall have the power to make such rules or procedure as it deems appropriate for the transaction of business consistent with the provisions of this chapter.

§ 11-222 PROCEDURES.

The park and recreation board shall comply with the open meetings act in the conducting of its meetings and follow the "Robert's Rules Of Order" and shall submit all minutes, after their approval, to the city council.

§ 11-223 ABSENCE FROM MEETING.

If any park and recreation board member or any nonvoting advisory member shall be absent from any four (4) regularly scheduled meetings in a calendar year beginning January 1 and ending December 31, the member shall cease to be a member of the park and recreation board. Vacancies shall be reported to the mayor.

§ 11-224 **DUTIES.**

A. The park and recreation board shall act as an advisory board to the city council with reference to all city parks and recreational facilities within or without the city. The board shall make recommendations with reference to the operation of the city parks and recreational facilities and recommendations as to the rules and regulations concerning the use of the parks and recreational facilities by the public. The park and recreation board shall also make recommendations to the city council with reference to the beautification of the parks and recreational facilities, and particularly, but not limited to, the layout of walks and drives in the parks; the planting of trees, Shrubs, flowers and making other improvements to the parks and recreational facilities.

B. The board shall also make recommendations to the city council concerning the acquisition, disposal, enlargement, improvement, maintenance, operation and financing of municipal parks and city sponsored recreational programs.

C. The board shall also make recommendations to the city council with reference to the safety of the public in general in enjoying and using the parks and recreational facilities as it deems necessary.

D. The board shall also make recommendations as it deems appropriate for the overall physical improvements of the parks and recreational facilities of the city. It shall consult with any and all civic organizations, clubs or associations desiring to contribute to or make improvements to the parks and recreational facilities of the city.

§ 11-225 **TRUSTEES OF DONATIONS.**

Any person desiring to make donations of money, personal property or real estate, for the benefits of City of Geary parks shall have the right to vest the title to the money, personal property or real estate so donated to the board to be held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property, the board shall be held and considered to be a special trustee.

CHAPTER 3

CEMETERY

- § 11-301 Created; membership.
- § 11-302 Powers and duties.
- § 11-303 Meetings.
- § 11-304 Caretaker may be appointed.
- § 11-304 Cemetery care fund.
- § 11-304 Interest from fund used for improvements.
- § 11-304 Any person may make donations of any origin to the cemetery.
- § 11-304 Penalty.
- § 11-304 City clerk shall keep records for the cemetery.

§ 11-301 CREATED; MEMBERSHIP.

The mayor of the city may appoint, with the approval of the council, a board of cemetery trustees, to be composed of three (3) members, whose term shall be six (6) years, provided that the mayor shall designate one of such members to serve for a period of two (2) years, another to serve for a period of four (4) years, and the third to serve for a period of six (6) years, and provided further that each member appointed after the expiration of the terms of the original members, shall serve for a term of six (6) years. Such board so appointed shall exercise all powers and duties imposed on it by law and ordinance.

State Law Reference: Municipal cemeteries, boards, three (3) members, 11 O.S. §§ 26-10 1 et seq.

§ 11-302 POWERS AND DUTIES.

The board of cemetery trustees shall have powers and duties as provided by law.

§ 11-303 MEETINGS.

The board of cemetery trustees shall hold meetings upon call of the chairman or any two (2) trustees.

§ 11-304 CARETAKER MAY BE APPOINTED.

There may be appointed a caretaker, who shall be appointed by the cemetery board of trustees, with consent of the mayor and council, and whose duty it shall be to care for and protect the grounds and appurtenances thereto, enforce the rules and regulations of the board and council, to superintend repairs and construction of improvements and the maintenance of all permanent improvements and embellishments of any kind, intended to beautify or preserve the cemetery.

§ 11-305 CEMETERY CARE FUND.

Twenty-five percent (25%) of all moneys received from the sale of lots and interments in the cemetery shall be segregated and set aside as a permanent fund to be known as the "Cemetery Care Fund," such fund to be invested as provided by the laws of the state.

State Law Reference: Similar provisions, 11 O.S. § 16-101.

§ 11-306 INTEREST FROM FUND USED FOR IMPROVEMENTS.

Only the interest derived from the investment of the "Cemetery Care Fund", shall be used for the improving, caring for and embellishing the lots, walks, drives, parks and other necessary improvements in the cemetery.

§ 11-307 ANY PERSON MAY MAKE DONATIONS OF ANY ORIGIN TO THE CEMETERY.

Any person may make any donation, gift, deposit or bequest to the cemetery, in trust for the special care of specified lots, monuments or mausoleums in the cemetery, and any funds received for such purpose shall be invested in like manner as the perpetual care fund, but a separate account shall be kept of all funds received for such purpose, provided further, that any person making any donation, gift, deposit or bequest to the cemetery may specify any other lawful use to which such funds shall be put which is not in violation of the regulations of the cemetery.

§ 11-308 PENALTY.

Any person who violates any provision of this chapter is guilty of an offense, and upon conviction shall be punished as provided in § 1-108 of this code.

§ 11-309 CITY CLERK SHALL KEEP RECORDS FOR THE CEMETERY.

A. The city clerk shall keep records of the sale of all lots, and shall execute the necessary instruments for the sale of lots and to keep records thereof, and shall receive all monies and shall make a record thereof.

B. The city clerk shall be compensated for duties connected with the cemetery performed on the week-ends at the rate of eight dollars (\$8.00) per hour. (Added 1989)