

Parks, Recreation, and Cemetery

PART 11

PARKS, RECREATION, AND CEMETERY

CHAPTER 1

PARKS GENERALLY

Section 11-101	Definitions.
Section 11-102	Limitation of Activities.
Section 11-103	Rules and Regulations.
Section 11-104	Prohibited Acts.
Section 11-105	Acts Requiring Permits.
Section 11-106	Permits.
Section 11-107	Fees.
Section 11-108	Penalty.

CHAPTER 2

LIBRARY

Section 11-201	Established.
Section 11-202	Board of Directors, Composition; Appointment, Qualifications and Compensation of Members.
Section 11-203	Organization, Rules and Regulations and Terms of Members.
Section 11-204	Donations, Etc.
Section 11-205	Library Cash Fund.
Section 11-206	Regulations on Care, Use, Borrowing Books, Offenses.
Section 11-207	Regulations on Conduct, Offenses.

CHAPTER 3

CEMETERY

ARTICLE A

DEFINITIONS AND GENERAL PROVISIONS

Section 11-301	Definitions.
Section 11-302	Statement of Policy.
Section 11-303	Enforcement.
Section 11-304	Modifications.
Section 11-305	Appeal of Order.

Parks, Recreation, and Cemetery

Section 11-306	Liability of Non-cemetery Personnel and Workmen.
Section 11-307	Hours.
Section 11-308	Fees and Changes.
Section 11-309	Monuments and Markers.
Section 11-310	Violations.

ARTICLE B

REGULATIONS

Section 11-311	Traffic Regulations.
Section 11-312	Vehicle Parking.
Section 11-313	Use of Cemetery Roads and Walkways.
Section 11-314	Public on Cemetery Grounds.
Section 11-315	Picking of Flowers, Defacing Memories.
Section 11-316	Loitering.
Section 11-317	Profane Language or Misconduct.
Section 11-318	Consuming Refreshments.
Section 11-319	Refuse and Rubbish.
Section 11-320	Firearms on Cemetery Grounds.
Section 11-321	Animals Within the Cemetery.
Section 11-322	Children Within the Cemetery.
Section 11-323	Playing and Recreational Activities.
Section 11-324	Advertising in Cemeteries.
Section 11-325	Business Activities and Assemblies.
Section 11-326	Smoking.

ARTICLE C

LOTS

Section 11-331	Ownership.
Section 11-332	Place of Burial.
Section 11-333	Location of Lot.
Section 11-334	Lot or Grave Space Price Schedule.
Section 11-335	Lot Purchase.
Section 11-336	Issuance of Cemetery Deed.
Section 11-337	Exclusions to Burial Rights.
Section 11-338	Power of Attorney.
Section 11-339	Transfer of Burial Rights.
Section 11-340	Joint Ownership.
Section 11-341	Disagreements Between Partners.
Section 11-342	Death of Owner.

Parks, Recreation, and Cemetery

Section 11-343	Correction of Errors.
Section 11-344	Grave Space Defined.
Section 11-345	Descent of Interment Rights.
Section 11-346	Veterans' Memorial Plot.
Section 11-347	Indigent Burials.

ARTICLE D

CARE OF LOTS

Section 11-351	Perpetual Care to Include.
Section 11-352	Perpetual Care Not to Include.
Section 11-353	Special Care on Lots.
Section 11-354	No Endowment for Special Care.
Section 11-355	Plants and Shrubs.
Section 11-356	Removal of Plants and Shrubs.
Section 11-357	Enclosures.
Section 11-358	Lots, Taxation Exemption.

ARTICLE E

GRAVE MARKERS, MONUMENTS, AND MAUSOLEUMS

Section 11-360	Materials Used.
Section 11-361	Appearance.
Section 11-362	Material on Markers.
Section 11-363	Raised Grave Markers - Double.
Section 11-364	Placing of Markers Before Interments.
Section 11-365	Corner Posts.
Section 11-366	Temporary Markers.
Section 11-367	American Flag.
Section 11-368	Armed Service Markers.
Section 11-369	Monuments.
Section 11-370	Mausoleums.

ARTICLE F

INTERMENTS

Section 11-371	Cemetery Open for Interments.
Section 11-372	Notice of Funerals.
Section 11-373	Burials after 4:00 p.m.
Section 11-374	Weather Conditions.

Parks, Recreation, and Cemetery

Section 11-375	Placing of Graves on Lot.
Section 11-376	Misrepresentation or Errors.
Section 11-377	Grave Opening Orders.
Section 11-378	Error: Failure to Designate.
Section 11-379	Opening and Closing of Graves.
Section 11-380	Zone for Burial Services.
Section 11-381	Construction During Funerals.
Section 11-382	Burial Containers.
Section 11-383	Disinterment and Removals.
Section 11-384	Grave Accounts, Cemetery Fees, and Charges.
Section 11-385	Interment for Profit: Removal, Provisions Governing.
Section 11-386	Interments: Person per Grave.
Section 11-387	Roads, Drives, Etc.: Rights of Interment.
Section 11-388	Lots, Interment Rights.
Section 11-389	Grave Mounds.
Section 11-390	Opening of Caskets.
Section 11-391	Charges Established.
Section 11-392	Supervisor in Charge of Funerals.

ARTICLE G

DECORATIONS

Section 11-393	Decorations, Removal.
Section 11-394	Decorations, Liability.
Section 11-395	Decorations, Prohibitions.
Section 11-396	Decorations: Restrictions.
Section 11-397	Grading of Graves.
Section 11-398	Damage.

CHAPTER 4

LAKES AND CREEKS

ARTICLE A

GENERAL PROVISIONS

Section 11-401	Swimming, Wading, in Certain Waters Prohibited; Provision.
Section 11-402	Public Use Hours of Pretty Water Lake.

Parks, Recreation, and Cemetery

ARTICLE B

BOATS AND BOATING

Section 11-405	Gasoline Motor Powered Boats Prohibited upon Certain Lakes, Creeks.
Section 11-406	Deleted.
Section 11-407	Rules and Regulations for Use of Motor Driven Boats upon Lake Sahoma.
Section 11-408	Enforcement of Article.

ARTICLE C

HUNTING DUCKS, GEESE, UPON LAKE SAHOMA,
LAKE SAPULPA, AND PRETTY WATER LAKE

Section 11-410	Permit Required.
Section 11-411	Issuance, Generally; Duplicate to Be Retained by City Clerk.
Section 11-412	Prerequisites to Issuance, Generally.
Section 11-413	Waiver and Release of Liability to Be Signed by Applicant.
Section 11-414	Classification; Period of Validity.
Section 11-415	Fees, Generally.
Section 11-416	Disposition.
Section 11-417	Transferability; to Be Carried by Permittee.
Section 11-418	Provisions Applicable to Lake Sahoma and Pretty Water Lake, Duck Blinds.
Section 11-419	Registration and Record of Hunters.
Section 11-420	Use of Certain Firearms Prohibited.
Section 11-421	Violations and Penalties.

ARTICLE D

FISHING

Section 11-425	Applicability of Article.
Section 11-426	Permit Required.
Section 11-427	Issuance Generally.
Section 11-428	Classification; Fees; Persons under Seventeen (17) Years of Age or Age Sixty-five (65) or Older.
Section 11-429	State License Prerequisite to Issuance.
Section 11-430	Printing; Record.
Section 11-431	Disposition of Funds Received under Article.
Section 11-432	Game Fish Regulations Generally.

Parks, Recreation, and Cemetery

Section 11-433
Section 11-434
Section 11-435

Size and Catch of Certain Fish Restricted.
Closing Waters Regulated by Article.
Enforcement of Article.

CHAPTER 5

GOLF COURSE

ARTICLE A

GENERAL PROVISIONS

Section 11-501
Section 11-502
Section 11-503

Section 11-504
Section 11-505

Composition.
When Course Closed to Public.
Destroying, Mutilating, Etc., Greens, Fairways, Etc.; Driving,
Etc., Motor Vehicle Thereon.
To Be Operated as Separate Utility.
Green Fees.

ARTICLE B

GOLF COURSE COMMISSION

Section 11-511
Section 11-512
Section 11-513
Section 11-514
Section 11-515

Creation of Commission.
Size, Term.
Composition, Qualifications.
Quorum, Procedure.
Votes.

Parks, Recreation, and Cemetery

CHAPTER 1

PARKS GENERALLY

Section 11-101	Definitions.
Section 11-102	Limitation of Activities.
Section 11-103	Rules and Regulations.
Section 11-104	Prohibited Acts.
Section 11-105	Acts Requiring Permits.
Section 11-106	Permits.
Section 11-107	Fees.
Section 11-108	Penalty for Violations.

SECTION 11-101

DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the following meanings:

"Animal" means any mammal, bird, reptile, amphibian, fish, and invertebrate;

"Board" means the parks and recreation board of the City of Sapulpa;

"City Council" means the governing council of the City;

"Director" means the director of Parks and Recreation Department, or authorized representative of the City;

"Employee" means any person employed by the City or by any Board of the City;

"Park areas and facilities" mean any park, playground, recreation area, sports field, garden, land, building, or other structure designated by legal instrument, formal acceptance, or custom, under the jurisdiction of the Parks and Recreation Department and/or Park Board of the City;

"Permit" means any written license issued by or under the authority of any board as defined above; and

"Person" means any natural person, corporation, company, association, firm, or partnership.

[Ord. 2086, 10/05/1992; Ord. 2329, 10/23/2000]

Parks, Recreation, and Cemetery

SECTION 11-102 LIMITATION OF ACTIVITIES.

The appropriate Board, or Director when authorized by the Board, may designate particular locations within park areas and facilities for specific activities and may limit such activities by issuance of permits with approval of the City Council. The Board may establish operating hours during which park areas and facilities shall be open to the public by the enactment of specific rules and regulations, provided that such hours shall be posted at the entrances of the affected park area and facility with approval of the City Council. [Ord. 2086, 10/05/1992, Ord. 2329, 10/23/2000]

SECTION 11-103 RULES AND REGULATIONS.

The appropriate Board shall adopt such rules, regulations and policies, as it deems best for the safety and convenience of the public, for the operation of its park areas and facilities with the approval of the City Council. When such rules and regulations have been adopted and approved, any person found guilty of violating such rules and regulations shall be subject to the appropriate penalties. [Ord. 2086, 10/05/1992; Ord. 2329, 10/23/2000]

SECTION 11-104 PROHIBITED ACTS.

It is hereby declared to be unlawful for any person to do or cause to be done any of the following acts within any public park or facility under the jurisdiction of the Board, provided that no provision hereof shall apply to any act performed by any officer, agent or employee of the Board or the City while in performance of his/her duties:

- A. To mark, deface, disfigure, tamper with or displace or remove any buildings, bridges, tables, benches, charcoalers, decorative structures, railings, pavings or paving materials, water lines, or other public utilities or parts or appurtenances thereof, signs, notices or placards, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal;
- B. To damage, cut, carve, mark, transplant, or remove any plant or injure the bark, or pick flowers or seed of any tree, to plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of any area;
- C. To cut any tree, dead or alive, whether erect or felled, or to collect leaves, bark, wood chips, mulch or other organic material, or soil for any purpose, without the written permission of the appropriate board or director;
- D. To handle or disturb plants or flowers or any other object or thing in any area, either cut or uncut, or otherwise place any plant material, tree shrub, or

Parks, Recreation, and Cemetery

flower within any park area or facility without written permission of the appropriate board or director;

- E. To hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot, or throw missiles at any animal, wildlife, reptile, or bird or to give or attempt to give any such animal a noxious substance or anything disagreeable to such animal, or to have in one's possession any wild animal or its young, or the eggs, nest or young of any bird or reptile;
- F. To skate, slide, glide, or coast by means of ice skates, shoe or snowmobile in any park area or facility except those that may be designated for such use by the appropriate board or director;
- G. To throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park area or facility, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of the waters;
- H. To start the water flowing from any spigot other than at a drinking fountain or place provided as a watering place for people or animals or to disregard or fail to comply with any rule or regulation posted or displayed at any swimming pool, wading pool, lake, etc;
- I. To make a fire in any park area or facility except in places provided for such purposes. Any fire shall be under the continuous care and supervision of a competent person from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper, or other material or to ignite or set off any fireworks, model rockets, or other incendiary device in any park area or facility;
- J. To ride, drive, or allow a horse in any park area or facility, except for those trails or facilities specifically designated for equestrian use;
- K. To use any portion of any park or facility for toilet purposes except the public restrooms provided;
- L. To seine for minnows or other aquatic animals or to use a seine for any purpose within any body of water within any park or area or facility, to catch or take or attempt to catch or take, in any manner, within any park area or facility any fish for commercial purposes. Bow fishing is prohibited in all park areas and facilities;

