

# CITY OF DOVER

## ORDINANCE NO. 102

AN ORDINANCE OF THE CITY OF DOVER, BONNER COUNTY, IDAHO, REGULATING THE USE OF THE DOVER CITY HALL AND CITY PARK PROPERTIES; LIMITING THE USE OF CITY HALL AND CITY PARK PROPERTIES; PROVIDING FOR DEFINITIONS; ESTABLISHING RULES AND REGULATIONS; ESTABLISHING A PARKS DESIGNATED FUND; PROVIDING PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER, IDAHO AS FOLLOWS:

SECTION 1. Definitions. In construing the provisions of this Ordinance, the following definitions shall apply:

- a. **"City Hall"** means the City Hall building, surrounding yard and patios.
- b. **"Park Properties" or "Park Areas"** means parks, reservations, playgrounds, trails, paths, river front beach areas, bridges, public restrooms, parking lots and any other area in the City devoted to active or passive recreation.
- c. **"City Properties"** means any parcel of real property within the City of Dover owned and operated by the City.
- d. **"Litter"** means all waste, whether biodegradable or non-biodegradable, including but not limited to, garbage, trash, ashes, industrial waste, demolition and construction waste, abandoned vehicles and parts thereof, and all vegetable waste including yard and garden trimmings.
- e. **"Public Place"** means any area that is used or held out for use by the public whether owned or operated by public or private interests.
- f. **"Watercraft"** means including, but not limited to, any boat, ship, vessel, barge, jet-ski, canoe, kayak, seaplane or other floating craft of any type, description, size, make or model.
- g. **"Service Animal"** means any animal which is trained or being trained to aid a person who is blind, hearing impaired or otherwise disabled and is used for that purpose.
- h. **"Service Vehicle"** means any motorized vehicle, including but not limited to, wheelchairs used for mobility or to aid a person who may be physically impaired or otherwise disabled and is used for that purpose.
- i. **"Private" or "Private Event"** means an event where any person(s) is specifically and individually invited.
- j. **"Public" or "Public Event"** means an event open to the public, and includes an event where tickets, invitations, or announcements are available to the public.

SECTION 2. Regulating the Use of City Hall and City Properties. No person(s) or group(s) shall be permitted to rent the City Hall or City properties for private or organizational use. Public use of the Meeting Room of City Hall may only be permitted with prior approval of the Mayor or two (2) City Councilmembers. A City employee and/or City Councilmember must sponsor and be present during the time period approved for that use. A security and/or cleaning deposit(s) may be required.

SECTION 3. Operating Hours of Park Properties.

- a. Except for permitted special events, park properties shall be closed to the public every day of the year between the hours of ten o'clock (10:00) P.M. and four o'clock (4:00) A.M., as posted.
- b. During the winter months the City properties and/or park areas may be open, but the properties, including but not limited to trails and/or paths, will not be maintained, including but not limited to, snow-plowing and de-icing except for the City Hall walkways and the City Hall parking lot.
- c. The operating hours of the City parks and/or park areas may be changed at the discretion of the Mayor.

SECTION 4. Prohibiting Dogs Without Leash.

- a. No dog(s) shall be allowed on City properties and/or park areas without a leash.
- b. Service animals are permitted on City properties, park areas and/or public buildings as long as they are on a leash.
- c. Except for City authorized activities, no person(s) shall bring any horse or other large animal on City properties and/or park areas.
- d. The animal(s)' owner(s) shall be held responsible for any damage and/or animal waste clean-up.

SECTION 5. Prohibiting Alcoholic Beverages. No person(s) shall bring, possess or consume alcoholic beverages on any City properties and/or park areas.

SECTION 6. Prohibiting Glass Containers. No person(s) shall bring any glass containers of any kind on any City properties and/or park areas.

SECTION 7. Prohibiting Fires. No person(s) shall kindle or build a fire on any City properties and/or park areas except in bar-b-que receptacles provided for public use or in private receptacles or grills, provided they are placed in areas designated for such purpose.

SECTION 8. Prohibiting Weapons and Fireworks.

