

JOHN M. NEFF  
CITY ATTORNEY

ORDINANCE NO. 1236

AN ORDINANCE RENAMING CHAPTER 20 AND INCLUDING IN THE CHAPTER REGULATIONS CONCERNING CEMETERIES; REGULATING CONDUCT IN PUBLIC PARKS AND CEMETERIES; PROVIDING FOR ENFORCEMENT; AND PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISIONS.

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. Chapter 20 is renamed "PARKS AND CEMETERIES."

Section 2. Section 20-6 is added to the Code as follows:  
"Park and Cemetery Property. No person in a park/<sup>or cemetery</sup> shall:

(1) Buildings and Other Property.

(a) Disfiguration and Removal. Wilfully mark, deface, disfigure, injure, tamper with or displace or remove any building, tables, benches, fireplaces, railings, cemetery monuments, stones or markers, other public utilities, or parts or appurtenances thereof, of signs, notices, placards, monuments, whether temporary or permanent, or other structures or equipment facilities of park and cemetery property or appurtenances whatsoever, either real or personal.

(b) Restrooms and Washrooms, Fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.

(c) Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or operate any business in or upon, string any public service utility into, upon, or across such lands, except on special written permit issued by the City Manager.

(2) Trees, Shrubberies, and Lawns. Damage, carve, transplant or remove any tree or plant or injure the bark or pick the flowers or seeds of any tree or plant."

Section 3. Section 20-7 is hereby added to the Code as follows:

"Sec. 20-7 Sanitation. No person shall dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans dirt, rubbish, waste, garbage or refuse or other trash in any park or cemetery except in receptacles provided therefore."

Section 4. Section 20-8 is hereby added to the Code as follows:

"Sec. 20-8 Vehicles in Park. All vehicles of every kind are prohibited from driving on any other area except designated roads. Such vehicles shall only

designated  
be parked in/parking areas or parallel parking on roads, leaving space for moving vehicles to use road, unless otherwise prohibited by signs erected."

Section 5. Section 20-9 is hereby added to the Code as follows:

"Sec. 20-9 Park and Cemetery Operating Policy.

(1) Except for unusual and unforeseen emergencies, parks and cemeteries shall be opened to the public every day of the year from 7:00 A. M. o'clock to 11:00 P. M. o'clock, unless special permission is granted in writing by the City Manager. No person or vehicle shall be within any park or cemetery except during the operating hours.

(2) Closed Area. Any park, part of a park or cemetery may be declared closed to the public by the City Manager at any time and for any interval of time, either temporarily or at regular and stated intervals and may be entirely limited to certain uses as the City Manager shall find reasonably necessary."

Section 6. Section 20-10 is hereby added to the Code as follows:

"Sec. 20-10 Enforcement. The City police, the City Manager, or anyone appointed by him for the purposes of caring for the cemeteries and parks shall have the power to enforce the provisions of this Ordinance and shall have the authority to eject from the park or cemetery any person acting in violation of any of the provisions of the Code or laws of the State of Nebraska."

Section 7. Section 20-11 is hereby added to the Code as follows:

"Sec. 20-11 Rules and Regulations. More specific rules and regulations not contrary to the provisions of this Ordinance may be established by the City Manager and a copy of such regulations shall be kept by the City Clerk and made available for any citizen who desires to read them."

Section 8. Section 20-12 is hereby added to the Code as follows:

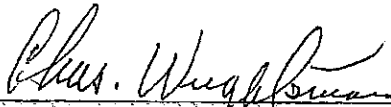
"Sec. 20-12 Penalty. Any person who violates any of the provisions of this Ordinance or any provisions of any regulation adopted as herein provided, shall upon conviction be punished as provided in the general penalty section in Section 1-7.

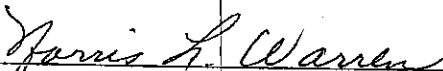
Section 9. That all parts of the Code in conflict with this Ordinance are hereby repealed.

PASSED AND APPROVED June 22, 1971

ATTEST:

City Clerk

  
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President of the Council

  
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City Clerk