

TITLE 19. PUBLIC PARKS AND TRAILS

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Chapter 1. Repealed

Chapter 2. Repealed

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Chapter 4. General Provisions

19-4-1	Statement of Purpose
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19-4-1 Statement of Purpose. The purpose of this Title is to protect the health, safety and welfare of the users of the Clinton City Public Parks and Trails by establishing and controlling the use of Public Park and amenities outlined in this Title, as well as setting up procedures related to management and outside influences. The objectives of this Title are:

- (1) To insure an enjoyable experience by all users of Public Park.
- (2) To prohibit damage from improper use of Public

Parks and accompanying facilities.

(3) To manage and control group use of Public Parks and accompanying facilities.

(4) To protect the environment.

(5) To effectively utilize public money in creating and maintaining Public Parks.

(6) To minimize prolonged interruptions to Public Park use.

(7) To insure the directed development of Public Parks and infrastructure.

(8) To establish legal authority to regulate and monitor the use of Public Parks.

(9) To establish guidelines that will protect Public Parks and Trails for generations to come.

19-4-2 Application. This Title shall apply to all Public Parks, Trails, and Public Park Facilities and improvements associated with Public Parks and Trails as outlined in this Title. Rules, regulations and schedules adopted in connection with this Title may be cited and designated as the “Public Parks Code” by reference to the respective Sections.

19-4-3 Inappropriate Activities: Individuals causing a hazardous situation due to apparent willful, wanton, or reckless disregard for public safety, individuals, or private or public property in or on any area covered by this Title may be cited as being in violation of this ordinance.

19-4-4 Penalty for Violations. Any person or legal entity violating any of the provisions of this Title or committing any acts prohibited by this Title shall be deemed in violation of a Class “C” misdemeanor and shall be subject to an order of restitution for any damage, cleanup, or expense borne by the City.

History: 6/83, 9/8, 6/93, 5/99, 8/02, 5/10

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Chapter 5. Definitions

19-5-1 Definitions

19-5-1 Definitions. For the purposes of this title, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“City” means Clinton City Corporation.

“Group Event” means an organized picnic, exhibit, show, class, or similar gathering at which food is served, or for which the group brings to the Public Park furniture and equipment such as tables, booths, tents or play equipment. It does not include City-sponsored or co-sponsored events. A group event shall be considered Clinton-based if the applicant is a City resident, a business or school located in the City, or a nonprofit community organization, a majority of whose members or board are City residents. All other group events shall be considered nonresident group events. An event that uses a public right-of-way is classified a “Special Event” and is covered in title 25.

History: 10/10

“Operating Hours” means the regular operating hours for Public Parks, 5:00 a.m. to 11:00 p.m. except as noted for City functions, trails, and lit sports fields and courts, and walking paths.

History: 10/10

“Outdoor Public Place” means any outdoor public or private place open to the general public regardless of any fee or age requirement. Examples of Outdoor Public Places include but are not limited to: Public Parks, playgrounds, recreational areas, golf courses, amphitheaters, sports fields, concession stands, boweries, bleachers, cemeteries, public gardens, outdoor eating areas, walking/running trails and pathways and skate parks.

“Permit” or “Public Park Use Permit” means a certificate, written approval or other system established by the Recreation Director to engage in activities in Public Parks in the City as specified in this Title. Unless otherwise expressly provided in this Title, all permits required under this Title shall be obtained from the Recreation Department.

“Park” or “Public Park” means a specific piece of ground, owned, operated, maintained or under the contractual control of the City and set apart for the recreational use of the general public, whether developed or undeveloped, including natural parks and that is usually, or may be, planted with trees, lawns and other shrubbery. A Public Park may include within its boundary facilities for sports,

entertainment, dancing, recreation, swimming, or a Public Park may be planned for any beneficial use by the public. A Public Park may have numerous facilities or consist of only a single facility. Facilities means any building, playground equipment, basketball court, tennis court, skate court, croquette court, volleyball court, baseball field, softball field, soccer field, wading pool, and/or recreation area which are owned or operated by the City, or for which the City has enforcement and/or maintenance responsibilities. A Public Park includes the entire site of the Public Park, including, without limitation, all structures thereon, and any Public Park parking lots in or adjacent to the Public Park site.

