

RESOLUTION NO. 050-2020

DATE ADOPTED: 3/11/2020

DATES PUBLISHED: _____

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

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, amendments are proposed to Sections 20-109, 20-113, and 20-115 of the Sedgwick County Code and Section 20-122 is proposed to be added; 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 20-109 shall be amended to add subsection (b)(6), with the remainder of such section remaining unchanged:

(b) *Sedgwick County Park.*

...

(6) *Weekday Shelter House Discounts at Sedgwick County Park.* On Mondays through Thursdays, with the exception of the holidays as defined specific to this section as indicated below, the following discounted shelter house rental rates shall apply at the Sedgwick County Park:

Small open-sided shelter #5. per day (or any portion thereof) . . . \$ 10.00

Medium open-sided shelter #1 and 2. per day (or any portion thereof) . . . \$45.00

Large open-sided shelter #4. per day (or any portion thereof) . . . \$75.00

- "Horseshoe" enclosed shelter, per day (or any portion thereof) . . . \$100.00
- "Plum" enclosed shelter, per day (or any portion thereof) . . . \$200.00
- "Sunflower" or "Cottonwood" enclosed shelters, per day (or any portion thereof) . . . \$150.00
- "Wheatland" shelter, per day (or any portion thereof) . . . \$75.00

All of the other provisions contained within Section 20-109(b) shall continue to apply to shelter house rentals at Sedgwick County Park.

To the extent any shelter house rentals at Sedgwick County Park do not indicate any discount under this Section 20-109(b)(6), the regular fees indicated within Section 20-109(b) shall apply to such facilities.

For purposes of this section, "holidays" shall include all legal holidays recognized by the state of Kansas within K.S.A. 35-107.

SECTION II. Sedgwick County Code Section 20-113(b)(10) shall be amended as follows, with the remainder of such section remaining unchanged:

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

...

- (10) A camper shall be prohibited from establishing a campsite at any one (1) camping area or limited stay area for longer than fourteen (14) consecutive days. Failure of a camper to move from a camping area or limited stay area after the fourteenth consecutive day will result in the assessment of an additional per day late moving fee of fifteen dollars (\$15.00) for each day past the fourteen-day stay limit. Also, to the extent that a camper stays past the fourteen-day stay limit by a number of days, such number of days shall be subtracted from such camper's next fourteen-day stay limit.

SECTION III. Sedgwick County Code Section 20-113(c) shall be amended to add subsections (15) through (17), with the remainder of such section remaining unchanged:

(c) *Violations.*

...

- (15) *Remain at the park after failing to pay any required fees after four (4) days.* It is a violation of this article for a camper to remain at the park after failing to pay any required fees after four (4) days. Remain at the park after failing to pay any required fees after four (4) days is a class G violation.
- (16) *Two (2) or more campers teaming, or acting in unison, to secure any campsite for*

longer than fourteen (14) days. It is a violation of this article for two (2) or more campers teaming, or acting in unison, to secure any campsite for longer than fourteen (14) days. Two (2) or more campers teaming, or acting in unison, to secure any campsite for longer than fourteen (14) days is a class G violation.

- (17) *Failure to display current license plate or temporary tag.* It is a violation of this article for any vehicle, camper, or trailer that is required by Kansas law to have a valid and current license plate or temporary tag to fail to display said plate or tag on said vehicle, camper, or trailer in order to establish a campsite. Failure to display current license plate or temporary tag is a class G violation.

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

Sec. 20-115. Use of shelter houses and picnic tables.

- (b) *Shelter houses.*

...

- (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 two (2) sides 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 V. Sedgwick County Code Section 20-115(c) shall be amended to add subsection (c)(9), with the remainder of such section remaining unchanged:

- (c) *Violations.*

...

- (9) *Enclose shelter house #4 at Lake Afton Park on more than two (2) sides.* It is a violation of this article for a person to enclose shelter house #4 at Lake Afton Park on more than two (2) sides. Enclose shelter house #4 at Lake Afton Park on more than two (2) sides is a class G violation.

SECTION VI. Sedgwick County Code Section 20-122 shall be added and state as follows:

Sec. 20-122. – Usage of the Judge Riddell Boys Ranch Recreation Area.

- (a) *Timeframe for usage.* The area of Lake Afton Park marked by signs and/or otherwise

physically marked as the Judge Riddell Boys Ranch Recreation Area shall be open to the public from sunrise to sunset. Persons should not utilize or occupy such area except between a day's sunrise and such day's sunset.

- (b) *Violations.* It shall be a violation of this article to utilize or occupy the area of Lake Afton Park marked by signs and/or otherwise physically marked as the Judge Riddell Boys Ranch Recreation Area at any time that is not between a day's sunrise and before such day's sunset. Utilize or occupy the Judge Riddell Boys Ranch Recreation Area at an unauthorized time of the day shall be a class G violation.

SECTION VII. 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 VIII. 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 IX. 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 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 April, 2020, and if such items have not occurred prior to such date, this resolution shall become effective upon the occurrence of items (a) through (c).

Commissioners present and voting were:

PETER F. MEITZNER
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 11 day of March, 2020.

ATTEST:

Karen S. Baird
for KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

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JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor