

ORDINANCE NO. 1130

AN ORDINANCE AMENDING SECTION 3-104 and SECTION 12-303 OF THE HORTON MUNICIPAL CODE BY MAKING IT LAWFUL TO CONSUME ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGES ON CERTAIN DESIGNATED PROPERTY OWNED BY THE CITY OF HORTON, KANSAS.

BE IT ORDAINED by the governing body of the City of Horton, Kansas:

Section 1. Section 3.104 of the Horton Municipal Code is hereby amended as follows:

“3-104. CONSUMPTION ON PUBLIC PROPERTY. No person shall drink or consume any alcoholic liquor or cereal malt beverage on city owned public property. However, this prohibition shall not apply to the possession and/or consumption of alcoholic liquor or cereal malt beverage within: 1) the confines of the Horton Community Building commonly referred to as the “Blue Building” when said building is being utilized for private parties; 2) the confines of authorized campsites at Mission Lake; 3) the confines of city owned baseball/softball fields at such times that the same are utilized solely for competition between adult teams and 4) the confines of city airport at such times that the same are utilized solely for city approved adult activities.”

Section 2. Section 12.303 of the Horton Municipal Code is hereby amended as follows:

12-303. PUBLIC OFFENSES IN PARKS, LAKES AND ADJACENT AREAS, AND PUBLIC LANDS OWNED OR UNDER THE CONTROL OF THE CITY. The following acts shall be unlawful in parks, lakes, adjacent areas, and public lands owned or under the control of the city.

(a) Intentionally injuring, destroy, or disfiguring any fence, sign, gatepost, bench, table, boat dock, building, or other such property; including but not limited to the peeling of bark from trees, carving and chopping of trees, cutting branches, driving nails into trees, digging ground from the roots of trees and the removal of trees, shrubs and plants, the picking of flowers and other such acts injuring the public lands.

(b) Carrying or possessing any firearm thereon.

(c) Littering which for the purpose of the article shall be defined as follows: Intentionally dumping, throwing, placing, depositing or leaving or causing to be dumped, thrown, deposited or left any refuse of any kind or any object or substance which

tends to pollute, mar or deface, into, upon or about the above described Mission Lake, Park Lake and lands adjacent thereto.

(d) Intentionally damaging any seats, tables or other park equipment located within the Mission Lake, Park Lake and all land adjacent thereto as described above.

(e) Discarding any waste in the vicinity of a well or spring, urinating or defecating at any location other than toilets provided for the same.

(f) The riding of horses or the driving of automobiles or other motor vehicles on any children's playgrounds, bathing beaches or areas posted against such traffic use.

(g) Disorderly Conduct: With knowledge or probable cause to believe that such acts will alarm, anger or disturb others or provoke an assault or other breach of the peace:

(1) Engage in brawling or fighting;

(2) Disturbing an assembly, meeting or procession, not unlawful in this character; or

(3) Using offensive, obscene, or abusive language or engaging in noisy conduct tending reasonably to arouse alarm, anger or resentment in others.

(h) Operate a motor vehicle on a park road at a speed in excess of 20 m.p.h. except where otherwise posted.

(i) Bathing, swimming or wading except in accordance with posted regulations.

(j) Fishing in the lakes without a Kansas State fishing license unless exempted by the fish and game laws of the State of Kansas.

(k) Possession or consumption of alcoholic liquor or cereal malt beverages except within the confines of the Horton Community Building commonly referred to as the "Blue Building" when said building is being utilized for private parties; the confines of authorized campsites at Mission Lake; the confines of city owned baseball/softball fields at such times that the same are utilized solely for competition between adult teams and the confines of city airport at such times that the same are utilized solely for city approved adult activities..

(l) Violating any posted signs or regulations. Setting or possessing animal traps within the boundaries of city-owned and -operated land adjacent to Mission Lake and Park Lake is prohibited except by those contracted by the city or other governmental agency for the purpose of controlling animals that present a nuisance or hazard upon city property.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper.

PASSED by the governing body of the City of Horton, Kansas, this 17th day of June, 2013.

Mayor

ATTEST:

City Clerk