

RESOLUTION NO. 019-2022

DATE ADOPTED: 1-19-2022

DATES PUBLISHED: _____

**A RESOLUTION AMENDING CHAPTER 20, ARTICLE IV OF THE
SEDGWICK COUNTY CODE RELATING TO PARKS, LAKES AND RECREATIONAL
FACILITY RULES AND THE ENFORCEMENT THEREOF**

WHEREAS, on the 25th day of August, 1993, Sedgwick County, Kansas (“County”) approved Resolution 159-1993 which adopted the Sedgwick County Code;

WHEREAS, Chapter 20, Article IV of the Sedgwick County Code sets forth the rules, regulations and fees for the use of Sedgwick County parks, lakes and recreational facilities, and for the enforcement thereof;

WHEREAS, current fees are no longer consistent with regional market rates for similar facilities and services;

WHEREAS, amending fees for certain uses of the parks, lakes and recreational facilities will better enable Sedgwick County to continue to provide high quality facilities;

WHEREAS, it has come to the attention of the County that rules and regulations for camping violations should be revised to encourage the proper use and enjoyment of the facilities;

WHEREAS, the County wishes to amend rules and regulations for the use and enjoyment of the parks subject to Article IV of the Sedgwick County Code;

WHEREAS, amendments are proposed to Sections 20-106, 20-109, 20-113, and 20-115 of the Sedgwick County Code; and

WHEREAS, the County is authorized pursuant to K.S.A. 19-101, *et seq.*, to enact and enforce this resolution; more specifically, K.S.A. 19-2803a allows the County to adopt, by resolution, reasonable rules and regulations regulating and licensing the use and enjoyment of any park, lake or other recreational area by the public and for the protection and preservation of such property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS that:

SECTION I. Sedgwick County Code Section 20-106 shall be amended as follows to add a

definition for “nuisance,” with the remainder of such section remaining unchanged:

“*Noodling* means fishing without the use of poles, lines, hooks, or other equipment.

Nuisance means anything which

- 1) threatens the health or safety of any person; or
- 2) obstructs the free use of property so as to interfere with the comfortable enjoyment of said property; or
- 3) adversely affects the park or a substantial number of other campers.

Owner means a person, other than a lienholder, having the property in or title to a vessel. The term includes a person entitled to the use or possession of a vessel subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.”

SECTION II. Sedgwick County Code Section 20-109(a)(4) shall be amended to read as follows, with the remainder of such section remaining unchanged:

“(4) *Lake Afton Park camping permit fees.* Fees for a Lake Afton Park camping permit purchased at the park office or at the self-pay station shall be as follows. Fees indicated with an asterisk (*) apply only from March 1 through October 31:

a. Rates:

Primitive, per day (or any portion thereof) \$11.00

*Primitive, per week \$66.00

Electric, per day (or any portion thereof) \$15.00

*Electric, weekly (or any portion thereof) \$90.00

*Electric, monthly \$375.00

b. Senior citizens' and military rates:

Primitive, per day (or any portion thereof) \$10.00

*Primitive, per week \$60.00

Electric, per day (or any portion thereof) \$13.00

*Electric, weekly (or any portion thereof) \$78.00

*Electric, monthly \$330.00

- c. Permit purchased from park employee. Camping permits purchased in the park from a park employee shall be assessed an additional five dollars (\$5.00) per day.
- d. Water hookup permits. Campers may obtain water hookups for an additional charge of two dollars (\$2.00) per day at some campsites.
- e. Lake Afton Park large group discounts. Large groups wishing to camp at Lake Afton Park may contact the park superintendent about reduced rates. Advance notice to the park superintendent must be given and a deposit to be determined by the park superintendent based on the size of the group.
- f. Recreational permit. Recreational permits corresponding to the dates of the camping permits will be issued by the park superintendent at no additional cost.
- g. Use of dump station. The fee for use of a dump station is five dollars (\$5.00) per use which will be waived with purchase of a recreational permit.
- h. Camping fees are waived for boy/girl scouts camping in areas designated by park superintendent.
- i. One (1) enclosed trailer is allowed at no additional fee provided it is not connected to electricity. An additional trailer is one dollars (\$1.00) per day.
- j. Outdoor lighting at night with one (1) bulb (100-watt maximum) is allowed. Additional lighting (more than one (1) bulb, bulb over one hundred (100) watts or during day) is fifty cents (\$0.50) per day.
- k. Any person camping at Lake Afton Park who fails to make a timely payment upon the expiration of a permit, yet remains camping at Lake Afton Park, shall be charged a fine of five dollars (\$5.00) per day for all days such person camps at Lake Afton Park after the expiration of their permit.”