“Person” means any individual, public or private corporation, partnership, association, firm, trust, estate, the state or any department, institution, bureau, or agency thereof, any municipal corporation, county, City and county, or other political subdivision of the state, or any other legal entity whatsoever which is recognized by the law as being subject to rights and duties.

“Playground” means any Public Park or recreational area designed in part to be used by children that has play or sports equipment installed or has been designed or landscaped for play, swimming or sports activities, or any similar facility located on public or private grounds.

“Privately Owned” means any privately-owned business that is open to the general public regardless of any fee or age requirement.

“Publically Owned” means any indoor or outdoor place or portion of a place owned, leased, or rented by any state, county, or city government, or by any agency supported by appropriation of, or by contracts or grants from funds derived from the collection of federal, state, county, or city taxes.

“Public Works” means the Clinton City Public Works Department.

“Public Works Director” means the Director of the Clinton City Public Works Department or his appointed representative.

“Supervisor” or “Parks Supervisor” means the Clinton City Parks Supervisor as appointed by the Clinton City Public Works Director.

“Recreation Department” means the Clinton City Recreation Department.

“Recreation Director” means the Clinton City Recreation Director or any person designated by the City Manager or the Recreation Director to perform the duties under this title.

“Smoke” or “Smoking” means the possession of any lighted tobacco product in any form. Ref. Davis County Board of Health Regulation on Smoking.

“Trails” means designated pedestrian and biking trails within the City, e.g. Denver Rio Grand West Railroad Historic Trail, Clinton City Creek Trail,

Clinton City Park and Powerline Trail.

“Walking Paths” means designated walking areas within Public Parks that generally circle back on themselves within a reasonable short distance, e.g. Meadows Park, Kestrel Park, Pond Park, and Powerline Park.

Chapter 6. Administration

- 19-6-1 Use of Public Parks
- 19-6-2 Regulations
- 19-6-3 Responsibility of Administration
- 19-6-4 Office of Primary Responsibility
- 19-6-5 The Recreation Director
- 19-6-6 The Public Works Director
- 19-6-7 Duties of the Parks Supervisor
- 19-6-8 Policies
- 19-6-9 Fees

19-6-1 Use of Public Parks. The use of all Public Parks and other areas under the direction of the City is permitted under the rules and regulations hereinafter set forth in this title.

19-6-2 Regulations. The City Council shall have power and retains the right to adopt regulations controlling the manner and circumstances under which Public Park may be used in addition to the regulatory provisions set forth expressly in this Title. These regulations may include, but are not limited to, the types of activities, functions, and organizations that may use a Public Park.

19-6-3 Responsibility of Administration. The City Manager shall administer, implement, and enforce the provisions of this Title. Any powers granted or duties imposed upon the City may be delegated by the City Manager to persons or entities acting in the beneficial interest of or in the employ of the City.

19-6-4 Office of Primary Responsibility. The Clinton City Public Works Department is the Office of Primary Responsibility for review and proposing changes to this Title. The Public Works Director may call on other departments for assistance in reviewing this Chapter.

19-6-5 The Recreation Director. The Recreation Director shall be responsible for the implementation of programs and facility scheduling within Public Park.

19-6-6 The Public Works Director. The Public Works Director shall appoint a person to act as the Parks Supervisor for implementation of this Title.

19-6-7 Duties of the Parks Supervisor. The Public Works Director shall prescribe the Supervisor's duties, and direct the manner and frequency of reporting on Public Park as outlined in this Title.

19-6-8 Policies. The Public Works and Recreation Directors may coordinate and adopt policies, with the City Manager's review and approval, consistent with this Title and any resolutions passed by the City Council, to assist in the application, administration and interpretation of this Title and management of Public Park and Public Park facilities as established in this Title.

19-6-9 Fees. The Clinton City Council shall set the amount of fees required to facilitate actions outlined in this Title by resolution and published in the Clinton City Consolidated Fee Schedule. Consideration of fees shall include but not be limited to those needed to cover the cost of administration, reviews, publications, and related issues. Deposits to cover the cost of restoring the public property together with the incidental expenses in connection therewith may be included. Use fees shall not exceed the reasonable costs of providing the services. Fees for nonresident group events shall reflect the fact that nonresident groups do not contribute to the support of Public Park through the payment of real property taxes and assessments.

History: 5/10

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Chapter 7. Permits

19-7-1	Intent
19-7-2	Permit Required
19-7-3	Permit – Cost – Deposit
19-7-4	Permit – Application – Contents
19-7-5	Permit – Review and Issuance
19-7-6	Appeal
19-7-7	Signs – Permitted Site
19-7-8	Interfering with a Permitted Use

19-7-1 Intent. The use of Public Parks in the City by groups causes wear and tear on the turf, Public Park equipment, and facilities, and it requires staff time to provide coordination. Additional supplies, restroom cleaning and rubbish service are required. These uses can subject neighboring residents to excessive noise and traffic, particularly when the Public Park is small or use is particularly intense. Groups wishing to use a Public Park sometimes find that their use is in conflict with that of another group, and on occasion, group use is so intense that casual use by families and individuals, which is one of the principal purposes of Public Park, is not possible. Because Public Parks are attractive and well maintained, their use is intensifying, particularly for activities like employee picnics, family gatherings, church groups and by groups from other cities. These groups do not contribute to the maintenance of Public Park through the payment of property taxes and assessments. If the City does not regulate the intensity of group use of its Public Parks, and provide for the payment of fees where appropriate, it will not be able to maintain the very qualities in its Public Parks that make them attractive.

19-7-2 Permit Required.

- (1) No group desiring to have exclusive use of a reservable bowery within a Public Park, for a specific period of time, shall do so without first obtaining a permit from the Recreation Director.
- (2) No group desiring to utilize the Community Center or other building within Public Park shall do so without first obtaining a permit from the Recreation Director.
- (3) Permits are intended to secure the area specifically stated on the permit for the permittee and do not imply exclusive use of any other area or the entire area of a Public Park unless specifically outlined in the permit.

19-7-3 Permit - Cost - Deposit. All fees and deposits are to be paid to the Recreation Department upon a permit being issued. No permit is valid unless the cost and deposit required by §19-6-9 have been

paid to the Recreation Department.

19-7-4 Permit - Application - Contents.

Applications for permits shall be made in writing on forms provided by the Recreation Director, or other means developed by the Recreation Director, and shall be filed with the Recreation Department together with any application fees as may be established as set in §19-6-9. The application shall accurately identify the applicant, the nature of the event, the preferred date, time and location, the expected attendance, the activities proposed, if power is requested and any furniture, equipment, banners, or sound amplification proposed, together with other information as the Recreation Director shall determine is necessary to determine if the application should be issued under the standards of this chapter.

19-7-5 Permit - Review and Issuance.

(1) The Recreation Director shall propose and City Council shall review and adopt by resolution time limits within which applications must be filed or reservations made, establishing and designating those portions of Public Parks for which reservations and permits shall be allowed or required for group events. Consideration shall be given to setting insurance requirements, setting priorities among categories of City-based and nonresident group events, length of time for which an area may be reserved, and otherwise establishing the procedures and standards for group events by the Recreation Director. No Public Park may be entirely reserved for group events.

(2) The Recreation Department shall provide notice to owners of property within three hundred feet of any Public Park when the recreation department approves any Public Park use by any group of three hundred or more or by any group which wishes to use amplified sound. City sponsored functions are exempt from notice requirements.

(3) The Recreation Director, in consultation with the Superintendent, shall issue a group event permit upon determining that the proposed group event can be accommodated at the time and date requested, and at a location in which it can take place without damaging the Public Park landscaping and equipment, overloading any restroom and other facilities, conflicting with other events, or creating traffic congestion or excessive noise in the neighborhood. In allocating sites for group events, the Recreation Director shall consider both the impact of the particular group event and the cumulative impact of events in that location. The permit shall be issued with conditions as are necessary to carry out the intent of this chapter, and

may include a requirement that City staff be present during the event. Fees for staff required at an event shall be established as set in §19-6-9. Equipment and activities that may damage the Public Park or adversely impact the neighborhood may be prohibited. While applicants may designate a preferred location, the decision as to which site may be used shall be made by the Recreation Director.

(4) A permit shall be denied if the findings of § (3) above cannot be made to create an acceptable impact upon the Public Park, and it may be denied if, within the past two years, the applicant or the group has failed to abide by the terms of a previously issued permit, or has otherwise violated the provisions of this title.

19-7-6 Appeal. The Recreation Director's decision may be appealed to the City Manager by filing an appeal, in writing, within ten (10) days of receiving the Recreation Director's decision.

19-7-7 Signs – Permitted Site.

(1) This chapter shall apply in all Public Parks even if signs are not posted advising of the requirement of permits for group events.