Parks, Recreation, and Cemetery

- M. To solicit pecuniary assistance or contributions for any purpose, whether public or private, or expose or offer for sale any article in any park area or facility. Provided, however, this shall not apply to any person acting pursuant to a valid contract with the City;
- N. Enter upon or use any park area or facility without paying an admission or rental fee when such fee has been established or approved by the board. Further, to enter into any park area or facility by other than the approved means of access or to remove or disturb any barrier intended to prevent access, entry or occupancy; further, to go into any shrubbery or enclosure, or upon any lawn, slope, or other area where there is a sign prohibiting such ingress;
- O. To drive upon or park in any park area or facility, except upon a designated parkway or parking lot. No vehicle shall be operated at a speed in excess of ten (10) miles per hour. Under no circumstances shall any vehicle designated for the purpose of transporting freight, merchandise, or bulk materials of any kind, enter into any park area or facility unless authorized by the appropriate board or director;
- P. To disregard any rule or regulation promulgated by any board, including rules of conduct covering the use of any park area or facility;
- Q. To bring into or have in one's possession, in any park area or facility, any firearm, BB gun, air pistol, bow and arrow, crossbow, slingshot, knife or other weapon capable of inflicting injury to persons, animals, or public property, whether or not such weapons are loaded unless such park area or facility has been specifically designated for such activity and posted or unless in conjunction with an approved program;
- R. To swim or wade in any lagoon, lake, fountain, or other waters in any park area or facility, except swimming, wading or spray pools constructed for such activities. Further, no person shall swim or wade in any pool at any time the pool is not open to the public;
- S. To disturb any tree in any park area or facility. For the purpose of this paragraph, disturbing shall include, but not be limited to, clubbing, flailing, thrashing, shaking, throwing objects into, ramming, or climbing into any tree;
- T. To interfere with or disobey or ignore any lawful order of an employee while in the performance of his/her duties in any park area or facility;
- U. To attach any rope, cable, or other contrivance to any post, paint, erect, or

Parks, Recreation, and Cemetery

place any sign, banner, or advertisement to any tree, fence, railing, bridge, bench or other structure or into the ground;

- V. To consume any beverage containing alcohol within any park area or facility including any road or parking lot;
- W. To practice golf in any park or facility not specifically designated for such uses;
- X. To camp in any area of a park not designated as a camping area;
- Y. To use or possess glass containers within any park area;
- Z. To enter into or remain upon any park area or park facilities between the hours of 11:00 p.m. and 4:30 a.m., unless a valid permit from the Sapulpa Parks and Recreation Department has been issued and is on file with the Sapulpa Police Department. Nothing in this section shall prohibit persons from being in City parks and recreation areas who are engaged in organized sporting events beyond the denoted curfew while engaged in such sporting activity; nor shall this section affect the time restrictions provided in Section 11-402; and
- AA. To leave any vehicle unattended in any park area or park facility between the hours of 11:00 p.m. and 4:30 a.m. or for a period of time exceeding twenty-four (24) hours. Any vehicle in violation of this section is subject to impound at owner's expense. Nothing in this section shall prohibit vehicles from being in City parks and recreation areas whose owner or driver is engaged in organized sporting events beyond the denoted curfew while engaged in such sporting activity; nor shall this section affect the time restrictions provided in Section 11-402.

[Ord. 2086, 10/05/1992; Ord. 03/17/2003; Ord. 2409, 05/19/2003]

SECTION 11-105

ACTS REQUIRING PERMITS.

It shall be an offense for any person to perform any of the following acts within any park area or facility without having first obtained a permit from the appropriate Board or Director:

- A. To give any theatrical entertainment, moving picture show, parade, procession, or public gathering, festival, concert, recreational program or event, or other outdoor presentation, whether or not an admission fee is charged;

Parks, Recreation, and Cemetery

- B. To use loud speaker, public address system, amplifier, or any other device to amplify and direct sound;
- C. To dig, bury, erect, build, uncover, place, or remove any object or to store any materials or equipment of any kind;
- D. To sell, offer for sale, or give away without charge any food, drink, merchandise, service, or any other article;
- E. To use any park area or facility for any commercial purpose including the production of films, photographs, or advertisements, whether for sale to individuals or groups;
- F. To tie or fasten to any pier or stake, or store any boat, launch, or other vessel used or intended to be used for transportation on water except in those specifically designated for such use; and
- G. To camp within a designated camping area of a park.

[Ord. 2086, 10/05/1992]

SECTION 11-106

PERMITS.

- A. Permits for camping and/or special events in all park areas and facilities shall be obtained by application to the appropriate Board or Director in compliance with the following procedures:
 - 1. The name and address of the applicant;
 - 2. The name and address of the person(s), corporation, or association sponsoring the activity;
 - 3. The day and hours for which the permit is desired;
 - 4. The part area or facility for which the permit is desired;
 - 5. The nature and purpose of the activity for which the permit is desired;
 - 6. Variances required from park rules and regulations or ordinances;
 - 7. Any other information reasonably necessary for a determination as to whether a permit should be issued; and

Parks, Recreation, and Cemetery

8. That all local, state, and federal laws and regulations will be complied with.
- B. Standards for issuance of a use permit shall include the following:
1. That the proposed activity or use will not unreasonably interfere with or detract from the general public's enjoyment of the park area or facility;
 2. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation;
 3. That the proposed activity or use will not include violence, crime, or disorderly conduct;
 4. That the proposed activity will not entail extraordinary or burdensome expense or police operation by the City;
 5. That the park area or facility desired has not been reserved for other use on the requested date and hour;
 6. That the sponsor will abide by the rules and regulations promulgated by the board; and
 7. That the sponsor will comply with all health department rules and regulations.

[Ord. 2086, 10/05/1992; Ord. 2329, 10/23/2000]

SECTION 11-107 FEES.

The City shall provide by the Master Fee Schedule the fees charged for any such park or recreational privileges on any property or facility for recreational purposes owned or operated by the City. [Ord. 2329, 10/23/2000]

SECTION 11-108 PENALTY FOR VIOLATIONS.

Any person or entity who violates any provision of this ordinance shall be subject to the general penalties as provided by Section 1-108 of this Code. [Ord. 2329, 10/23/2000]

Parks, Recreation, and Cemetery

CHAPTER 2

LIBRARY

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For charter provisions as to the public library, see Char., Art. XIV, Sec. 3.

For state law as to public libraries generally, see 65 O.S., Section 41 et seq. As to city and town libraries, see 65 O.S. Section 71 et seq.

SECTION 11-201 ESTABLISHED.

There is hereby established a free public library for the use and benefit of the inhabitants of the City. [Prior Code, Sec. 16-1; Ord. 365]

SECTION 11-202 BOARD OF DIRECTORS, COMPOSITION; APPOINTMENT, QUALIFICATIONS AND COMPENSATION OF MEMBERS.

The management and control of the public library established by Section 11-201 shall be conducted by the City Manager or his designated representative. In addition, an Advisory Board of Directors, consisting of six (6) members, shall be appointed by the Mayor, with the approval of the City Council; and shall provide the Manager or his designee with recommendations concerning the operation of the library. Such Directors shall be chosen from the citizens at large, with reference to their fitness for such office, and no Director shall receive compensation as such. [Prior Code, Sec. 16-2; Ord. 2186, 09/16/1996; Ord. 2436, 04/05/2004]

SECTION 11-203 ORGANIZATION, RULES AND REGULATIONS AND TERMS OF MEMBERS.

The organization of the Board of Directors mentioned in Section 11-202, the terms of their offices, and all rules and regulations for the conduct of the public library established by this chapter shall be in accordance with Chapter 4 of Title 65 of the Oklahoma Statutes. [Prior Code, Sec. 16-3; Ord. 365]

Parks, Recreation, and Cemetery

SECTION 11-204

DONATIONS, ETC.

Any person desiring to make donations of money, personal property, or real estate, for the benefit of the public library established by this chapter, or for the establishment, maintenance or endowment of public lecturers 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 parties, 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 in the Board of Directors mentioned in Section 11-202, 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, such board shall be held and considered to be special trustee. [Prior Code, 16-4; Ord. 365]

SECTION 11-205

LIBRARY CASH FUND.

There is hereby created a special fund to be designated the "Library Cash Fund," the same to consist of all moneys derived from fines or other charges collected by the public library of the City and, if desired by the donor, any gifts or donations of money made to such library may be placed in such fund. Such fund shall be kept separate from all other funds of the City and shall be used by the Library Board of Directors of the City for the purpose of improving, enlarging, equipping, and maintaining such library. [Prior Code, Sec. 16-5; Res. 1354]

SECTION 11-206

REGULATIONS ON CARE, USE, BORROWING BOOKS,
OFFENSES.

It shall be unlawful and a misdemeanor offense in the City:

- A. For any person to recklessly or wilfully mutilate or destroy in part or in whole any book, magazine, paper, periodical, document, written instrument, videotape, recording, or any other type of personal property in or belonging to the Sapulpa Public Library or the Board thereof in the City; except this provision shall not be construed to mean the ordinary wear and tear of such articles arising out of careful, prudent, and ordinary use of same;
- B. For any person who shall lawfully procure any book, magazine, periodical, recording, or other property from the Library or Board and fail or refuse to return the same to the Library upon demand or to appropriate the same to his own use;
- C. For any person to procure any book, magazine, paper, periodical, document, recording, video, or written instrument in or belonging to the Sapulpa Public Library or the Board thereof and to return such property in such a condition

Parks, Recreation, and Cemetery

that it cannot be used, ordinary wear and tear excepted; or

- D. For any person to remove or carry from the library any book, magazine, paper, periodical, document, written instrument, videotape, recording or any other article belonging to the Library or the Board, without the consent of the librarian or person in charge of the building.

[Prior Code, Sec. 16-6; Ord. 1944, 11/17/1986]

SECTION 11-207 REGULATIONS ON CONDUCT, OFFENSES.

It shall be unlawful and a misdemeanor offense in the city:

- A. For any person to spit upon the floors, walls, steps, or any part of the Sapulpa Public Library building; or the sidewalks in front, at the side or behind the building; or to strike matches or explode or ignite any other flammable or combustible substance within the building; or to smoke tobacco or any other substance within the building; or
- B. For any person to conduct themselves in a loud and boisterous manner, or to throw articles at any other person or to make or cause to be made any loud or unusual noises of any kind whatsoever within the Sapulpa Public Library building or on the premises adjacent thereto.

[Prior Code, Sec. 16-7; Ord. 1944, 11/17/1986]

Parks, Recreation, and Cemetery

CHAPTER 3

CEMETERY

ARTICLE A

DEFINITIONS AND GENERAL PROVISIONS

Section 11-301	Definitions.
Section 11-302	Statement of Policy.
Section 11-303	Enforcement.
Section 11-304	Modifications.
Section 11-305	Appeal of Order.
Section 11-306	Liability of Non-cemetery Personnel and Workmen.
Section 11-307	Hours.
Section 11-308	Fees and Changes.
Section 11-309	Monuments and Markers.
Section 11-310	Violations.

ARTICLE B

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Section 11-311	Traffic Regulations.
Section 11-312	Vehicle Parking.
Section 11-313	Use of Cemetery Roads and Walkways.
Section 11-314	Public on Cemetery Grounds.
Section 11-315	Picking of Flowers, Defacing Memories.
Section 11-316	Loitering.
Section 11-317	Profane Language or Misconduct.
Section 11-318	Consuming Refreshments.
Section 11-319	Refuse and Rubbish.
Section 11-320	Firearms on Cemetery Grounds.
Section 11-321	Animals Within the Cemetery.
Section 11-322	Children Within the Cemetery.
Section 11-323	Playing and Recreational Activities.
Section 11-324	Advertising in Cemeteries.
Section 11-325	Business Activities and Assemblies.
Section 11-326	Smoking.

Parks, Recreation, and Cemetery

ARTICLE C

LOTS

Section 11-331	Ownership.
Section 11-332	Place of Burial.
Section 11-333	Location of Lot.
Section 11-334	Lot or Grave Space Price Schedule.
Section 11-335	Lot Purchase.
Section 11-336	Issuance of Cemetery Deed.
Section 11-337	Exclusions to Burial Rights.
Section 11-338	Power of Attorney.
Section 11-339	Transfer of Burial Rights.
Section 11-340	Joint Ownership.
Section 11-341	Disagreements Between Partners.
Section 11-342	Death of Owner.
Section 11-343	Correction of Errors.
Section 11-344	Grave Space Defined.
Section 11-345	Descent of Interment Rights.
Section 11-346	Veterans' Memorial Plot.
Section 11-347	Indigent Burials.