SECTION III. Sedgwick County Code Section 20-113(b) shall be amended to read as follows, with the remainder of such section remaining unchanged:

“(b) *Camping at any county park, lake or recreational area; rules and regulations.*

...

- (17) A camper shall be prohibited from causing, maintaining, or permitting to be maintained a nuisance upon a campsite.

(18) A camper shall be limited to three hundred (300) total days of camping per one calendar year. Camper, as used in this section, means any individual, group, and/or camping unit. ”

SECTION IV. Sedgwick County Code Section 20-113(c) shall be amended to read as follows, with the remainder of such section remaining unchanged:

“(c) *Violations.*

...

(18) *Maintaining a campsite nuisance.* It is a violation of this article for a camper to cause, maintain, or permit to be maintained a nuisance upon a campsite after having been given two (2) warnings by the park superintendent or a designee of such park superintendent and a reasonable opportunity to correct the nuisance. Maintaining a campsite nuisance is a class G violation.

(19) *Exceeding the yearly camping limit.* It is a violation of this article for a camper to refuse to vacate or reenter with the intent to establish the park upon notice by the park superintendent or a designee of such park superintendent that camper has exceeded three hundred (300) total days of camping in one calendar year. Camper, as used in this section, means any individual, group, and/or camping unit. Exceeding the yearly camping limit is a class G violation.”

SECTION V. Sedgwick County Code Section 20-115(b)(3) shall be amended to read as follows, with the remainder of such section remaining unchanged:

“(3) A person shall obtain a current shelter house permit from the park superintendent before using the shelter house #4 at Lake Afton Park. Any person occupying an open shelter is permitted to only temporarily enclose such shelter on one (1) side by the use of tarp or other soft, pliable materials, but shall not totally enclose such shelter.

Notice: Any other shelter house at Lake Afton Park which is open-sided is available for use on a first come, first served basis.”

SECTION VI. Preservation.

All rights and remedies of Sedgwick County and the citizens and residents thereof are expressly preserved and saved as to any and all violations of Chapter 20, Article IV of the Sedgwick County Code and enacting resolutions that have accrued at the time of the effective date of this resolution. The court shall have all the powers that existed prior to the effective date of this resolution as to all such accrued violations. All provisions within Chapter 20, Article IV of the Sedgwick County Code not specifically modified by this resolution shall remain in place and be unaffected by this resolution.

SECTION VII. Severability.

Should any section, clause or provision of this resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION VIII. Publication and Effective Date.

The Sedgwick County Clerk shall publish this resolution three (3) times in the official county newspaper. This resolution shall take effect and be in force from and after: (a) its approval and adoption by the Board of County Commissioners of Sedgwick County, Kansas; (b) upon its publication once each week in a newspaper of general circulation in the county for three (3) consecutive weeks; and (c) upon the conspicuous posting at the entrance or entrances to the facilities covered hereby of the substance of these rules and regulations together with the penalties for violations hereof. Provided, that items indicated in (a) through (c) have occurred, this resolution shall be effective on the 1st day of March, 2022, and if such items have not occurred prior to such date, this resolution shall become effective upon the occurrence of items (a) through (c).

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Commissioners present and voting were:

PETER F. MEITZNER
SARAH A. LOPEZ
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 19th day of January, 2022.

ATTEST:

[Signature]
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

[Signature]
DAVID T. DENNIS, Chairman
Commissioner, Third District

[Signature]
SARAH A. LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

[Signature]
CHELSEA ANDERSON
Assistant County Counselor

[Signature]
PETER F. MEITZNER
Commissioner, First District

[Signature]
LACEY D. CRUSE
Commissioner, Fourth District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District