(2) If a permit has been issued a minimum of seven (7) days prior to an event, the Recreation Director shall cause a notice to be placed at the location, within the Public Park, indicating when the site is reserved.

19-7-8 Interfering with a Permitted Use.

(1) No unauthorized person shall occupy a reserved site thirty (30) minutes prior to or after a permitted event without the explicit permission of the permitted event organizers.

No unauthorized person shall interfere with an event or the participants of an event in the area for which a permit has been issued without explicit permission of the permitted event organizers.

History: 5/10

Chapter 8. General Public Park Standards

19-8-1	Public Park Hours
19-8-2	Fires
19-8-3	Firearms
19-8-4	Missiles
19-8-5	Parking
19-8-6	Roads
19-8-7	Garbage and Waste
19-8-8	Commercial Enterprises
19-8-9	Speed Limit
19-8-10	Vandalism
19-8-11	Dogs
19-8-12	Golf
19-8-13	Obstructions - Prohibited
19-8-14	Other Non-Permitted Uses and Activities

19-8-1 Public Park Hours. No person shall remain, stay, or loiter in any Public Park, in the buildings therein, or the Public Park parking lot, or park a vehicle in any Public Park parking lot, between 11:00 p.m. and 5:00 a.m. without first obtaining a permit from the Recreation Department, unless using a lit trail, sports field or court, or participating in a City function.

19-8-2 Fires. No person shall light or maintain any fire, except in a stove, fire circle or other place provided for that purpose, without first having obtained a permit from the Recreation Director.

19-8-3 Firearms. No unauthorized person shall discharge any firearms, firecrackers, rockets or any other fireworks, air gun or slingshot in a Public Park in the city.

19-8-4 Missiles. No person shall throw, launch, or project along, upon or across any public highway or driveway within a Public Park any object capable of causing personal injury or damage to personal property.

19-8-5 Parking. No person shall park or stand any vehicle on any road or path except at places and at any times designated by the City. No person shall park in any lot within the Public Park in violation of posted restrictions or park hours.

19-8-6 Roads. No person shall ride or drive any horse or other animal or propel any vehicle, cycle or automobile in a Public Park other than on roads, trails or driveways provided for that purpose and in the directions posted.

19-8-7 Garbage and Waste. No person shall throw, discard, place or dispose of any garbage or solid waste in a Public Park, in any place other than a garbage can or other container maintained for that purpose. No person shall bring or transport bulk

waste, garbage, green waste, hazardous waste, or solid waste, to a Public Park and place it in a garbage can or other container maintained for that purpose in a Public Park.

19-8-8 Commercial Enterprises. Public Parks in the city are intended as places for recreation and relaxation and the free exchange of ideas, but not as a forum for commercial enterprise. Therefore, no person shall sell, offer or solicit the sale of goods or services within a Public Park, or pass out commercial handbills or advertising, or offer commercial teaching services within a Public Park. This prohibition shall not apply to activities when authorized by a special event permit, or other city permit or function.

19-8-9 Speed Limit. No person shall drive any vehicle at a speed in excess of fifteen (15) miles per hour maximum in any Public Park or Public Park parking lot.

19-8-10 Vandalism. No person shall:

(1) Pick, dig, remove, destroy, injure, mutilate or cut any tree, plant, shrub, bloom or flower, or any portion thereof growing in a Public Park;

(2) Cut, break, deface or injure any building, monument, sign, fence, bench, equipment or property in a Public Park;

(3) Cut or remove any wood, turf, grass, soil, rock, sand or gravel in a Public Park.

19-8-11 Dogs. No person shall:

(1) Take or permit any dog within any Public Park in the City. This prohibition shall apply irrespective of whether or not the dog may be restrained by a leash or carried; provided, however, that the provisions of this section may be waived for activities or events of a recreational nature authorized and/or supervised by the recreation department.

(2) Exceptions to this provision are outlined in § 19-9-9, however at no time shall dogs be allowed off leash in a Public Park unless part of an authorized and/or supervised event by the recreation department.

19-8-12 Golf. No golf equipment of any kind shall be used in Public Parks. The provisions of this section may be waived for activities of a recreational nature authorized and/or supervised by the Recreation Department.