ARTICLE D

CARE OF LOTS

Section 11-351	Perpetual Care to Include.
Section 11-352	Perpetual Care Not to Include.
Section 11-353	Special Care on Lots.
Section 11-354	No Endowment for Special Care.
Section 11-355	Plants and Shrubs.
Section 11-356	Removal of Plants and Shrubs.
Section 11-357	Enclosures.
Section 11-358	Lots, Taxation Exemption.

ARTICLE E

GRAVE MARKERS, MONUMENTS AND MAUSOLEUMS

Section 11-360	Materials Used.
Section 11-361	Appearance.
Section 11-362	Material on Markers.
Section 11-363	Raised Grave Markers - Double.

Parks, Recreation, and Cemetery

Section 11-364	Placing of Markers Before Interments.
Section 11-365	Corner Posts.
Section 11-366	Temporary Markers.
Section 11-367	American Flag.
Section 11-368	Armed Service Markers.
Section 11-369	Monuments.
Section 11-370	Mausoleums.

ARTICLE F

INTERMENTS

Section 11-371	Cemetery Open for Interments.
Section 11-372	Notice of Funerals.
Section 11-373	Burials after 4:00 p.m.
Section 11-374	Weather Conditions.
Section 11-375	Placing of Graves on Lot.
Section 11-376	Misrepresentation or Errors.
Section 11-377	Grave Opening Orders.
Section 11-378	Error: Failure to Designate.
Section 11-379	Opening and Closing of Graves.
Section 11-380	Zone for Burial Services.
Section 11-381	Construction During Funerals.
Section 11-382	Burial Containers.
Section 11-383	Disinterment and Removals.
Section 11-384	Grave Accounts, Cemetery Fees and Charges.
Section 11-385	Interment for Profit: Removal, Provisions Governing.
Section 11-386	Interments: Person per Grave.
Section 11-387	Roads, Drives, Etc.: Rights of Interment.
Section 11-388	Lots, Interment Rights.
Section 11-389	Grave Mounds.
Section 11-390	Opening of Caskets.
Section 11-391	Charges Established.
Section 11-392	Supervisor in Charge of Funerals.

ARTICLE G

DECORATIONS

Section 11-393	Decorations, Removal.
Section 11-394	Decorations, Liability.
Section 11-395	Decorations, Prohibitions.
Section 11-396	Decorations: Restrictions.

Parks, Recreation, and Cemetery

Section 11-397 Grading of Graves.
Section 11-398 Damage.

ARTICLE A

DEFINITIONS AND GENERAL PROVISIONS

SECTION 11-301 DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Cemetery" means South Heights Cemetery, North Heights Cemetery, Sapulpa Cemetery, and Fairview Cemetery.

"Department" means the Department of Cemeteries of the City.

"Grave, burial space, lot, plot" shall be used interchangeably, and shall apply with like effect to:

- A. One, or more than one, adjoining grave;
- B. One or more than one, adjoining crypts or vaults; or
- C. One or more than one adjoining niches.

"Markers" mean a stone or object denoting the location of a grave and which does not exceed six (6) inches in width, thirty (30) inches in height, and twenty-four (24) inches in length.

"Monument" means a memorial stone or object of a size in excess of that of a maker.

"Superintendent" means the Superintendent of Cemeteries, and any subordinate designated by him.

[Ord. 2118, 01/18/1994]

SECTION 11-302 STATEMENT OF POLICY.

The provisions of the Code shall be held to be the minimum requirements adopted for the protection and operation of City owned cemeteries and the burial of the dead of the

Parks, Recreation, and Cemetery

city. All lot owners and visitors within the cemetery and all lots sold shall be subject to the provisions of this Code as well as any other applicable provision of the ordinances of the City and the laws of the State.

[Ord. 2118, 01/18/1994]

SECTION 11-303 ENFORCEMENT.

The responsibility for the enforcement of this Code including the rules and regulations shall be vested in the superintendent of cemeteries and his authorized assistants or agents, subject to the supervision and control of the City Manager. [Ord. 2118, 01/18/1994]

SECTION 11-304 MODIFICATIONS.

Special cases may arise in which the literal enforcement of a provision may impose an undue and unnecessary hardship. The superintendent of cemeteries, after due consideration and under the supervision of the City Manager, may make temporary exceptions, suspensions, or modifications of any provision. Such temporary exceptions, suspension or modifications shall not be construed as effecting the general application of the intent of the provisions of this Code. [Ord. 2118, 01/18/1994]

SECTION 11-305 APPEAL OF ORDER.

If any person shall feel aggrieved by any order or decision by the superintendent of cemeteries, he may, within ten (10) days after receipt of such order or decision, appeal in writing to the City Manager. The City Manager may make such decisions as he deems in the public interest within the scope and intent of this code and such rules and regulations, and such decisions shall be final unless an appeal in writing is filed within ten (10) days thereafter with the City Council. The City Council may take such action on such appeal as it deems just, and may vary the terms of such rules and regulations as it determines is in the public interest. [Ord. 2118, 01/18/1994]

SECTION 11-306 LIABILITY OF NON-CEMETERY PERSONNEL AND WORKMEN.

- A. The city and its cemeteries shall not be responsible for damages by the elements, an Act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or by the order of any military or civil authority, whether the damage be direct or collateral.
- B. All non-cemetery personnel and their workmen engaged within the cemetery

Parks, Recreation, and Cemetery

on any class of work whatsoever, shall be held fully responsible for any damage done by them or their agents to any cemetery properties. All unsightly material or debris accumulated from any class of work must be removed at once and on the completion of work. All tools must be removed immediately and the grounds left in as good a condition as found by these parties.

[Ord. 2118, 01/18/1994]

SECTION 11-307 HOURS.

- A. The cemetery office shall remain open Monday through Friday from 8:00 a.m. to 4:30 p.m., except on New Years Eve Day, New Years Day, Christmas Eve Day, Christmas Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Good Friday, and any other day declared a holiday by the City Council.
- B. Special arrangements can be made with the superintendent of cemeteries for business purposes for hours other than those listed as office hours.

[Ord. 2118, 01/18/1994]

SECTION 11-308 FEES AND CHANGES.

- A. Fees and charges for services are payable at the office of the City Clerk to the City.
- B. Fees and charges are set forth by the Master Fee Schedule.
- C. No employee of the cemetery shall solicit or accept any form of payment or gratuity for work or services rendered. Employees of the cemetery are not permitted to do any work for lot owners or interested parties except under the direction of the Superintendent or his authorized assistants or agents.

[Ord. 2118, 01/18/1994]

SECTION 11-309 MONUMENTS AND MARKERS.

Only one (1) marker shall be placed at any grave, and all foundations for monuments and markers shall be built of concrete. If any monument or marker, or any other object whatever does not conform to the provision of this chapter, or any inscription on a marker or monument is deemed offensive or improper by the Superintendent, the Superintendent, after conferring with the City Manager, shall have the power to remove the

Parks, Recreation, and Cemetery

non-conforming, offensive or improper object or objects and shall notify the lot owner or heirs of such action. [Ord. 2357, 07/02/2001]

SECTION 11-310 VIOLATIONS.

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine as provided in Section 1-108 or by imprisonment, or both. [Ord. 2118, 01/18/1994]

ARTICLE B

REGULATIONS

SECTION 11-311 TRAFFIC REGULATIONS.

- A. All vehicles will obey the posted fifteen (15) miles per hour speed limit on all cemetery roads.
- B. No person shall drive any motor vehicle or other means of transportation off the established roads. No person shall drive any motor vehicle or other means of transportation upon grave, lot, or lawn located within the cemeteries.
- C. When meeting a funeral procession, vehicles must stop until the procession passes. Vehicles may not pass a funeral procession going in the same direction.
- D. No person shall use a cemetery road as a public or private thoroughfare.
- E. No motorcycles, motorbikes, or motor scooters will be admitted to the cemeteries except such as may be in attendance at funeral or on cemetery business.
- F. No all terrain vehicles (ATV) are allowed within the cemeteries at any time.
- G. No person shall turn a vehicle around within the cemeteries except by following established roadways.
- H. Every person driving a vehicle into the cemeteries shall be responsible for any damage caused by such vehicle.
- I. No vehicles will be allowed on cemetery roads after snow and ice makes those roads impassable.

Parks, Recreation, and Cemetery

[Ord. 2118, 01/18/1994]

SECTION 11-312 VEHICLE PARKING.

- A. No person shall park or leave any motor vehicle or other means of transportation on any road or driveway within the cemetery in such a location or in such a position as to prevent the passing of the same. The exception to this would be during a funeral, when vehicles may be parked in an orderly fashion near the grave site, and into special areas for parking as directed by the Superintendent and his assistants.
- B. Any such motor vehicle or other means of transportation so found may be removed by the superintendent and the owners liable for the costs incurred by the removal.
- C. Motor vehicles are not allowed to park or come to a full stop in front of an open grave unless such vehicles are in attendance at a funeral.
- D. No person shall park any motor vehicle or other means of transportation upon a grave, lot or lawn located within the cemeteries.

[Ord. 2118, 01/18/1994]

SECTION 11-313 USE OF CEMETERY ROADS AND WALKWAYS.

Persons within the cemetery shall only use roads, avenues, walks, alleys, and other areas which may be designated for traffic and are not permitted to walk upon or across lots, unless it becomes necessary to gain access to one's own lot. [Ord. 2118, 01/18/1994]

SECTION 11-314 PUBLIC ON CEMETERY GROUNDS.

- A. No person shall be allowed in the cemeteries from a period beginning two (2) hours after sunset and continuing to two (2) hours before sunrise, without first securing permission from the Superintendent.
- B. Strangers are not allowed to approach the grave during a funeral.

[Ord. 2118, 01/18/1994]

SECTION 11-315 PICKING OF FLOWERS, DEFACING MEMORIES.

- A. Persons visiting the cemetery or attending funerals are strictly forbidden from

Parks, Recreation, and Cemetery

picking flowers, wild or cultivated, breaking or injuring any tree, shrub, or plants, writing upon, defacing, or injuring any memorials, fences, or other structures within the cemetery grounds.

- B. No person shall destroy or otherwise disturb the birds or other animal life within the cemeteries.

[Ord. 2118, 01/18/1994]

SECTION 11-316 LOITERING.

No person, other than lot owners or relatives of persons interred in the cemeteries, shall be permitted to loiter in the cemeteries or in any of the cemetery buildings. [Ord. 2118, 01/18/1994]

SECTION 11-317 PROFANE LANGUAGE OR MISCONDUCT.

Any person using profane or boisterous language or acting in a disorderly manner or loitering within the limits of the cemeteries shall be required to leave the cemetery grounds or be arrested for disorderly conduct. [Ord. 2118, 01/18/1994]

SECTION 11-318 CONSUMING REFRESHMENTS.

No person shall carry any intoxicating liquor or under the influence thereof, or in any way disorderly, will be permitted within the cemetery premises. [Ord. 2118, 01/18/1994]

SECTION 11-319 REFUSE AND RUBBISH.

- A. No person shall throw any refuse or rubbish upon the drives and walkways or on any part of the grounds lots or graves or in any of the buildings of the cemeteries.
- B. Receptacles for waste materials shall be located in convenient places throughout the cemeteries.

[Ord. 2118, 01/18/1994]

SECTION 11-320 FIREARMS ON CEMETERY GROUNDS.

- A. The possession of firearms within the cemetery grounds is forbidden, except the military or other organizations may carry arms for the purpose of firing over the grave at the burial of a member.

Parks, Recreation, and Cemetery

- B. No hunting is permitted in the cemeteries.

[Ord. 2118, 01/18/1994]

SECTION 11-321 ANIMALS WITHIN THE CEMETERY.

No dogs are allowed within the cemetery without a leash.[Ord. 2118, 01/18/1994]

SECTION 11-322 CHILDREN WITHIN THE CEMETERY.

Children under fifteen (15) years of age are not permitted within the cemeteries or its buildings unless accompanied by their parents or adult responsible for their conduct. [Ord. 2118, 01/18/1994]

SECTION 11-323 PLAYING AND RECREATIONAL ACTIVITIES.

No playing or recreational activities or recreational games shall be conducted in the cemeteries at any time. [Ord. 2118, 01/18/1994]

SECTION 11-324 ADVERTISING IN CEMETERIES.

The placing of signs, notices, or advertisements of any kind, peddling or soliciting, and the sale of any commodity in the cemeteries is prohibited. [Ord. 2118, 01/18/1994]

SECTION 11-325 BUSINESS ACTIVITIES AND ASSEMBLIES.

- A. Cemetery grounds may not be used for business activities, including meetings, gatherings, or assemblies of any kind unless they are a part of the funeral service.
- B. Exceptions to this rule may be made only by the Superintendent, the City Manager or the City Council.

[Ord. 2118, 01/18/1994]

SECTION 11-326 SMOKING.

Smoking or expectorating within any of the cemetery facilities is prohibited. [Ord. 2118, 01/18/1994]

Parks, Recreation, and Cemetery

ARTICLE C

LOTS

SECTION 11-331 OWNERSHIP.

No person shall acquire the absolute title in fee to any cemetery lots. The purchase and entry of a lot holder and his subsequent possession are by permission, a license, a right of burial and shall not constitute an absolute ownership in fee regardless of the form of conveyance. [Ord. 2118, 01/18/1994]

SECTION 11-332 PLACE OF BURIAL.

No lot shall be used for any other purpose than as a place of burial for the human dead. [Ord. 2118, 01/18/1994]

SECTION 11-333 LOCATION OF LOT.

- A. The location of lots will be in accordance with the cemetery master plans which are kept on file in the office of the City Clerk.
- B. The corners of each lot and grave spaces will be laid out by the Superintendent.
- C. Grade lines of all lots and single graves are laid out before the lots or graves are sold and will not be changed.

[Ord. 2118, 01/18/1994]

SECTION 11-334 LOT OR GRAVE SPACE PRICE SCHEDULE.

- A. Every lot or grave space is sold subject to rules and regulations now in force or hereinafter adopted.
- B. The price for obtaining burial rights is contained in the Master Fee Schedule and subject to changes adopted by the City Council from time to time.

[Ord. No. 2118, 1/18/94]

SECTION 11-335 LOT PURCHASE.

- A. The purchase of a lot or grave space may be made at the office of the City Clerk.

Parks, Recreation, and Cemetery

- B. The lot, upon which a burial is to be made, must be paid in full before any burial may take place.

[Ord. 2118, 01/18/1994]

SECTION 11-336 ISSUANCE OF CEMETERY DEED.

- A. Upon full payment for a lot or grave space, a cemetery deed will be issued to the owner.
- B. Cemetery deeds will be mailed to the lot owner upon signing of the deed by the Mayor and City Clerk.

[Ord. 2118, 01/18/1994]

SECTION 11-337 EXCLUSIONS TO BURIAL RIGHTS.

The lot owner or his legal representative may, at any time, designate in writing to the office of the City Clerk whom he wishes or does not wish buried in his grave or lot.[Ord. 2118, 01/18/1994]

SECTION 11-338 POWER OF ATTORNEY.

Power of attorney to act for the owner must be filed and recorded at the office of the City Clerk to become operative. [Ord. 2118, 01/18/1994]

SECTION 11-339 TRANSFER OF BURIAL RIGHTS.

- A. The owner of a lot may at any time transfer this right to another person.
- B. All requests for transfer must be made at the office of the City Clerk.
- C. No transfer will be permitted for speculative purposes.
- D. The price for transfer of burial rights is contained in a schedule of prices and subject to changes adopted by the City Council from time to time.

[Ord. 2118, 01/18/1994]

SECTION 11-340 JOINT OWNERSHIP.

Joint ownership of burial rights is permitted. [Ord. 2118, 01/18/1994]

Parks, Recreation, and Cemetery

SECTION 11-341 DISAGREEMENTS BETWEEN PARTNERS.

In case of disagreement between joint owners of a cemetery lot, the first order of a registered owner shall prevail. [Ord. 2118, 01/18/1994]

SECTION 11-342 DEATH OF OWNER.

- A. Should the owner die without having designated the persons to be buried on the balance of his or her lot, the City will permit the burial of heirs.
- B. Possession of a cemetery deed is not in itself evidence on which to record the transfer of ownership of a grave or lot. The legal right of ownership of the burial privilege must be established.
- C. The descent of title of cemetery lots is governed by the laws of the State as related to personal property.

[Ord. 2118, 01/18/1994]

SECTION 11-343 CORRECTION OF ERRORS.

- A. The cemetery management reserves the right to correct any error that may be made by it, in making interments, disinterments, or removals or in the description, transfer, or conveyance of any interment property, either by cancelling the conveyance and substituting and conveying in lieu thereof, other interment property of equal value and similar location or by refunding the amount of money paid on account by the purchaser.
- B. In the event the error involves the interment of the remains of any person, the City reserves and shall have the right to remove and transfer the remains so interred to other property of equal value and similar location of the same cemetery.
- C. When making corrections, the cemetery will abide by the laws of the State and obtain any necessary permits or permission.

[Ord. 2118, 01/18/1994]

SECTION 11-344 GRAVE SPACE DEFINED.

- A. One grave space will be a four (4) foot by twelve (12) foot space. Exception to this would be those spaces in what is known as Babyland.

Parks, Recreation, and Cemetery

- B. One burial per grave space. Exceptions found under section covering interments.

[Ord. 2118, 01/18/1994]

SECTION 11-345 DESCENT OF INTERMENT RIGHTS.

- A. Ownership or burial rights shall descend as directed by will or other suitable document signed by the owner and properly witnessed by another party.
- B. The absence of any such will or document, the burial rights shall descend as personal property under the applicable descent and distribution statutes of the state, and interpreted by a court of competent jurisdiction.
- C. Those rightful heirs of a cemetery deed, by will or other such document, should contact the office of the City Clerk with such proof and transfer the burial rights in their name.

[Ord. 2118, 01/18/1994]

SECTION 11-346 VETERANS' MEMORIAL PLOT.

- A. The section or area designated "Veterans' Memorial Plot" shall be reserved for burial of veterans of the armed forces of the United States.
- B. The Superintendent is authorized to provide a grave space for the internment of any veteran that is a resident of the City. The grave space is to be at no cost; provided such internment shall be in an area of the cemetery designated by the City Council for said purpose.
- C. Ownership of a free burial space for any veteran shall be retained by the City.
- D. The burial of any veteran is subject to the availability of dedicated spaces for the internment of veterans. The City reserves the right to select the burial space for any veteran interred in the "Veterans' Memorial Plot."
- E. The City shall not be responsible for any funeral director's fees or costs associated with the internment of any veteran. The City shall not waive the opening and closing costs for the burial of any veteran.

[Ord. 2357, 07/02/2001]

Parks, Recreation, and Cemetery

SECTION 11-347

INDIGENT BURIALS

- A. The Superintendent is authorized to provide a grave space for the interment of any destitute person that is a resident of the City. The grave space is to be at no cost; provided such interment shall be in an area of the cemetery designated by the City Council for said purpose.
- B. The Superintendent is authorized to provide a grave space for the interment of any destitute person that is not a resident of the City; provided such interment is at the request of the County Commissioners and the opening and closing costs are paid by the County. The grave space is to be provided by the City in such event at no cost. Such interment shall be in an area of the cemetery designated by the City Council for said purpose.
- C. Ownership of a free burial space shall be retained by the City.
- D. The interment of any destitute person is subject to the availability of burial spaces. The City reserves the right to select the burial space in which a destitute person is to be interred. In addition, the interment of any destitute person shall not be held after 4:00 p.m. on weekdays or on any weekend or holiday.
- E. The City shall not be responsible for any funeral director's fees or costs associated with the interment of any destitute person. The City shall not waive the opening and closing costs for the burial of any destitute person.

[Ord. 2357, 07/02/2001]

ARTICLE D

CARE OF LOTS

SECTION 11-351

PERPETUAL CARE TO INCLUDE.

Perpetual care shall include watering and mowing and raking of lots and graves, resodding, seeding, and filling in sunken graves or sodding over the surface of graves to lot level. [Ord. 2118, 01/18/1994]

SECTION 11-352

PERPETUAL CARE NOT TO INCLUDE.

- A. Perpetual care shall not include the watering of flowers or plants or the trimming of shrubs if planted by the lot owner.

Parks, Recreation, and Cemetery

- B. Perpetual care does not include the maintenance, repair or replacement of any marker, memorial, tomb or mausoleum placed or erected on the lot unless caused by a direct act (not omission) of negligence by an employee of the City.

[Ord. 2118, 01/18/1994]

SECTION 11-353 SPECIAL CARE ON LOTS.

Owners who desire special attention for their lot, such as special care for flowers, trees and shrubs must make arrangements for such care with a person, firm or corporation not connected with the City. [Ord. 2118, 01/18/1994]

SECTION 11-354 NO ENDOWMENT FOR SPECIAL CARE.

Under no circumstances will the superintendent accept an endowment for special maintenance and care of the lot. [Ord. 2118, 01/18/1994]

SECTION 11-355 PLANTS AND SHRUBS.

- A. A lot owner may embellish his or her lot or grave subject to obtaining permission from the Superintendent.
- B. Planting out of harmony with the general landscape design of the cemetery grounds and circumferential planting or any other planting which may interfere with adjacent lots will not be allowed.

[Ord. 2118, 01/18/1994]

SECTION 11-356 REMOVAL OF PLANTS AND SHRUBS.

- A. The Superintendent reserves the right to remove, without notice, trees, shrubs and flowers planted in violation of these rules. The Superintendent reserves the right to trim, cut down, and remove any plantings by a lot owner which are undesirable in their present condition.
- B. When it is necessary to remove any tree on a cemetery lot usable, the cost of removal shall be borne by the lot owner.

[Ord. 2118, 01/18/1994]

Parks, Recreation, and Cemetery

SECTION 11-357

ENCLOSURES.

- A. Cement curb around a lot but within the confines of that lot is permitted:
 - 1. Curb must be laid flush with the ground; and
 - 2. Permission from the Superintendent must be obtained prior to construction.
- B. Enclosures of any other description detract from the appearance of the cemetery and are prohibited.

[Ord. 2118, 01/18/1994]

SECTION 11-358

LOTS, TAXATION EXEMPTION.

- A. Lots and grave spaces are exempt from ordinary taxes and cannot be seized on execution.
- B. No mortgage or other encumbrance shall be given on any burial space or lot.

[Ord. 2118, 01/18/1994]

ARTICLE E

GRAVE MARKERS, MONUMENTS AND MAUSOLEUMS

SECTION 11-360

MATERIALS USED.

Materials used:

- A. The materials used in the construction of mausoleums, monuments, and markers, where permitted, shall be of recognized durable granite, marble, or standard bronze. The use of sandstone, terra cotta, slate, artificial stone, cement, wood, or iron in any form is not permitted where exposed to the elements.
- B. All foundations for monuments and markers shall be built of concrete.

[Ord. No. 2118, 1/18/94]

Parks, Recreation, and Cemetery

SECTION 11-361 APPEARANCE.

Should any monument, marker or mausoleum become unsightly, dilapidated or a menace to visitors, the superintendent shall have the right, at the expense of the lot owner or heirs, either to correct the condition or to remove the same. [Ord. 2118, 01/18/1994]

SECTION 11-362 MATERIAL ON MARKERS.

The reproduction of a photograph on glass porcelain or other material attached to a memorial is not recommended and the City will not be responsible for damage occurring to same. [Ord. 2118, 01/18/1994]

SECTION 11-363 RAISED GRAVE MARKERS - DOUBLE.

One grave marker embracing two (2) grave spaces may be allowed if both grave spaces are paid for and the purchaser agrees to bear the cost of removing and resetting the dual marker when the second grave space is to be used. [Ord. 2118, 01/18/1994]

SECTION 11-364 PLACING OF MARKERS BEFORE INTERMENTS.

The placing of markers before interments will be allowed.[Ord. 2118, 01/18/1994]

SECTION 11-365 CORNER POSTS.

- A. Lot corner marker posts, whenever used, shall be of monumental stone placed level with the turf.
- B. Initials shall be incised (cut in), not raised.
- C. Posts shall be finished where they abut on adjacent lots.
- D. All corner posts will be set by the owner, with supervision from the superintendent.

[Ord. 2118, 01/18/1994]

SECTION 11-366 TEMPORARY MARKERS.

Temporary markers or metal name places (furnished by some funeral directors) may be used to identify a grave for a period of time. The period shall not exceed twelve (12) months from the date of interment. [Ord. 2118, 01/18/1994]

Parks, Recreation, and Cemetery

SECTION 11-367

AMERICAN FLAG.

- A. American flags may be furnished by any lot owner or his representative or by a veterans' organization for display on any grave.
- B. The maximum size of any such flag shall be twelve (12) inches by eighteen (18) inches.
- C. The maximum size of any staff or pole upon which a flag is displayed shall be five (5) feet.
- D. Flags may be displayed on graves from May 15 through July 6, inclusive and November 1 through November 15, inclusive.
- E. Any flag not removed by the person or organization responsible for its being placed on a grave within the designated display time shall be removed by the superintendent.
- F. The superintendent may remove any flag at any time when such flag becomes faded, tattered, torn, or otherwise presents an adverse appearance.

[Ord. 2118, 01/18/1994]

SECTION 11-368

ARMED SERVICE MARKERS.

One official metallic tablet of the Disabled American Veteran's, or other similar organization whose membership is limited to those who have served in the military or naval forces of the United States of America, will be permitted upon a grave. [Ord. 2118, 01/18/1994]

SECTION 11-369

MONUMENTS.

- A. Only one central or family memorial shall be allowed on a family lot. When the memorial is set at the rear of the lot, it shall be placed not less than two (2) feet from the rear line.
- B. Monuments may be erected on family lots which consist of at least four (4) grave spaces or more.
- C. The superintendent shall be consulted concerning family memorials before any such erection is undertaken.

Parks, Recreation, and Cemetery

[Ord. 2118, 01/18/1994]

SECTION 11-370

MAUSOLEUMS.

- A. The erection of mausoleums and vaults are prohibited.
- B. Any mausoleum or vault which becomes unsightly or dangerous, through neglect by the owner or heirs, may be removed and the remains therein buried in the lot.
- C. The expense of removing the structure shall be born by the owner or heirs.
- D. No neglected mausoleum will be removed without the superintendent making every effort to contact the person or persons with an interest in the mausoleum or vault and inform them of the neglect to maintain the mausoleum or vault.

[Ord. 2118, 01/18/1994]

ARTICLE F

INTERMENTS

SECTION 11-371

CEMETERY OPEN FOR INTERMENTS.

- A. The cemetery will be open for interment from 8:00 a.m. to 4:00 p.m. daily, with the exception of Sunday, Christmas Day, Christmas Eve Day, New Years Day, Thanksgiving Day, Fourth of July, Memorial Day, Labor Day, or any other day declared a holiday by the City Council.
- B. Should it become necessary, because of health reasons or religious customs, or undue hardship placed on the family, burial may be made on any of these days if additional charges are paid in accordance with the rate schedule provided by the Master Fee Schedule.

[Ord. 2118, 01/18/1994]

SECTION 11-372

NOTICE OF FUNERALS.

- A. Notice of funerals must be given to the office of City Clerk at least twenty-four (24) regular working hours in advance of the funeral.
- B. One (1) week notice is required prior to any proposed disinterment or

Parks, Recreation, and Cemetery

removal.

- C. The superintendent may refuse to make an interment until a more expedient time if the remains arrive at the cemetery entrance after 4:00 p.m. or if too many funerals arrive at the same hour.

[Ord. 2118, 01/18/1994]

SECTION 11-373

BURIALS AFTER 4:00 P.M.

- A. Additional charges shall be made to the funeral director for any burial service which requires cemetery personnel to be in attendance after 4:00 p.m.
- B. Regular Saturday interments carry an extra fee.
- C. These additional charges are part of a rate schedule provided in the Master Fee Schedule.

[Ord. 2118, 01/18/1994]

SECTION 11-374

WEATHER CONDITIONS.

- A. Because of concern for safety of persons attending funerals, added problems required to prepare for a grave side service during winter months, grave side service will not be held if inclement weather conditions exist.
- B. If inclement weather conditions exist, a cemetery chapel service may be held.
- C. The superintendent will contact the funeral director for arrangement, as to the wishes of the family.

[Ord. 2118, 01/18/1994]

SECTION 11-375

PLACING OF GRAVES ON LOT.

No grave shall be placed in an irregular appearance with graves on the same or adjoining lots. [Ord. 2118, 01/18/1994]

SECTION 11-376

MISREPRESENTATION OR ERRORS.

While all reasonable efforts will be made by the City to establish the identity of the

Parks, Recreation, and Cemetery

person or persons claiming ownership of the lot or in making arrangements for interments, the City and its employees will not be liable for misrepresentation or error made by the person or persons purported to be the owner, legal representative, or agents. [Ord. 2118, 01/18/1994]

SECTION 11-377 GRAVE OPENING ORDERS.

- A. The City and its employees shall not be held responsible for any order given by telephone, or for any mistake occurring from the want of precise and proper instruction a to the particular space, size, and location in a plot where interment is desired.

- B. Orders given by the funeral director for opening a grave will be construed as orders from the lot owners or heirs.

[Ord. 2118, 01/18/1994]

SECTION 11-378 ERROR: FAILURE TO DESIGNATE.

- A. The City reserves, and shall have the right to correct any errors that may be made by it, either in making interment, disinterment, or removal or in the description transfer or conveyance of any interment property.

- B. When an interment is to be made in a lot, the location of such interment shall be designated by the lot owner or heirs. Should the owner or heirs fail or neglect to make such designation, the City reserves the right to make the interment in a location designated, and the City shall not be liable in damages for any error so made.

- C. The superintendent reserves the right to request that the lot owner, heirs, or funeral director sign a "grave opening authorization" form, which states the grave location to be used before interment takes place.

[Ord. 2118, 01/18/1994]

SECTION 11-379 OPENING AND CLOSING OF GRAVES.

All interments, disinterments, removals, and cremated interments shall be handled by the cemetery personnel. [Ord. 2118, 01/18/1994]

SECTION 11-380 ZONE FOR BURIAL SERVICES.

When deemed necessary to assure a proper burial, the Superintendent may

Parks, Recreation, and Cemetery

establish and properly mark a zone in which only persons attending the funeral may enter.
[Ord. 2118, 01/18/1994]

SECTION 11-381 CONSTRUCTION DURING FUNERALS.

- A. All work of any description shall cease while a funeral is being conducted nearby.
- B. All trucks and workmen shall withdraw to a reasonable distance from the location of the funeral interment.
- C. This regulation applies to all contract workers as well as cemetery personnel.

[Ord. 2118, 01/18/1994]]

SECTION 11-382 BURIAL CONTAINERS.

In order to maintain a high standard of care and to eliminate sunken graves caused by the collapse of wooden boxes, it is required that all burials must be made in an outside container made of metal or concrete. [Ord. No. 2118, 1/18/94]

SECTION 11-383 DISINTERMENT AND REMOVALS.

- A. No disinterment and removal to another location within the cemetery of a body will be permitted without the written consent of the legal heirs or unless by a duly authorized public official.
- B. No disinterment and removal to another location of a body will be permitted without a permit from the Oklahoma State Department of Health.

[Ord. 2118, 01/18/1994]

SECTION 11-384 GRAVE ACCOUNTS, CEMETERY FEES AND CHARGES.

- A. The full purchase price of the designated grave and grave opening shall be paid preceding any proposed interment.
- B. Arrangements for the payment of any and all indebtedness due to the City shall be made before any proposed interment can take place.
- C. The charges for any disinterment or removal as provided by the Master Fee Schedule shall be paid in advance to the office of the City Clerk before any disinterment or removal will be effected.

Parks, Recreation, and Cemetery

[Ord. 2118, 01/18/1994]

SECTION 11-385 INTERMENT FOR PROFIT: REMOVAL, PROVISIONS GOVERNING.

- A. Lot owners shall not allow interments to be made on their lots for remuneration of any kind.
- B. Removal, by the heirs, of a body or cremated remains so that a plot may be sold for profit, or a removal contrary to the expressed or implied wish of the original plot owner, is repugnant to the ordinary sense of decency and is absolutely forbidden.
- C. A body, or cremated remains, may be removed from its original plot to a larger or better plot in the cemetery, when there has been an exchange or purchase for that purpose.
- D. The City shall exercise due care in making a disinterment and removal, but it shall assume no responsibility for damage to any casket, burial case, or urn incurred in making the disinterment and removal.

[Ord. 2118, 01/18/1994]

SECTION 11-386 INTERMENTS: PERSON PER GRAVE.

- A. The interment of two (2) or more persons in one (1) grave space is prohibited.
- B. Only in the case of mother and infant if interred at the same time or in the case of twin infants interred on the same day will interment of two (2) persons in one (1) grave be allowed.
- C. Two (2) cremation burials are allowed on one (1) grave space.
- D. One cremation burial is allowed if grave space is occupied by a body.

[Ord. 2118, 01/18/1994]

SECTION 11-387 ROADS, DRIVES, ETC.: RIGHTS OF INTERMENT.

No easement or right-of-interment shall be granted to any plot owner in any road,

Parks, Recreation, and Cemetery

drive, alley, or walk within the cemetery but such road, drive, alley, or walk may be used as a means of access to the cemetery, lots or buildings, as long as the cemetery devotes it to that purpose. [Ord. 2118, 01/18/1994]

SECTION 11-388 LOTS, INTERMENT RIGHTS.

- A. Persons may be interred in any lot even though they do not have an interest therein. Upon a timely written objection duly filed with the superintendent by any person interested in the lot, no interment will then be allowed except upon written consent of all parties interested in the lot.

- B. An heir at law, as determined by a court of competent jurisdiction, of any record owner, may be buried in the lot provided in these rules or in the laws of the state.

[Ord. 2118, 01/18/1994]

SECTION 11-389 GRAVE MOUNDS.

Grave mounds are not allowed. [Ord. 2118, 01/18/1994]

SECTION 11-390 OPENING OF CASKETS.

No person shall open a casket within the confines of the cemetery prior to burial unless that person is next of kin to the deceased, or has written permission of the deceased's next of kin. [Ord. 2118, 01/18/1994]

SECTION 11-391 CHARGES ESTABLISHED.

- A. All charges for grave spaces, burials, removals, or other services shall be in accordance with the Master Fee Schedule.

- B. A schedule of cemetery prices can be obtained from the office of the City Clerk upon request.

[Ord. 2118, 01/18/1994]

SECTION 11-392 SUPERVISOR IN CHARGE OF FUNERALS.

All funerals and interments within the cemetery grounds shall be under the direction of the Superintendent or his duly appointed representative. [Ord. 2118, 01/18/1994]

Parks, Recreation, and Cemetery

ARTICLE G

DECORATIONS

SECTION 11-393 DECORATIONS, REMOVAL.

- A. The City shall retain the right to remove all floral design, flowers, trees, shrubs, plants, or herbage of any kind from the cemetery as soon as, in the judgment of the superintendent, they become unsightly, dangerous, detrimental, or diseased, or when they do not conform to the standard maintained.
- B. Winter decorations, holly, evergreens, or artificial wreaths or other artificial floral pieces may be placed on graves from October 1 through May 1. All such decorations remaining after May 1 shall be removed.
- C. All decorations and vases placed in the cemetery for Memorial Day shall be removed within seven (7) days after Memorial Day.

[Ord. 2118, 01/18/1994]

SECTION 11-394 DECORATIONS, LIABILITY.

- A. The City shall not be liable for floral pieces, baskets, or floral containers or frames in which or to which such floral pieces are attached, beyond the act of acceptance of such floral pieces for cemetery use.
- B. The City disclaims any liability for damage of any kind that may occur to floral decorations in the normal course of cemetery operation.

[Ord. 2118, 01/18/1994]

SECTION 11-395 DECORATIONS, PROHIBITIONS.

- A. The planting of trees, plants, shrubs, or flowers on lots or graves is prohibited. Tree and shrub planting may be done under the supervision of the superintendent.
- B. Wire, metal rods, wooden stacks, or any other items are strictly prohibited from being used to brace, support, or stabilize any vases, flower containers or pots.
- C. The placing of boxes, shells, toys, metal design, ornaments, chairs, settees,

Parks, Recreation, and Cemetery

glass, wood and iron cases and similar articles upon lots or graves spaces shall not be permitted and, if so placed, the cemetery shall remove same and assume no responsibility for their return to the owner.

- D. Empty glassware, metal containers or baskets when found shall be considered abandoned and shall be removed and the City shall assume no responsibility for their return to the owners.

[Ord. 2118, 01/18/1994]

SECTION 11-396

DECORATIONS: RESTRICTIONS.

- A. Artificial flowers shall be allowed in urns only, during the summer months of June through September.
- B. New shrub plantings must be cared for by the lot owner:
 - 1. Shrubs must be kept within the size limits of thirty-six (36) inches in height and twenty-four (24) inches in diameter;
 - 2. When shrub planting is done, every effort is to be made to keep that shrubbery within the confines of the lot in which it is planted; and
 - 3. Any shrubbery allowed to grow larger will be removed.
- C. When a purchase of two (2) grave spaces or more is made, the owner is allowed to place one shrub at each end of a double marker only:
 - 1. Shrubbery is also permitted on each end of a family monument; and
 - 2. Shrubbery may also be placed between two (2) single markers on a double grave lot.
- D. All new shrub plantings must be approved by the superintendent.