- a. No person(s) shall bring, possess, use, shoot, fire or cause to bring, possess, use, shoot or fire any weapons including but not limited to any pistol, revolver, rifle, shotgun, bb-gun, pellet gun, air gun, spring gun, slingshot, bow or any other weapon with a propelling force such as gun powder, a spring or air on any City properties and/or park areas.
- b. No person(s) shall bring, possess, use, shoot, fire or cause to bring, possess, use, shoot or fire any fireworks or explosives of any kind on any City properties and/or park areas.

SECTION 9. Prohibiting Distribution of Literature.

- a. No person(s) shall distribute on any City properties and/or park areas any circulars, cards or written materials of any kind or any literature.
- b. The only literature permitted on City properties and/or park areas are those posted by City personnel on the City Notice Board. No other exterior, directional or advertising signs shall be permitted. Nothing herein is intended to prevent any individual from carrying a sign.

SECTION 10. Regulating Assemblies, Parades, Special Events. Any group or assembly of twenty (20) persons or more shall notify the City Clerk prior to use of any City properties and/or park areas. A Special Events Permit and Special Events insurance may be required.

SECTION 11. Prohibiting Loitering. No person(s) shall loiter on any City properties and/or park areas.

SECTION 12. Prohibiting Fuel Powered Toys. No person(s) shall operate on any City properties and/or park areas any remote-control or radio-control apparatus, device, toy or machine, with any type fuel powered engine without prior written permission from the City and in a designated area.

SECTION 13. Prohibiting Disturbing the Public Peace.

- a. No person(s) shall use, maintain or operate a public address system, commonly called a P.A. System, or any other sound amplification system or apparatus on any City properties and/or park areas in a loud or otherwise offensive manner so as to cause actual discomfort or an annoyance to other users of City properties and park areas or surrounding property owners.
- b. No person(s) shall engage in loud, boisterous, threatening, abusive, insulting or indecent language or behavior, or engage in any disorderly conduct or behavior tending to breach the public peace.

SECTION 14. Prohibiting Camping. No person(s) shall establish or maintain any camp or other temporary lodging place on City properties and/or park areas. Any overnight camping in a recreational vehicle, motor vehicle or any other type of facility, contrivance, tent, camper, trailer or other vehicle on any City properties and/or park areas is specifically prohibited.

SECTION 15. Prohibiting Watercraft Docking Overnight. No watercraft of any type, description, size, make or model, motorized or non-motorized shall be docked or parked overnight on any City properties and/or park areas. Any watercraft found in violation of this Ordinance is subject to being removed, impounded and/or stored at the owner's sole responsibility, liability and cost.

SECTION 16. Prohibiting Any Seaplane or Aircraft. No seaplane or aircraft capable of traveling and operating on the water surface shall be allowed to be operated, driven, flown, beached, landed, pulled up upon, or attached to any City properties and/or park areas. Any seaplane or aircraft found in violation of this Ordinance is subject to being removed, impounded and/or stored at the owner's sole responsibility, liability and cost.

SECTION 17. Regulating Motorized Watercraft in a No Wake Zone.

- a. Any motorized watercraft of any type, description, size, make or model with a motor of any kind operated or driven within two hundred (200) feet of any designated "Swimming Area" and/or Pend Oreille River shoreline within Dover City limits shall operate with no wake and these stated designated areas shall be considered a "No Wake Zone".
- b. No motorized watercraft of any type, description, size, make or model with a motor of any kind shall be allowed to pull or tow skiers or any apparatus including but not limited to parachutes and tubes within two hundred (200) feet of any designated "Swimming Area" and/or Pend Oreille River shoreline within Dover City limits which would be considered operating within a "No Wake Zone".

SECTION 18. Restricting Motorized Watercraft in Certain Waterways. Only motorized watercraft with an electric motor shall be allowed to be operated, driven, beached, docked, attached to or pulled up upon any inland waterways, sloughs or tributaries within Dover City limits. Any other motorized watercraft found in violation of this Ordinance is subject to being cited, removed, impounded and/or stored at the owner's sole responsibility, liability and cost. Nothing herein is intended to restrict the use of non-motorized watercraft in these designated areas.

SECTION 19. Regulating Refuse and/or Trash Disposal.