19-8-13 Obstructions - Prohibited. A person shall not willfully and maliciously loiter or stand in or upon any street, trail, walkway, sidewalk, crosswalk, off-street parking area or otherwise occupy any portion of a Public Park, trail, or walkway in a manner as to obstruct or unreasonably interfere with

the free passage of pedestrians or motorists except as allowed in this Title.

History: 5/10

19-8-14 Other Non-Permitted Uses and Activities.

All activities which endanger the health, safety and welfare of Public Park users shall be prohibited, including, but not limited to:

- (1) Equestrian uses;
- (2) Drinking of alcoholic beverages;
- (3) Use of tobacco as established in Chapter 10;
- (4) Driving of unauthorized motor vehicles in areas; not designed as roadways and parking lots;
- (5) Parking in no parking areas;
- (6) Archery;
- (7) Allowing animals, like dogs, cats and other household pets, in a Public Park;
- (8) Unauthorized camping overnight;

(9) Climbing on power poles or utility structures;

(10) Depositing, leaving, or abandoning of any domesticated or wild animal in any Public Park;

(11) Feeding, hiding or leaving food or otherwise facilitating the habitation of any domesticated or wild animals in any Public Park unless part of a permitted use or as otherwise stated in this Title; or,

(12) Engaging in any other activity deemed by a police officer to affect the health, safety, and welfare of other Public Park users.

(13) Riding bicycles is not allowed on the walking path located at Meadows Park. This is not intended to exclude: toddler bicycles, bicycles with training wheels, tricycles or similar juvenile riding toys when the operator is under the direct supervision of an adult walking the path; or, police officers performing their assigned duties on bicycles.

History: 6/83, 9/84, 6/93, 9/02, 5/10, 9/10

Chapter 9. Public Park Uses

19-9-1	Alcohol
19-9-2	Drugs
19-9-3	Gas and Charcoal Barbeque Grills
19-9-4	Skateboard Park Use
19-9-5	BMX Bicycle Track
19-9-6	Pond Park
19-9-7	Trails
19-9-8	Walking Paths
19-9-9	Exceptions for Dogs

19-9-1 Alcohol.

(1) No person shall enter, be or remain in any Public Park, Public Park parking lot or Public Park building while in possession of, transporting, purchasing, selling, giving away or consuming any alcoholic beverage.

(2) Alcoholic beverages shall not be allowed and a permit shall not be issued for any function where alcohol will be served, in a Public Park, Public Park parking lot or building.

History: 5/10

19-9-2 Drugs. All Public Parks are drug free zones as established in State Statute § 58-37-8, § 58-37a, and 58-37b in that it is unlawful:

(1) For any person knowingly or intentionally to possess or use a controlled substance analog or a controlled substance, unless it was obtained under a valid prescription or order, directly from a practitioner while acting in the course of his professional practice or as otherwise authorized in or within 1000 feet of a Public Park, trail, walkway, or public building.

(2) For any person knowingly or intentionally to deliver, distribute, give, sell, transfer, dispense or otherwise make available to another person any controlled substance analog or controlled substance in or within 1000 feet of a Public Park, trail, walkway, or public building. This is not intended to apply to a parent or legal guardian administering to a minor where the substance was obtained under a valid prescription or order, directly from a practitioner while acting in the course of his professional practice or as otherwise authorized.

(3) For any person knowingly or intentionally to use, to possess with intent to use, deliver, distribute, give, sell, transfer, dispense or otherwise make available to another person drug paraphernalia designed for processing, ingesting, or otherwise using a controlled substance in or within 1000 feet of a Public Park, trail, walkway, or public building.

(4) For this section it is at least a Class B misdemeanor but may be higher or increased in severity as established in the referenced sections of the Utah State Code.

History: 5/10

19-9-3 Gas and Charcoal Barbeque Grills. Care should be exercised by all persons using a barbeque grill to insure that heat or flames do not ignite anything in proximity to the grill or cause smoke stains upon any structure. At a minimum the following must be followed:

(1) When using gas grills on concrete or other surface where grease and oil will stain or mar the surface operators must protect the area under the grill; or,

(2) When using charcoal grills they must not be placed on tables, landscaped areas or other areas where heat may kill vegetation or embers may mar or ignite the surface.

