

ORDINANCE NO. 1507

AN ORDINANCE ESTABLISHING HOURS FOR CITY PARKS AND PROHIBITING CAMPING IN PUBLIC AREAS WITHIN THE CITY

BE IT ORDAINED by the Governing Body of the City of Andover, Kansas as follows:

SECTION 1. Definitions

- (a) PUBLIC AREA means an outdoor area accessible to the public including public streets, highways, parks, parking lots, alley ways, pedestrian ways, and the common areas of public buildings and government buildings.
- (b) CAMP means the use of a public area for living accommodation purposes, including, but not limited to, the storing of personal belongings, making a camp fire, using a tent or shelter or other structure of vehicle for living accommodations, or carrying on cooking activities.

SECTION 2. Park Hours. Except by specific permission granted by the governing body of the City of Andover, Kansas, no person may enter or remain in a city public recreation area or city park between the hours of eleven (11) o'clock P.M. and six (6) o'clock A.M. of the following day, except on Fridays and Saturdays when the hours shall be twelve (12) o'clock midnight to six (6) o'clock A.M. of the following day.

SECTION 3. Except by specific permission granted by the governing body of the City of Andover, Kansas, or by consent of the property owner, no person shall camp in a public area or city park. A person is presumed to be camping if the person engages in any of the activities listed under the definition of camp, above, if it reasonably appears, based upon the totality of the circumstances, that the person conducting the activity is using a public area for living accommodation purposes, regardless of the person's intent or engagement in other activities.

SECTION 4. Any person found to be in violation of the provisions of this ordinance, shall, upon conviction, be sentenced to pay a fine not exceeding \$500.00 and or sentenced to the county jail for a term not to exceed 30 days.

SECTION 5. This ordinance shall take effect upon its passage and publication in the official city newspaper and shall be designated as Section 11-202 of the Code of the City of Andover, Kansas.

Passed this 14th day of February, 2012.

THE GOVERNING BODY FOR
CITY OF ANDOVER, KANSAS

BEN LAWRENCE, MAYOR

ATTESTED:

SUSAN C. RENNER, City Clerk