- a. No household trash, refuse or brush may be brought onto City properties and/or park areas.
- b. No person(s) shall dump, deposit or leave any waste or garbage including but not limited to bottles, broken glass, ashes, boxes, cans, paper, rubbish or other trash of any nature except in proper litter receptacles. Where receptacles are not provided, any waste, garbage, trash or rubbish shall be carried away from any City properties and/or park areas by the person(s) responsible for its presence and properly disposed of elsewhere.

SECTION 20. Prohibiting Damage to Property or the Natural Surroundings.

- a. No person(s) shall injure, mar, deface, remove or otherwise damage in any manner any property including but not limited to restrooms, monuments, ornaments, fences, bridges, benches, fountains, playground equipment, bar-b-ques, signs or any other public property on any City properties and/or park areas without written permission from the City.
- b. No person(s) shall cut, chip, blaze, box girdle, trim, pick, gather, uproot, remove, destroy or otherwise deface or injure whether alive or dead any natural surroundings, including but not limited to, trees, shrubs, flowers, saplings, plants or grass on any City properties and/or park areas without written permission from the City.
- c. No person(s) shall remove or cause to be removed any natural surroundings including but not limited to sod, earth, humus, peat, boulders, gravel or sand from any City properties and/or park areas.

SECTION 21. Prohibiting Certain Treatment of Birds and Wildlife.

- a. No person(s) shall feed, hunt, trap, catch, wound, kill or treat cruelly, or attempt to hunt, trap, catch, wound, kill or treat cruelly, any bird or animal in or upon any land or any waterways owned and/or administered by the City.
- b. No person(s) shall molest or rob any nest, lair, den or burrow of any bird or animal in or upon any land or any waterways owned and/or administered by the City.
- c. For the public's health and safety, if any animal or bird is found injured, trapped or considered to be problematic, the City shall be notified to implement capture and/or removal of such animal or bird.

SECTION 22. Regulating Motorized Vehicles.

- a. No person(s) shall obstruct any walk, trail, path or drive in any way.
- b. No person(s) shall park, drive, operate, propel and/or ride any motorized vehicle including but not limited to cars, trucks, motorbikes, mopeds, motorcycles, go-carts, golf carts, snowmobiles or all terrain vehicles on any City properties and/or park areas except on designated roads and/or parking lots.
- c. Service vehicles are permitted on City properties, park areas and/or public buildings.
- d. No person(s) shall clean, wash, polish, repair or in any manner service any motor vehicle or trailer on any City properties and/or park areas or cause same to be done. For the purpose of this Section, the term "repair" means the replacement of old parts with new, and the term "service" means replacing fluids with new.
- e. Exceptions to this Section shall apply to the changing of deflated tires or the performing of necessary emergency work on a disabled vehicle for the purpose of immediate movement.

SECTION 23. Regulating Non-Motorized Devices.

- a. No person(s) shall operate, propel and/or ride any type of non-motorized device including but not limited to bicycles, scooters, roller skates, roller blades, skateboards or similar devices on any City properties and/or park areas except on paths, trails or walks as designated for such activity.
- b. No person(s) shall operate, propel and/or ride any type of non-motorized device on City properties and park areas in an unsafe manner.

SECTION 24. Restricting Certain Games. No games of a rough nature, potentially dangerous or tending to encroach upon other users of City properties and/or park areas to include but not limited to golf, baseball, football, soccer or softball shall be engaged in on any City properties and/or park areas except in designated areas.

SECTION 25. Penalty for Violation. Any person(s) who violates this Ordinance shall be guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding six (6) months, or by a fine not exceeding One Thousand Dollars (\$1,000.00) or by both.

SECTION 26. Parks Designated Fund.

- a. There is hereby established within the City, a designated fund which shall be known and cited as the "Dover Parks Designated Fund." The source of the money for such fund shall be fees generated by public or private use of any public park or beach in the City. Such fees including but not limited to concession fees, user fees and donations shall be deposited in such fund only.
- b. The purposes for which the "Dover Parks Designated Fund" may be used are as follows:
  - 1. The acquisition of land for public parks and/or beaches.
  - 2. The construction of public facilities for parks and/or beaches.
  - 3. The improvement of Dover's public parks and/or beaches.
- c. The use of these funds shall not be expended unless specifically appropriated by the City Council pursuant to Sections 50-1001 through 50-1003, inclusive of the Idaho Code.