History: 5/10

19-9-4 Skateboard Park Use. In addition to prohibited activities found in § 19-8-14, the following rules shall be in effect for the City Skateboard Park:

(1) All participants involved in any on-site skating activity shall at a minimum wear the following safety equipment:

(a) A safety helmet secured on the head with straps under the chin;

(b) Protective Knee pads;

(c) Protective elbow pads; and,

(d) Wrist supports and gloves are recommended,

(2) No disorderly conduct is allowed;

(3) Be respectful and courteous to other Skateboard Park participants;

(4) No motorized or remote controlled vehicles are allowed in or on the Skateboard Park at any time;

(5) Bicycles are allowed in or on Skateboard Park only on Mondays. Bicycle use rules shall be the same as Section § 19-9-5.

(6) Skating is allowed in or on Skateboard Park every day except Mondays;

(7) All participants use the facilities at their own risk.

History: 8/02; 9/07

19-9-5 BMX Bicycle Track. In addition to prohibited activities found in § 19-8-14, the following rules shall be in effect for the City BMX

Bicycle Track:

- (1) All participants shall at a minimum wear a safety helmet secured on the head with straps under the chin.
- (2) Other recommended safety equipment - protective knee and elbow pads, wrist supports, shoes, and gloves.
- (3) No disorderly conduct is allowed;
- (4) Be respectful and courteous to other BMX Track participants;
- (5) No motorized or remote controlled vehicles are allowed in or on the BMX Track at any time that a bicyclist is on the track or intending to use the track.
- (6) No unauthorized alterations to the BMX track shall be allowed.
- (7) All participants use the facilities at their own risk.

History: 8/02, 5/10

19-9-6 Pond Park. In addition to the prohibited activities found in § 19-8-14, the following provisions apply to Pond Park and the Pond at Pond Park:

- (1) All Public Park rules apply to this Public Park;
- (2) All Utah State fishing regulations apply at this pond;
- (3) Anglers 12 years old and older must possess a valid Utah Fishing License;
- (4) Shore fishing only;
- (5) Fishing allowed daily;
- (6) Small non-motorized boats, paddleboats, kayaks, or canoes are permitted on the pond from noon to 6:00 p.m.
- (7) Remote control model boats may only be used during boating hours outlined in § (6) above.
- (8) Youth under the age of sixteen (16) must be accompanied by an adult when using small boats outlined in §(6) above;
- (9) No swimming or wading at any time; and
- (10) All participants use the pond and facilities at their own risk.

History: 5/10, 4/12

19-9-7 Trails. In addition to the prohibited activities found in § 19-8-14, the following provisions apply to the trails established within the City:

- (1) All Public Park rules apply to trails within the City;
- (2) All individuals utilizing the trails within the City shall be responsible for removing their own rubbish;
- (3) No individuals shall enter private yards, or harass animals or individuals in yards adjoining trails;
- (4) No individuals shall climb fences adjoining trails;
- (5) Bicycle riders shall yield to all other trail users, i.e. roller-skater's/bladders, pedestrians and individuals with walking or transportation aids such as wheelchairs; and,
- (6) No unauthorized motorized vehicles are allowed on the trails.

19-9-8 Walking Paths. In addition to the prohibited activities found in § 19-8-14, the following provisions apply to the trails established within the City:

- (1) All Public Park rules apply to walking paths within the City;
- (2) All individuals utilizing the walking paths within the City shall be responsible for removing their own rubbish;
- (3) Roller-skater's, Roller-blader's, scooter users and bicyclists, where allowed, shall yield to pedestrians and individuals with walking or transportation aids such as wheelchairs; and
- (4) No unauthorized motorized vehicles are allowed on the walking paths.

19-9-9 Exceptions for Dogs. The provisions of this Title relative to walking of dogs are modified as follows:

- (1) No more than two (2) dogs may be walked by any one person at a time;
- (2) In all situations, dog handlers are required to clean up and properly dispose of any waste left by their animals;
- (3) Aid dogs, "seeing-eye" or "hearing" dogs properly trained to assist handicapped individuals when dogs are actually being used to aid an individual are allowed in all City Parks;
- (4) Aid dogs may be fed while in a Public Park, however all food not consumed by the animal shall be removed from the Public Park;
- (5) Dogs may be walked on a leash only, along the following trails and walkways: Clinton City Creek trail; Powerline Park walkway; Clinton Rail Trail; Clinton Pond walkway, Clinton City Park walkway, and Kestrel Park walkway.