[Ord. 2118, 01/18/1994]

SECTION 11-397

GRADING OF GRAVES.

- A. The grading of grave spaces, lots and grounds, or improvements shall be performed by cemetery personnel and any improvements made in violation of the provisions of this chapter may be removed and the expense of such removal shall be charged to the owner or heirs of the lot or grave.

Parks, Recreation, and Cemetery

- B. The grade of lots is fixed at the time of the preparation of the ground for sale and no change in the established grade will be allowed.

[Ord. 2118, 01/18/1994]

SECTION 11-398 DAMAGE.

- A. The superintendent and his staff will make every effort to prevent loss or damage to any decorations within the cemetery.
- B. They will not, however, be held responsible for those same decorations.

[Ord. 2118, 01/18/1994]

Parks, Recreation, and Cemetery

CHAPTER 4

LAKES AND CREEKS

ARTICLE A

GENERAL PROVISIONS

Section 11-401	Swimming, Wading, in Certain Waters Prohibited; Proviso.
Section 11-402	Public Use Hours of Lake Sahoma & Pretty Water Lake.
Section 11-403	Omitted.
Section 11-404	Omitted.

ARTICLE B

BOATS AND BOATING

Section 11-405	Gasoline Motor Powered Boats Prohibited upon Certain Lakes, Creeks.
Section 11-406	Operation of Boats Powered by Motors Exceeding Twelve (12) Horsepower upon Lake Sahoma and Lake Sapulpa.
Section 11-407	Rules and Regulations for Use of Motor Driven Boats upon Lake Sahoma.
Section 11-408	Boat Permit Required.
Section 11-409	Enforcement of Article.

ARTICLE C

HUNTING DUCKS, GEESE, UPON LAKE SAHOMA,
LAKE SAPULPA AND PRETTY WATER LAKE

Section 11-410	Permit Required.
Section 11-411	Issuance, Generally; Duplicate to Be Retained by City Clerk.
Section 11-412	Prerequisites to Issuance, Generally.
Section 11-413	Waiver and Release of Liability to Be Signed by Applicant.
Section 11-414	Classification; Period of Validity.
Section 11-415	Fees, Generally.
Section 11-416	Disposition.
Section 11-417	Transferability; to Be Carried by Permittee.
Section 11-418	Provisions Applicable to Lake Sahoma and Pretty Water Lake, Duck Blinds.
Section 11-419	Registration and Record of Hunters.
Section 11-420	Use of Certain Firearms Prohibited.

Parks, Recreation, and Cemetery

Section 11-421 Violations and Penalties.

ARTICLE D

FISHING

Section 11-425 Applicability of Article.
Section 11-426 Permit Required.
Section 11-427 Issuance Generally.
Section 11-428 Classification; Fees; Persons under Seventeen (17) Years of Age or Age Sixty-five (65) or Older.
Section 11-429 State License Prerequisite to Issuance.
Section 11-430 Printing; Record.
Section 11-431 Disposition of Funds Received under Article.
Section 11-432 Game Fish Regulations Generally.
Section 11-433 Size and Catch of Certain Fish Restricted.
Section 11-434 Closing Waters Regulated by Article.
Section 11-435 Enforcement of Article.

ARTICLE E

CAMPING AT LAKE SAHOMA

Section 11-436 Applicability of Article.
Section 11-437 Permit Required.
Section 11-438 Issuance Generally.
Section 11-439 Classification; Fees; Short and Long Term; Persons 65 Years of Age or Older; Rules.
Section 11-440 Record.
Section 11-441 Enforcement of Article.

ARTICLE A

GENERAL PROVISIONS

State Law Reference: For state law as to authority of City relative to municipally-owned lakes, etc., see 11 O.S., Sections 33-201 to 33-205. See also, 63 O.S., Section 823.

SECTION 11-401 SWIMMING, WADING, IN CERTAIN WATERS PROHIBITED; PROVISION.

Swimming, wading and bathing is hereby prohibited in any of the waters composing

Parks, Recreation, and Cemetery

the water supply of the City, more definitely described as follows, to-wit:

The Country Club Lake and Euchee Creek from such lake to Rock Creek and the tributaries of Euchee Creek, Lake Sahoma, Pretty Water Lake, Pretty Water Stream, and Rock Creek and their tributaries from such lake to the dam on Rock Creek below the City golf course; provided, that nothing herein shall be construed to prohibit persons wearing watertight wading boots or watertight clothing from wading in such waters not exceeding the height of such boots or clothing; and provided further that nothing herein shall prohibit tube floaters wearing watertight clothing from fishing in Pretty Water Lake.

[Prior Code, Sec. 15-1; Ord. 684; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-402

PUBLIC USE HOURS OF LAKE SAHOMA AND PRETTY WATER LAKE.

- A. It is hereby established and declared that the City-owned property known as Lake Sahoma is hereby declared open to the public from 6:00 a.m. each day until 10:00 p.m. in the evening. Such property shall be closed from 10:00 p.m. until 6:00 a.m. the following morning, at which time it shall reopen. During the established Trout Season, Pretty Water Lake is hereby declared open to the public from sunrise to sunset only. During the established Catfish/Panfish Season, Pretty Water Lake is hereby declared open to the public from sunrise to 10:00 p.m. only.
- B. It shall be unlawful and a violation of this section for any person to enter, be on or remain on Lake Sahoma or the Pretty Water Lake property during the time that such property is closed, with the following exceptions:
 - 1. City employees engaged in the scope of their employment; or
 - 2. Persons holding valid General fishing licenses for Lake Sahoma from the City; provided, that such persons are engaged in fishing; provided, further, that such persons do not disturb others or cause any disturbance in the area;
 - 3. Campers holding a valid overnight camping permit and camping in City approved and designated areas on Lake Sahoma. No person shall camp within a park area unless such person possesses a current and valid camping permit which shall be issued by the City on a per day basis after payment of the fee reflected by the Master Fee Schedule. Permanent camping facilities, the digging or leveling of any

Parks, Recreation, and Cemetery

ground and the use of glass containers in any park or lake area are prohibited. Authorized camping is limited to tents and recreational vehicles only with no more than two (2) tents per tent campsite and one (1) recreational vehicle per recreational vehicle campsite.

- C. Any unauthorized person found on such property during hours the property is closed or any person authorized to be on such property but who causes, creates, or participates in a disturbance shall be guilty of a misdemeanor.

[Prior Code, Sec. 15-1.1.; Ord. 1787; Ord. 1822; Ord 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-403 Omitted.

SECTION 11-404 Omitted.

ARTICLE B

BOATS AND BOATING

SECTION 11-405 GASOLINE MOTOR POWERED BOATS PROHIBITED UPON CERTAIN LAKES, CREEKS.

The use and operation of boats powered or driven by gasoline motors, or which have a gasoline powered motor attached, upon Pretty Water Lake or any of the lakes, creeks, and laterals composing the water supply of the City, except Lake Sahoma, is hereby prohibited; provided, that nothing in this section shall be construed to prohibit the use of boats powered or driven by electric motors. [Prior Code, Sec. 15-2; Ord. 903, 08/19/1957; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-406 Deleted by Ord. 2402

SECTION 11-407 RULES AND REGULATIONS FOR USE OF MOTOR DRIVEN BOATS UPON LAKE SAHOMA.

The following rules and regulations covering the use of motor driven boats upon Lake Sahoma and Pretty Water Lake are hereby and put into effect:

- A. Boats shall not be operated in a reckless or imprudent manner, or in such a manner as to endanger the person or property of others;
- B. Rowboats shall at all times have the right-of-way over motor-driven boats, and such motor driven boats shall keep a safe distance from rowboats on

Parks, Recreation, and Cemetery

such lake;

- C. Motor driven boats shall at all times remain a safe distance from each other;
- D. Boats shall not be operated at a speed exceeding twelve (12) miles per hour on the main body of the lake. Boats shall not be operated at a speed exceeding four (4) miles per hour on the west end of such lake, or fingers of the lake.
- E. Boats in an unsafe condition shall not be permitted to operate upon such lake. Each boat upon such lake shall be equipped with not less than one (1) life preserver of an approved type for each occupant;
- F. Persons under the influence of intoxicating liquor shall not be permitted upon such lake. It is also forbidden for a person to have intoxicating liquor in his possession while upon such lake;
- G. Racing of motor-driven boats upon such lake is prohibited unless special permission therefor is given by the City Council of the City;
- H. Every boat upon such Lake Sahoma after dark or during the nighttime shall carry a light which shall be so placed as to be easily visible to occupants of other boats; and
- I. Any person wilfully violating any of these rules and regulations, or operating or proposing to operate boats which do not meet the above requirements, shall not be permitted upon Lake Sahoma.

[Prior Code, Sec. 15-4; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-408 BOAT PERMIT REQUIRED.

Every person, other than one possessing a current City General, Trout, or Catfish/Panfish Fishing License, and who is operating a vessel on any City lake is required to first obtain a City boat permit from the City Clerk or his duly authorized representative and pay the required fee for same as reflected by the Master Fee Schedule. Annual boat permits will expire one (1) year from the date of issuance. Daily permits will expire at sunrise the day following issuance. [Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-409 ENFORCEMENT OF ARTICLE.

The officer designated by Section 11-435, or any special officer appointed by the City Manager, or any police officer of the City shall have the authority to enforce the

Parks, Recreation, and Cemetery

provisions of this article, and to make arrests for violations hereof. [Prior Code, Sec. 15-5; Ord. No. 903; Ord. 2689, 08/19/2013]

ARTICLE C

HUNTING DUCKS, GEESE, UPON LAKE SAHOMA,
LAKE SAPULPA, AND PRETTY WATER LAKE

State Law Reference: For state law as to game and fish generally, see 29 O.S., Section 101 et seq.

SECTION 11-410 PROHIBITED AND PERMIT REQUIRED.

It shall be unlawful for any person to hunt ducks or geese or migratory wildfowl upon City property, with the exception of hunting upon Lake Sahoma, without first having obtained a permit to hunt from the City. It shall be unlawful for any person to hunt with ammunition that is toxic or not steel. [Prior Code, Sec. 15-6; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-411 ISSUANCE, GENERALLY; DUPLICATE TO BE RETAINED BY CITY CLERK.

Permits required by Section 11-410 shall be issued by the City Clerk or his duly authorized representative and a duplicate thereof shall be kept as a record by the City Clerk. [Prior Code, Sec. 15-7; Ord. 834; Ord. 2689, 08/19/2013]

SECTION 11-412 PREREQUISITES TO ISSUANCE, GENERALLY.

The applicant for a permit as required by Section 11-410 shall, before obtaining the same, exhibit a license to hunt from the State for the current year issued to such applicant and shall have complied with all applicable state and federal regulations. [Prior Code, Sec. 15-8; Ord. No. 834; Ord. 2689, 08/19/2013]

SECTION 11-413 WAIVER AND RELEASE OF LIABILITY TO BE SIGNED BY APPLICANT.

Every applicant for a hunting permit as required by this article shall, before receiving the same, execute a waiver and release of any liability to the City for damages to his person or property received while hunting upon Lake Sahoma or property of the City. [Prior Code, Sec. 15-9; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

Parks, Recreation, and Cemetery

SECTION 11-414 CLASSIFICATION; PERIOD OF VALIDITY.

Hunting permits as required by Section 11-410 shall be yearly, which shall cover the current calendar year; provided, that such permits shall be valid only during the open season for hunting provided by state and federal laws and regulations. [Prior Code, Sec. 15-10; Ord. 834; Ord. 2689, 08/19/2013]

SECTION 11-415 FEES, GENERALLY.

The fee charged for the permit as required by Section 11-414 shall be as set by the Master Fee Schedule. [Prior Code, Sec. 15-11; Ord. 834; Ord. 1798, 09/20/1982; Ord. 2689, 08/19/2013]

SECTION 11-416 DISPOSITION.

All fees collected from the sale of hunting permits required by this article shall be placed in a fund separate from all other funds of the City, to be designated the "Hunting and Fishing Fund" and the monies from such fund shall be used only for the improvement of hunting and/or fishing conditions upon the lakes enumerated in Section 11-410 or in payment of a patrolman to enforce the provisions of this article. [Prior Code, Sec. 15-12; Ord. 834; Ord. 2689, 08/19/2013]

SECTION 11-417 TRANSFERABILITY; TO BE CARRIED BY PERMITTEE.