SECTION 27. Severability. The sections of this Ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

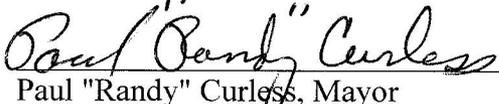
SECTION 28. Effective Date. This Ordinance shall be in full force and effect upon passage and publication provided by law.

Upon suspension of the rules and a motion and second to approve the foregoing the following vote was recorded:

Councilman Janish	aye
Councilwoman Burge	aye
Councilwoman Becker	aye
Councilman Collins	absent

PASSED AND ADOPTED BY THE DOVER CITY COUNCIL AND APPROVED BY THE MAYOR THIS 19<sup>th</sup> DAY OF FEBRUARY, 2008.

BONNER COUNTY, IDAHO  
CITY OF DOVER

  
Paul "Randy" Curless, Mayor

ATTEST:

  
Laurie Katana, City Clerk-Treasurer

**CITY OF DOVER**  
**SUMMARY OF ORDINANCE NO. 102**

AN ORDINANCE OF THE CITY OF DOVER, BONNER COUNTY, IDAHO, REGULATING THE USE OF THE DOVER CITY HALL AND CITY PARK PROPERTIES; LIMITING THE USE OF CITY HALL AND CITY PARK PROPERTIES; PROVIDING FOR DEFINITIONS; ESTABLISHING RULES AND REGULATIONS; ESTABLISHING A PARKS DESIGNATED FUND; PROVIDING PENALTIES FOR VIOLATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

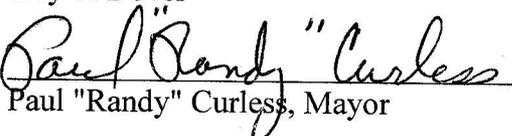
A summary of the principal provisions of Ordinance Number 102 of the City of Dover, Bonner County, Idaho, and adopted February 19, 2008 is as follows:

- SECTION 1. Provides for definitions of terms.
- SECTION 2. Regulates the use of city hall and city properties.
- SECTION 3. Regulates the operating hours of park properties.
- SECTION 4. Prohibits dogs without a leash.
- SECTION 5. Prohibits alcoholic beverages.
- SECTION 6. Prohibits glass containers.
- SECTION 7. Prohibits fires.
- SECTION 8. Prohibits weapons and fireworks.
- SECTION 9. Prohibits distribution of literature.
- SECTION 10. Regulates assemblies, parades and special events.
- SECTION 11. Prohibits loitering.
- SECTION 12. Prohibits fuel powered toys.
- SECTION 13. Prohibits disturbing the public peace.
- SECTION 14. Prohibits camping.
- SECTION 15. Prohibits watercraft docking overnight.
- SECTION 16. Prohibits seaplanes and aircraft.
- SECTION 17. Regulates motorized watercraft in a "No Wake Zone".
- SECTION 18. Restricts motorized watercraft in certain waterways.
- SECTION 19. Regulates refuse and/or trash disposal.
- SECTION 20. Prohibits damage to property or the natural surroundings.
- SECTION 21. Prohibits certain treatment of birds and wildlife.
- SECTION 22. Regulates motorized vehicles.
- SECTION 23. Regulates non-motorized devices.
- SECTION 24. Restricts certain games.
- SECTION 25. Provides for penalties for violation.
- SECTION 26. Provides for a parks designated fund.
- SECTION 27. Provides for a severability clause.
- SECTION 28. Provides for an effective date.

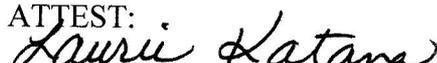
A full text of Ordinance Number 102 is available from the City Clerk and can be provided upon request during normal business hours.

Dated this 19<sup>TH</sup> day of February, 2008.

Bonner County, Idaho  
City of Dover

  
Paul "Randy" Curless, Mayor

ATTEST:

  
Laurie Katana, Clerk-Treasurer