(6) Individuals walking dogs in areas permitted in § (5) above are responsible for the behavior of their animals. At no time shall dogs be allowed to act aggressively toward any individuals or other animals; and,

(7) Approved walking areas for dogs have bag dispensers and receptacles for waste; however the

lack of bags or receptacles is not an excuse for not cleaning up and removing waste from approved walking areas for dogs.

History: 6/93, 8/02, 10/09, 5/10, 4/14

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Chapter 10. No Smoking Allowed

- 19-10-1 Findings
- 19-10-2 Adoption of County Regulations
- 19-10-3 Golf Courses
- 19-10-4 Employee Smoking Areas
- 19-10-5 Signs

19-10-1 Findings. The City Council has determined that there is ample evidence that smoking in any form, and the resultant secondhand smoke, poses a serious hazard to the health of members of the general public and City employees and can have a deleterious effect on the health and welfare of those in the vicinity of smoking activity. Smoking includes the definition of E-cigarette found in Utah Code 26-38-2, which includes all manner of vapor and oral devices. Secondhand smoke has been deemed a Class "A" Carcinogen which produces substances considered hazardous and dangerous to individuals' health. In order to serve the public health, safety and welfare, the City Council has determined that it is necessary and desirable to establish regulations that prohibit smoking in Publically-Owned and Privately-Owned Outdoor Public Places.

19-10-2 Adoption of County Regulations. The

Davis County Board of Health Regulation on Smoking in Outdoor Public Places and Electronic Smoking Device Regulation are adopted in Clinton City to regulate smoking in outdoor public and private places. (Authorized under ([Utah Code 26A-1-121](#))).

19-10-3 Golf Courses. Golf course practice greens, driving ranges and areas around the clubhouse are considered outdoor public places and are subject to the smoking restriction outlined in this chapter. However, all other golf course areas including fairways and tee areas are exempt.

19-10-4 Employee Smoking Areas. This regulation does not apply to smoking areas for employees. Designated employee smoking areas are subject to the Utah Indoor Clean Air Act 26-38-1-9.

19-10-5 Signs. Signs stating that smoking is prohibited in Public Parks shall be clearly, sufficiently and conspicuously posted in all Public Parks. The manner of posting, including the wording, size, color, design and place of posting, shall be determined by the City Manager or his designee.

History: 1/03, 9/07, 5 /10, 09/15

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Chapter 11. Public Parks Advisory Board

- 19-11-1 Board Created – Appointment – Term – Purposes – Voting – Meetings
 19-11-2 Removal and Vacancy

19-11-1 Board Created – Appointment – Term – Purposes – Voting – Meetings.

(1) There shall be a Public Parks Advisory Board consisting of seven (7) volunteer members, each of whom shall be appointed to serve by the Mayor and the advice and consent of the City Council. Each member shall be appointed for two (2) years, except that three (3) of the initial members shall be appointed to serve for one (1) year.

(2) The voting Board membership shall consist of six (6) citizens of Clinton City over the age of eighteen (18) years of age and of one current City Council member. The Board members shall by majority vote annually elect one (1) of the six (6) citizen appointed members as the Chair. Four (4) members shall be required for a quorum. Voting shall be by majority rule of that quorum, with a minimum of four (4) votes in favor for passage of a recommendation. Items not passed by a minimum four (4) votes in favor, shall be passed onto the City Council without a recommendation. The City Manager shall staff the Board with such City staff members as may be necessary.

History: 10/10, 2/11

(3) The Public Parks Advisory Board shall advise and

make recommendations, when necessary, to the Mayor and City Council on policies and matters relating to development and use of Public Parks and trails; gather local citizen input on Public Parks and trails; periodically review Public Park uses, equipment and development needs; and, annually review the Public Parks portion of the City's Capital Facilities Plan in conjunction with the annual Plan update.

(4) The Public Parks Advisory Board shall meet at least quarterly, but may meet as frequently as needed to accomplish their duties and responsibilities.

(5) The City will seek to achieve diversity of interest and a balanced geographical representation of committee membership.

19-11-2 Removal and Vacancy.

(1) Any member of the Board may be removed by the Mayor, with the advice and consent of the City Council.

(2) A member's seat automatically becomes vacant if that member establishes residence outside the City boundary, or lives outside the boundary for more than sixty (60) consecutive days.

(3) If any member does not attend three (3) consecutive meetings, the Board by majority vote, may recommend to the Mayor and City Council to remove the absent member and provide a replacement member for the remainder of the existing term.

History: 1/06, 9/07