Hunting permits as required by Section 11-410 shall be nontransferable and shall be carried upon the person while hunting. [Prior Code, Sec. 15-13; Ord. 834; Ord. 2689, 08/19/2013]

SECTION 11-418 PROVISIONS APPLICABLE TO LAKE SAHOMA, DUCK BLINDS.

The City Manager or his duly authorized designee shall cause to be designated and numbered the locations for duck blinds upon Lake Sahoma. Such locations shall be assigned at the Annual Duck Blind Drawing to holders of yearly City Hunting permits under rules and regulations adopted by the parks and recreation department of the City. In addition, the following rules and regulations apply to any duck blinds:

- A. No blind may be constructed within two hundred (200) yards of an existing blind location and no fishing or hunting shall be permitted within two hundred (200) yards of an occupied duck blind. Location of any blinds is within the discretion of the City. All duck blinds shall be constructed large enough to accommodate at least three (3) hunters and with a length or breadth of six (6) feet facing the lake. Blinds shall be solidly constructed of boards of not

Parks, Recreation, and Cemetery

less than one (1) inch in thickness and shall be boarded up at least three (3) feet from the bottom or floor thereof. Construction of these blinds shall be entirely completed at least three (3) days prior to the opening of Teal Season or the blind shall be given to the first person making application for;

- B. A blind location may be assigned to from one (1) to three (3) persons and the persons to whom assigned are to be jointly and severally responsible for the construction of such blind;
- C. Hunting from boats is allowed to the extent said boat is directly in front of an approved and designated blind location. When not in use, all boats left by the owners beside the duck blinds shall be securely docked;
- D. At least one (1) of the blind holders shall be at the Lake Sahoma concession stand one (1) hour before legal shooting time in order to claim his blind for that day. Legal shooting times are per the Oklahoma Department of Wildlife Conservation hunting regulations. If the blind is not claimed by such time it shall be given by the lake custodian to the first person making request there for such day, and that person shall have full hunting privileges therein. The holder of the duck blind assignment may not assign his rights thereto to any other person.

[Prior Code, Sec. 15-14; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-419 REGISTRATION AND RECORD OF HUNTERS.

Persons hunting upon Lake Sahoma shall register for each day's hunt with the lake custodian who shall keep a permanent record of such registrations. [Prior Code, Sec. 15-15; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-420 USE OF CERTAIN FIREARMS PROHIBITED.

The shooting of rifles or pistols of any caliber and of shotguns loaded with shot larger than size No. 4 is hereby prohibited upon the lakes mentioned in Section 11-410. (Prior Code, Sec. 15-16; Ord. 834; Ord. 2689, 08/19/2013]

SECTION 11-421 VIOLATIONS AND PENALTIES.

A holder of a duck blind assignment under this article failing to comply with the provisions of Section 11-418 shall forfeit his right to such location for the current year. Any person violating any of the other provisions of this article shall, upon conviction, be punished as provided by Section 1-108 of this code. [Ord. 2689, 08/19/2013]

Parks, Recreation, and Cemetery

ARTICLE D

FISHING

SECTION 11-425 APPLICABILITY OF ARTICLE.

The provisions of this article shall be effective upon all the creeks, lakes, and laterals composing the water supply of the City, and upon Pretty Water Lake and Rock Creek from Lake Sahoma to the south boundary of the municipal park of the City. [Ord. 2689, 08/19/2013]

SECTION 11-426 PERMIT REQUIRED.

Except as provided in Section 11-428, it shall be unlawful for any person to fish in or upon any of the waters designated by Section 11-425 without obtaining and having in possession a fishing permit from the City. In addition, it shall be unlawful for any person to fish upon Pretty Water Lake without first obtaining and having in possession a Trout Fishing or Catfish/Panfish Fishing Permit from the City. [Prior Code, Sec. 15-19; Ord. 765; Ord. 777; Ord. 1004; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-427 ISSUANCE GENERALLY.

The permits required by Section 11-426 shall be issued by the City Clerk or by his duly authorized agent for such purpose. (Prior Code, Sec. 15-20; Ord. 765, Sec. 2; Ord. 777, Sec. 1; Ord. 1004, Sec. 1.)

SECTION 11-428 CLASSIFICATION; FEES; PERSONS UNDER SEVENTEEN (17) YEARS OF AGE OR AGE SIXTY-FIVE (65) OR OLDER.

- A. Fishing permits as required by this article shall be of the following eight (8) kinds:
1. A Yearly General Permit, which shall entitle the holder to fish for the period of one (1) year from the date of issuance (except on Pretty Water Lake);

Yearly General Fishing Permit: \$10.00 plus tax per year. Ages 17-64
 2. A Daily General Permit, which shall entitle the holder to fish until sunrise following the day of issuance thereof (except on Pretty Water Lake);

Parks, Recreation, and Cemetery

Daily General Fishing Permit: \$2.00 plus tax Daily. Ages 17-64

3. Trout Season Adult Fishing Permit, which shall entitle the holder to fish in or upon Pretty Water Lake during the period of November 1 through March 31, or other period designated by the City as Trout Season.

Trout Season Adult Fishing Permit:

\$15.00 plus tax for Regular Season Permit. Ages 17-64

\$10.00 plus tax for Special Season Permit available to persons 9-16 years of age; 65 years or older; or with a disability or receiving SSI benefits;

Children 8 years and younger Free.

4. Trout Daily Fishing Permit, which shall entitle the holder to fish in or upon Pretty Water Lake during the period of November 1 through March 31, or other period designated by the City as Trout Season.

\$5.00 plus tax Daily Permit (valid on day purchased only). Ages 9 and older.

5. Family Trout Fishing Permit, which shall entitle the holder to fish in or upon Pretty Water Lake during the period of November 1 through March 31, or other period designated by the City as Trout Season.

Family Season Permit. \$25.00 plus tax.

Note: Family household members must have same address on ID and/or State fishing license. Must be purchased at the Lake Sahoma Bait and Concessions Store Only.

6. Catfish Season Adult Fishing Permit, which shall entitle the holder to fish in or upon Pretty Water Lake during the period of April 15 through October 15, or other period designated by the City as Catfish Season.

Catfish Season Adult Fishing Permit: \$15.00 plus tax for Regular Season Permit. Ages 17-64

\$10.00 plus tax for Special Season Permit available to persons 9-16 years of age; 65 years or older; or with a disability or receiving SSI

Parks, Recreation, and Cemetery

benefits.

7. Catfish Daily Fishing Permit, which shall entitle the holder to fish in or upon Pretty Water Lake during the period of April 15 through October 15, or other period designated by the City as Catfish Season.

\$5.00 plus tax Daily Permit (valid on day purchased only). Ages 9 and older.

8. Family Catfish Fishing Permit, which shall entitle the holder to fish in or upon Pretty Water Lake during the period of April 15 through October 15, or other period designated by the City as Catfish Season.

Family of 4 Season Permit. \$25.00 plus tax.

Note: Family household members must have same address on ID and/or State fishing license. Must be purchased at the Lake Sahoma Bait and Concessions Store Only.

Children 8 years and younger Free.

General, Trout, and Catfish fishing permits shall be sold for such sums as are set by the Master Fee Schedule. General fishing permits to fish shall not be required of persons under the age of seventeen (17) years; and provided, further, that no fee shall be charged persons sixty-five (65) years of age or older or from a person who has a disability as defined by the Americans with Disabilities Act, or who receives SSI income as their major source of income.

[Prior Code, Sec. 15-21; Ord. 765; Ord. 777; Ord. 1004; Ord. 1798; Ord. 1823; Ord. 2225; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-429

STATE LICENSE PREREQUISITE TO ISSUANCE.

Before the City Clerk, or his duly authorized agent, shall issue a permit to fish to any person, as required by this article, such person shall exhibit a current license to fish issued to such applicant by the state. [Prior Code, Sec. 15-22; Ord. 765; Ord. 777; Ord. 1004; Ord. 2689, 08/19/2013]

SECTION 11-430

PRINTING; RECORD.

The City Clerk shall cause consecutively numbered General, Trout, and Catfish fishing permits to be printed, and shall keep a record in which the number of the permit, the name of the person to whom issued, the date of issuance and the day or year for which

Parks, Recreation, and Cemetery

the permit is issued is entered in writing, and such record shall be open to inspection to any resident of the City or any game warden of the State. [Prior Code, Sec. 15-23; Ord. 7652; Ord. 777; Ord. 1004; Ord. 2689, 08/19/2013]

SECTION 11-431 DISPOSITION OF FUNDS RECEIVED UNDER ARTICLE.

All monies received by the City Clerk from the sale of fishing permits required by this article shall be kept in a separate fund and shall not be used for any purpose other than for the protection and propagation of fish and the maintenance and improvement of such waters for fishing, except that fifty cents (\$0.50) from each permit sold may be remitted to or retained by any outside vendor selling such City fishing and/or trout permits. [Prior Code, Sec. 15-24; Ord. 2369, 10/01/2001; Ord. 2689, 08/19/2013]

SECTION 11-432 GAME FISH REGULATIONS GENERALLY.

It shall be unlawful for any person to take, catch, or kill any fish commonly designated as game fish from the waters regulated by this article by any means other than by hook and line, flies, plugs, or other similar artificial lures.

Fishing by trotlines, juglines, throwlines, limblines, yo-yos, seines, and throw nets in all areas of Lake Sahoma and Pretty Water Lake is hereby prohibited. It is also unlawful for any person to seine or use a throw net to catch or kill any fish, minnows, shad, or other aquatic animals or to use a seine or throw net for any purpose within any body of water regulated by this chapter, or to fish for commercial purposes upon any such body of water.

As used herein the following terms have the ascribed meaning: a trotline is an unattended line placed in the water with hooks along its length and attached at each end; a jugline is an unattended vertical line with hooks suspended from a non-metallic or non-glass device, drifting free or anchored; a throwline is an unattended line attached at one end and weighted at the other with hooks along its length; a limbline is an unattended line with hooks attached to a limb, branch or other natural object; a yo-yo is an unattended line with hooks and attached to a self activating retracting device; a seine is typically a large net with sinkers on one edge and floats on the other that hangs vertically in the water and is used to enclose fish when its ends are pulled together or are drawn ashore; a throw net is a casting net typically ten (10) feet square, which may either be used from a boat or from the shoreline to catch fish, minnows, shad or other aquatic animals.

It shall be unlawful for any person to take, catch or kill any trout or catfish from the waters regulated by this article by any means other than by single rod and reel fishing. Fishing on Pretty Water Lake and Lake Sahoma with more than two (2) rods at a time or with more than two (2) hooks on a rod/line is prohibited; except that fishing on or in the Lake Sahoma Covered Fishing Dock with more than one (1) rod at a time or with more than two (2) hooks on a rod/line is prohibited. The Pretty Water Lake Catch and Release

Parks, Recreation, and Cemetery

Rules in effect during the Trout and Catfish Seasons are allowed only if the fish is unharmed and immediately released back into the water. If a fish is injured in any way or put on a stringer or in a basket, it may not be released. A five (5) fish limit per person per day is hereby imposed during the established trout and catfish fishing season.

Trout Fishing is prohibited upon Pretty Water Lake between sunset and sunrise each day. Catfish/panfish fishing is prohibited upon Pretty Water Lake from 10:00 p.m. until sunrise each day.

[Ord 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-433 SIZE AND CATCH OF CERTAIN FISH RESTRICTED.

It shall be unlawful for any person to take and keep from any of the waters designated by Section 11-425 fish of the species known as Bass, or any variety thereof, that is smaller than fourteen (14) inches in length. It shall also be unlawful for any person to take, catch, or keep in possession more than six (6). It shall be unlawful for any person to catch or keep in his possession more than five (5) Channel Catfish from Pretty Water Lake in any one (1) day. It shall also be unlawful for any person to catch or keep in his possession more than five (5) Trout from Pretty Water Lake in any one (1) day. State of Oklahoma fishing rules and regulations shall govern any and all other rules and regulations not specifically covered herein. [Prior Code, Sec. 15-26; Ord. 765; Ord. 2402, 03/17/2003; Ord. 2689, 08/19/2013]

SECTION 11-434 CLOSING WATERS REGULATED BY ARTICLE.

The City Council of the City shall have the authority to close any or all of the waters, specified by this article to fishing by resolution duly adopted by such Council, and may close the same for any period deemed necessary. [Prior Code, Sec. 15-27; Ord. 765; Ord. 2689, 08/19/2013]

SECTION 11-435 ENFORCEMENT OF ARTICLE.

