

**CITY OF CENTENNIAL,  
COLORADO**

**ORDINANCE NO. 2012-O-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
CENTENNIAL, COLORADO AMENDING THE CENTENNIAL  
MUNICIPAL CODE BY THE ADDITION OF A NEW ARTICLE 7  
ENTITLED "PARKS" TO CHAPTER 11 GOVERNING STREETS,  
SIDEWALKS AND PUBLIC PROPERTY, AND PROHIBITING CERTAIN  
ACTIVITIES WITHIN THE CENTENNIAL CENTER PARK AND  
PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND  
PROVIDING FOR AN ADMINISTRATIVE POLICY FOR PARK USE  
PERMITTING**

**WHEREAS**, by Resolution No. 2008-R-22, the City adopted the Centennial Parks, Open Space, Trails and Recreation Master Plan ("Master Plan") which identified the need for a central park within the City to help unify the community, strengthen its identity and provide needed recreation facilities; and

**WHEREAS**, in 2008, in accordance with the Master Plan, the City acquired 11 acres of park and open space land adjacent to the Centennial Civic Center for the purpose of developing such central park within the City ("Centennial Center Park" or "Park"); and

**WHEREAS**, construction of improvements within Centennial Center Park has been completed and the Park is opening for public use on a phased basis; and

**WHEREAS**, the City has the authority pursuant to Section 1.2 of its Home Rule Charter and C.R.S. § 31-15-702 to regulate the use of such public park.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL,  
COLORADO, ORDAINS:**

**Section 1.** Chapter 11 of the Centennial Municipal Code is hereby amended by the addition of a new Article 7 entitled "Parks" to read as follows in its entirety:

**ARTICLE 7**

**Parks**

**Sec. 11-7-10. Permitting and administrative policy.**

(a) The City Manager is hereby authorized to promulgate an administrative policy and rules for:

- (1) Setting park hours,

- (2) use of space limitations, including temporary closures of areas of the parks,
  - (3) rentals of facilities within the City's parks,
  - (4) permitting of larger group gatherings, including criteria and an administrative process and appropriate fees, and
  - (5) permitting for exceptions to any prohibitions generally applicable within the parks.
- (b) Such policy shall include, but not be limited to, the following:
- (1) a preference for residents or resident businesses in reserving park facilities;
  - (2) permit fees shall be based on costs incurred by the City related to scheduled gatherings due to security, waste removal, staffing and other associated cost; and
  - (3) a requirement for proof of adequate liability insurance from event sponsors when greater than 75 persons attend such event.

**Sec. 11-7-20. City exception.**

Except for the appropriate legally required permits related to service or sale of alcoholic beverages, as the owner of the parks, the City shall not be required to obtain permits for City-sponsored events in City parks. The prohibitions set forth in this Ordinance shall not apply to City-sponsored events that specifically authorize the activity otherwise prohibited.

**Sec. 11-7-30. Centennial Center Park; Prohibited activities.**

(a) Except when a valid permit is issued by the City specifically allowing such activity, which permits may be issued only for certain of the following activities, within the Centennial Center Park, it is unlawful to:

- (1) Place or post signs other than during an event and in conformity with the permit which specifically designates allowable signage for such event.
- (2) Camp overnight except in designated areas in conformity with a City-issued valid permit.

- (3) Enter or remain in or refuse to leave any park during those times when the park is not open for public use as posted. Such restrictions do not apply to City personnel performing security or park maintenance services or when a valid City-issued permit has been issued allowing park use at different hours.
- (4) Bathe, wade, or swim in any of the waters or water features, except in areas authorized for such activity and posted as authorizing such activity.
- (5) Permit any pets in the water play area.
- (6) Enter any fenced park at any point other than paved or gated access points.
- (7) Deposit, leave or bury refuse, trash or litter except by depositing such refuse, trash or litter in designated trash receptacles. If the receptacles are full, park users must take the litter out of the park with them when they leave the park.
- (8) Install any structure including, but not limited to, tents, booths, stands, awnings, tree houses, rope swings, inflatable amusements and canopies except that temporary awnings and umbrellas for shade are permitted as long as such structures do not exceed 25 square feet and are removed when the visitor leaves the park. This prohibition shall not apply to structure(s) as may be allowed by a permit issued by the City for a specific event and within the requirements or restrictions of such permit. Applications for such permits shall require the applicant to provide the specific location, size and duration of presence of such structure(s) and other such information as may be required by the City.
- (9) Operate remote control or control-line devices in the air or on the ground.
- (10) Ride bicycles, scooters, skateboards, roller skates, roller blades or similar wheeled recreational equipment.
- (11) Use any amplified sound system that produces sound audible beyond 25 feet. This prohibition shall not apply to sound systems as may be allowed by a permit issued by the City for a specific event and within the requirements or restrictions of such permit. Applications for such permits shall require the applicant to provide the specific time, location and volume limits and other such information as may be required by the City.

- (12) Stick or place any handbill, poster, placard or painted or printed matter upon any public building, or upon any fence, power or light pole, telephone pole or other public structure.
  - (13) Smoke, except in designated smoking areas if provided.
  - (14) Play or practice golf or archery.
  - (15) Bring into, possess, or have any glass bottle or container.
  - (16) Discharge explosives or fireworks or operate or launch model rockets or other devices which use an explosive charge.
  - (17) Use any park area for any private enterprise or to sell or offer for sale any tangible or intangible goods or services. This prohibition shall not apply to private enterprises or selling or offering for sale any tangible or intangible goods or services as may be allowed by a permit issued by the City for a specific event and within the requirements or restrictions of such permit. Applications for such permits shall require the applicant to provide the specific time, location and other such information as may be required by the City.
  - (18) Park motor vehicles overnight unless authorized by a permit issued by the City specifically authorizing such activity for the limited purpose of transporting materials for special events.
  - (19) Sell, serve, dispense, or consume any alcoholic beverage or 3.2% beer or possess an open container of any alcoholic beverage or 3.2% beer in a park or park parking area, except during an event authorized by appropriate permits, including the appropriate liquor licensing permit.
  - (20) Permit infants or young children not yet potty-trained in the water play area without wearing a swim diaper.
- (b) Within the Centennial Center Park, it is unlawful to:
- (1) Hunt, shoot, kill, injure, trap or maim any animal or bird.
  - (2) Permit any livestock to graze, or remain to graze, within the park.
  - (3) Destroy, vandalize, deface or damage any buildings, structures, signs, equipment, fences, gates or locks regulating access.

- (4) Enter, without authorization, those areas and facilities posted or otherwise designated as closed to the general public.
- (5) Dispose of trash in the park that park activities do not generate.
- (6) Knowingly mar, mutilate, deface, disfigure, remove or injure beyond normal use any rocks, trees, shrubbery, flowers, wildflowers or other features of the natural environment.
- (7) Knowingly remove, cut down, uproot, break or otherwise destroy any living trees, shrubbery, flowers, wildflowers or natural flora.
- (8) Build a fire at any location other than City-installed pits or grills, or to leave any fire unattended or fail to completely extinguish any fire.
- (9) Operate motor vehicles, except on designated roadways open to public use.
- (10) Knowingly possess an unconcealed firearm of any description, or a concealed firearm of any description, unless authorized to do so pursuant to C.R.S. § 18-12-214, or any air rifle, spring-gun, bow and arrow, sling paintball gun, air soft gun or any other weapon potentially inimical to wildlife or dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device.
- (11) Shoot into park areas from beyond park boundaries.
- (12) Bring horses or other animals, except dogs, into the park.

(c) In addition to the prohibited conduct and the prohibited activities set forth in subsections (a) and (b) of this Section, as regulated elsewhere in this Code, it shall also be unlawful within the Centennial Center Park to:

- (1) Leave on any park property, except in designated trash receptacles, or in any waters within park property, the fecal matter of any animal that one owns, possesses, or keeps, as regulated by Section 7-7-320 and punished in accordance with Section 7-7-170(d) of the Centennial Municipal Code.
- (2) Permit any dog to run or otherwise fail to keep any dog on a leash of not greater than 10 feet held by a person of sufficient age and physical ability to restrain as regulated by Section 7-7-410 and

punished in accordance with Section 7-7-170(e) of the Centennial Municipal Code.

(d) In addition to the prohibited conduct and the prohibited activities set forth in subsections (a) (b) and (c) of this Section, it shall be unlawful within the Centennial Center Park to:

- (1) Fail to comply with the terms of any permit issued for use of the park, including any permit which allows an exception to any of the prohibitions of this Article 7.
- (2) Violate any applicable City ordinance or state law.

**Sec. 11-7-40. Notice of rules.**

The City shall erect signs listing the rules and regulations set forth in this Article 7 in simplified language at all parks. The placement of such signs shall not be a prerequisite to or affect the City's ability to enforce any of the rules or regulations adopted in this Article 7.

**Sec. 11-7-50. Penalties.**

(a) Each separate day or any portion thereof during which any violation of Section 11-7-30 occurs or continues shall constitute a separate offense, and upon conviction thereof, shall be punishable as herein provided.

(b) Any person convicted of violating any provision of subsection (a) of Section 11-7-30 shall be fined a minimum of fifty dollars (\$50.00) for the offense.

(c) Any person convicted of violating any provision of subsection (b) of Section 11-7-30 shall be fined a minimum of one hundred dollars (\$100.00) for the offense.

(c) Any person convicted of violating any provision of subsection (c) of Section 11-7-30 shall be punished in accordance with the Section of this Code authorizing the pealty for such violation.

(d) Notwithstanding any other provision set forth in this Section, any person charged with a violation of this Article 7 related to any incident for which there is an issue of injury or damage for which restitution by a victim may be requested or ordered, shall be issued a summons and complaint requiring a mandatory court appearance.

**Section 2. Effective Date.** Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE 6<sup>th</sup> DAY OF February, 2012.

CITY OF CENTENNIAL

By: Cathy A Noon  
Cathy A. Noon, Mayor

Approved as to Form:  
[Signature]  
For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of February 6, 2012 and ordered published one time by title only in *The Villager* newspaper on February 9, 2012, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.



ATTEST:  
By: Brenda J. Madison  
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 22<sup>nd</sup> DAY OF February, 2012, BY A VOTE OF 9 IN FAVOR AND 0 AGAINST.

CITY OF CENTENNIAL  
By: Cathy A Noon  
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of February 22, 2012, and ordered published by title only, one time by *The Villager* newspaper on March 1, 2012 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.



ATTEST:

By: Brenda J. Medeson  
City Clerk or Deputy City Clerk