The City Manager may appoint one (1) or more special officers to enforce the regulations of this article, and such officers shall have authority to make arrests for violations of the provisions hereof. [Prior Code, Sec. 15-28; Ord. 765; Ord. 2689, 08/19/2013]

ARTICLE E

CAMPING AT LAKE SAHOMA

Parks, Recreation, and Cemetery

SECTION 11- 436 APPLICABILITY OF ARTICLE.

The provisions of this article shall be effective upon the areas designated for such activities within the Lake Sahoma Municipal Park of the City of Sapulpa. [Ord. 2689, 08/19/2013]

SECTION 11- 437 PERMIT REQUIRED.

Except as provided in Section 11-439, it shall be unlawful for any person to camp in or upon any of the City's municipal park areas except for the areas designated at Lake Sahoma.

It shall be unlawful for camping at Lake Sahoma Park without obtaining and having in possession a camping permit from the City.

Camping fees are non-refundable.

[Ord. 2689, 08/19/2013]

SECTION 11- 438 ISSUANCE GENERALLY.

The camping permits required by Section 11-437 shall be issued by the City's Lake Sahoma caretaker or by his/her duly authorized agent for such purpose. All camping fees must be paid in advance. No Exceptions.

From May 1 through September 30 annually, the Director of Parks and Recreation shall ensure that no more than five (5) campsites of the seven (7) total R/V sites available are reserved and utilized for long term R/V camping.

All Daily Campsite Fees are due each day no later than 9:00 a.m.

A Night Drop Box is available for after hours payment at the City of Sapulpa Lake Sahoma Concession building. Campers must complete the provided City Camping Permit Form in its entirety and place the form and the camping fee in the envelope provided and place them in the night drop box slot.

[Ord. 2689, 08/19/2013]

SECTION 11- 439 CLASSIFICATION; FEES; SHORT AND LONG TERM; PERSONS 65 YEARS OF AGE OR OLDER; RULES.

Tent and recreational vehicle (R/V) camping is allowed at Sahoma Lake within the areas designated by City for such activities.

Parks, Recreation, and Cemetery

- A. Tent camping
 - 1. The Maximum tent camping duration is fourteen (14) days.
 - 2. A maximum of two (2) tents allowed per campsite.
- B. Recreational Vehicles (R/V) camping is allowed at Sahoma Lake within the areas designated by City for such activities. Short term (daily) and long term (1 to 3 months) are allowed.
 - 1. Long Term R/V Camping is from one (1) to three (3) months in length. The maximum R/V camping period is three (3) months. Renewal of three (3) month term is allowable upon approval of the Director of Parks and Recreation and/or his duly authorized representative (Lake Caretaker).
 - 2. All camping renewals are due on the expiration date. No Exceptions.
 - 3. No skirting or decks allowed on R/V's in campsite.
- C. All Daily Campsite Fees are due each day no later than 9:00 a.m.
 - 1. Night drop is available for after hours payment at the City of Sapulpa Sahoma Lake Concession building.
 - 2. Complete the form provided in its entirety and place form and fee in envelope provided and place in night drop slot.
- D. Rules – Please refer to Sapulpa City Code for further definitions, limitation of activities, rules and regulations, prohibited acts, acts requiring permits, fees, penalties for violations, and curfews governing the use of City of Sapulpa parks and recreation facilities.
 - 1. Camping area needs to be kept clean and orderly.
 - 2. All trash is to be put in trash bags and placed in trash dumpster provided by the City.
 - 3. Dogs & cats only. Dogs must be kept on a leash. You are required to pick up and properly dispose of all pet excrement.
 - 4. For R/V camping only; Boat and vehicle must be parked in designated parking areas only. No more than one (1) boat and two (2) vehicles

Parks, Recreation, and Cemetery

allowed per R/V site.

5. Camp fires in fire rings only. Please make sure fires are out before leaving unattended. No fires allowed during burn ban.
6. No ATV's allowed.
7. No trespassing allowed on private property abutting City of Sapulpa Lake Parks.
8. No swimming.
9. Campers are required to comply fully with the City of Sapulpa Code, and all rules and regulations, ordinances, etc. whether posted or not. Failure to fully comply may result in removal from the park.
10. Fishing Permits are required at Sahoma Lake for individuals ages 16-64.

[Ord. 2689, 08/19/2013]

SECTION 11- 440

RECORD.

The Sapulpa Parks and Recreation Department's Lake Caretaker shall issue permits and shall keep a record in which the camping permit, the name of the person to whom issued, the date of issuance and the day, month, or months for which the permit is issued is entered in writing, and such record shall be open to inspection to any resident of the City or any game warden of the State. [Prior Code, Sec. 15-23; Ord. 765; Ord. 777; Ord. 1004; Ord. 2689, 08/19/2013]

SECTION 11- 441

ENFORCEMENT OF ARTICLE.

The City Manager may appoint one or more special officers to enforce the regulations of this article, and such officers shall have authority to evict campers for violations of the provisions hereof. [Prior Code, Sec. 15-28; Ord. 765; Ord. 2689, 08/19/2013]

Parks, Recreation, and Cemetery

CHAPTER 5

GOLF COURSE

ARTICLE A

GENERAL PROVISIONS

Section 11-501	Composition.
Section 11-502	When Course Closed to Public.
Section 11-503	Destroying, Mutilating, Etc., Greens, Fairways, Etc.; Driving, Etc., Motor Vehicle Thereon.
Section 11-504	To be Operated as Separate Utility.
Section 11-505	Green Fees.

ARTICLE B

GOLF COURSE COMMISSION

Section 11-511	Creation of Commission.
Section 11-512	Size, Term.
Section 11-513	Composition, Qualifications.
Section 11-514	Quorum, Procedure.
Section 11-515	Votes.

ARTICLE A

GENERAL PROVISIONS

SECTION 11-501 COMPOSITION.

For the purposes of this chapter, the municipal golf course shall include all that portion of the municipal park of the City used as, or in connection with, the golf course, but shall exclude the following portions of the municipal park:

- A. The roadside park adjacent to U.S. Highway 66.
- B. The softball and baseball fields.

[Prior Code 4-23; Ord. 1131; Ord 2223, 08/04/1997]

Parks, Recreation, and Cemetery

SECTION 11-502 WHEN COURSE CLOSED TO PUBLIC.

The municipal golf course of the City shall be closed to the public between the hours of 8:30 p.m. and 4:00 a.m. of each day of the year except that on Thanksgiving Day, Christmas Day, and New Years Day, the course shall be closed to the public for the entire day, and it shall be unlawful for any person, except officers and employees of the City, to go upon such golf course or the greens, fairways, and other portions thereof between such hours or on such days. [Prior Code 4-24; Ord. 2425, 12/15/2003]

SECTION 11-503 DESTROYING, MUTILATING, ETC., GREENS, FAIRWAYS, ETC.; DRIVING, ETC., MOTOR VEHICLE THEREON.

It shall be unlawful for any person to wilfully destroy, mutilate, or damage the greens, fairways or other parts of, or appurtenances to, the municipal golf course, and it shall further be unlawful for any person, other than an officer or employee of the City, to drive or operate a motor vehicle on the greens and fairways thereof; provided, that this prohibition shall not apply to motorized golf carts operated by persons engaged in playing golf on such course. [Prior Code, Sec. 4-25; Ord. 1131]

SECTION 11-504 TO BE OPERATED AS SEPARATE UTILITY.

The municipal golf course of the City shall be operated as a separate utility outside of the General Fund of the City and the revenue therefrom shall be carried in a separate cash fund to be designated as the "Municipal Golf Course Cash Fund," to be used for the maintenance and operation of the golf department and for such other purposes as may be permitted by law. [Prior Code 4-26; Ord. 1183]

SECTION 11-505 GREEN FEES.

- A. Persons using the municipal golf course shall pay greens fees for the use of the golf course as set forth in this section.
- B. Greens fees for Monday through Friday per eighteen (18) holes played and for Saturdays, Sundays and holidays per eighteen (18) holes played shall be in such sums as are set by the Master Fee Schedule. Additionally, a period to be known as "Twilight Play" is hereby established for periods past 5:00 p.m. on all days the golf course is open, during which time a green fee as set by the Master Fee Schedule for nine (9) holes of golf is hereby established.
- C. Persons wishing to do so may purchase annual permits which will allow them use of the golf course without the purchase of greens fees as set forth in Subsection B above. Charges for annual permits shall be as set forth in the Master Fee Schedule.

Parks, Recreation, and Cemetery

1. Individual permit;
 2. Persons aged sixty-five (65) or over; and
 3. Student through twelfth (12th) grade.
- D. All persons shall be required to sign in prior to tee off and shall be required to obtain a "fee permit" for each eighteen (18) holes played. The fee permit must be carried while on the course. The fee permit per eighteen (18) holes played shall be set by the City Council by motion or resolution. Such charge shall not apply to those persons holding unexpired annual permits as of March 21, 1988. Such persons shall be subject to all fee requirements however, upon the expiration of their annual permit. The normal fee permit charge provided for herein shall be reduced to a rate as set by the City Council for Twilight Play and additionally for any person wishing to play only nine (9) holes or less.
- E. All annual permits shall expire on the anniversary date of purchase.
- F. No "lifetime passes" shall be issued to persons except upon resolution of the City Council.
- G. No "free passes" shall be issued to present or former members of the City Council.
- H. Establishment of Golf Course Improvement Fund.

In order to compensate the City for costs associated with capital improvements to be made at the golf course and to raise the funds necessary for such improvements, the sum of Two Dollars (\$2.00) from each weekday, and/or weekend green fee charged and collected by the City at the regular or Twilight rate, and the sum of Two Dollars (\$2.00) from each golf cart fee charged and collected by the City shall be earmarked and received in escrow by the City in a separate fund for such purpose and the interest earnings if any will be added to the fund. Provided further that the sum of Two Dollars (\$2.00) from each weekday and/or weekend green fee charged and collected by the City at the senior rate, and the sum of Two Dollars (\$2.00) from each green fee charged and collected by the City at the junior, youth and/or city employee rates, shall be earmarked and received in escrow by the City in a separate fund for such purpose and the interest earnings if any will be added to the fund. This fund may then only be used by the City to pay all or any portion of the capital construction improvement costs at the golf course, including design and engineering costs. The City will deposit all such earmarked funds into a separate escrow account which may be used only for capital improvements to the City Golf Course.

Parks, Recreation, and Cemetery

[Prior Code, Sec. 4-26.1; Ord. 1813; Ord. 1915; Ord. 1967; Ord. 1984; Ord. 2105; Ord. 2107; Ord. 2253; Ord. 2329, 10/23/2000]

ARTICLE B

GOLF COURSE COMMISSION

Section 11-511	Creation of Commission.
Section 11-512	Size, Term.
Section 11-513	Composition, Qualifications.
Section 11-514	Quorum, Procedure.
Section 11-515	Votes.

SECTION 11-511 CREATION.

A Golf Course Commission is hereby created to advise the City Council on golf course related matters. [Ord. 2102, 12/21/92]

SECTION 11-512 SIZE, TERM.

The Golf Course Commission shall consist of seven (7) members appointed by the Mayor, and approved by the council, as follows:

- A. Two (2) for five (5) years;
- B. Two (2) for four (4) years;
- C. One (1) for three (3) years;
- D. One (1) for two (2) years; and
- E. One (1) for one (1) year.

Thereafter, each member shall serve for five (5) years or until a successor has been appointed, but in no event shall a member serve more than three (3) consecutive terms. Vacancies shall be filled for an unexpired term of any member in the manner set forth for appointments to a full term. [Ord. 2102, 12/21/1992; Ord. 2382, 08/05/2002]

SECTION 11-513 COMPOSITION, QUALIFICATIONS.

The Commission shall be composed of at least three (3) persons with a knowledge for the game of golf. [Ord. 2102, 12/21/1992]

Parks, Recreation, and Cemetery

SECTION 11-514 QUORUM, PROCEDURE.

In order to conduct official business, a quorum consisting of five (5) members must be present. Meetings shall be held at the call of the chair and at such other times as the Commission may determine. The chair, or in the absence of the chair, the vice-chair, or acting chair may administer oaths and compel attendance of witnesses. All meetings, deliberations, and voting of the commission shall be open to the public. The Commission shall keep minutes of its proceedings, showing the vote of each individual member, or if absent or failing to vote, indicating such fact. Records of the Commission are public records which shall be kept and immediately filed in the office of the City Clerk within City Hall. [Ord. 2102, 12/21/1992]

SECTION 11-515 VOTES.

All decisions made by the Commission will be by majority vote of the members present. (Ord. 2102, 12/21/1992)