

## Resolution No. 2023-11

### HARVEY COUNTY PARK REGULATIONS

**HARVEY COUNTY PARK REGULATIONS TO PROVIDE FOR ORDERLY AND SAFE USE OF THE HARVEY COUNTY PARK, PROVIDING PERMITS AND REGULATIONS FOR CAMPING, FISHING, HORSE TRAIL, HUNTING, AND BOATING, PROVIDING FOR TRAFFIC REGULATIONS WITHIN THE HARVEY COUNTY PARKS, PROVIDING FOR SPECIAL USE PERMITS, PROVIDING RULES AND REGULATIONS FOR BOATING AND WATER SAFETY, AND FOR PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

#### Article I – Definitions

- Section 1. Definitions:** The following words and phrases when used in this Resolution shall, for the purpose of this resolution, have the meanings respectively ascribed to them in this section unless it is clearly evident from the context that another meaning is intended.
- A. **Camping:** The employment of a blanket, hammock, sleeping bag, tent, travel trailer or motor home, vehicle, or other similar device for the establishment of temporary accommodations. Any activity other than fishing during “closed hours” may be considered camping at the discretion of Park Rangers and will, as a result, be subject to all applicable camping fees. If persons fishing decide to sleep or employ the use of the above-mentioned camping devices, they will be subject to all applicable camping permits and fees.
  - B. **Disorderly Conduct:** The performance of acts that will alarm, anger, or disturb others or acts that may provoke and assault or other breach of the peace.
  - C. **Firearm:** Pistols, revolvers, rifles, shotguns, and other devices that are capable of propelling a projectile when discharged, including those powered by gunpowder, springs, tension, air, or compressed gas.
  - D. **Knife:** Any object that has a pointed or sharpened edge.
  - E. **Watercraft:** Any vessel propelled by machinery, whether or not such machinery is the principal source of propulsion.
  - F. **Motor Vehicle:** A vehicle that is self-propelled.
  - G. **No-Wake Speed:** The speed that a traveling motorcraft does not produce from the bow or gunwales of the motorcraft a wake that produces a visible whitecap or froth on the surface of the water.
  - H. **Park:** Shall include all lands, waters and other areas owned or leased by Harvey County and managed by the Harvey County Parks and Recreation Department, including but not limited to Harvey County East Park, Harvey County West Park and Harvey County Camp Hawk.
  - I. **Permits:** Receipts for fees paid entitling the holder to participate in the activities specified on such permits with the Parks. Permits may be Seasonal (April 1 – November 15), Daily (expires the following day at 3pm) or Activity (valid date of purchase only, expiring at sundown).
  - J. **Quiet Hours:** The hours between 10pm and 8am.
  - K. **Parks Director:** The Director of Harvey County Parks and Recreation.

- L. **Park Ranger:** Individual employed by Harvey County Parks that is responsible for maintenance and the enforcement of Park Regulations and Statutes.
- M. **Park Host:** A volunteer of Harvey County Parks who acts as an informational liaison, assists with maintenances and additional duties as assigned.
- N. **Take or Taking:** Includes killing, trapping, snaring, netting or capturing in any manner, any wildlife, and also refers to pursuing, molesting, hunting, wounding; or placing, setting, or use of any net, trap device, contrivance or substance in an attempt to take; and every act of assistance to every other person in taking or attempting to take any wildlife.
- O. **Vessel:** Any watercraft designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water.
- P. **Weapons:** Archery equipment, firearms, knives, hatchets, clubs and other devices, objects or projectiles capable of inflicting serious harm upon a human being.
- Q. **Vandalism:** The destruction, alteration, injury, or removal of any real or personal property, vegetation, ruins, relics, or geological formation in the parks. Harvey County and Park staff in not responsible for the theft or vandalism of private property in the parks.
- R. **Wade or Wading:** To walk or swim through water along the shoreline.
- S. **Shoreline:** An area of water that is no more than 20 feet into the water from the water's edge or to a depth that the water level is below ones shoulders. Whichever is a shorter distance.
- T. **Float:** A soft-sided and/or inflatable floatation device not defined as a vessel or watercraft.
- U. **Floating:** To utilize a float while in the water.
- V. **Dependent Child:** An individual under the age of 18 living in the same household as the adult permit holder.
- W. **Campsite:** Any camping area an individual motorized vehicle, vessel, watercraft, camper, trailer, tent (up to 4 people), blanket, hammock, sleeping bag or other similar device is employed for camping.
- X. **Area:** An area of the park designated for camping and differentiated by different colored posts and/or electric boxes.
- Y. **Overnight:** The hours between one half hour after sundown and one half hour before sunrise.
- Z. **A.M.A.:** Academy of Model Aeronautics.
- AA. **R.V.:** Recreational Vehicle, Fifth-wheel, camper, trailer, pop-up or any enclosed devise used for mobile living accommodations.
- BB. **Personal Watercraft/PWC:** A Personal Watercraft, or PWC, is a small vessel that uses an inboard jet drive as it primary source of propulsion and is designed to be operated by a person or persons sitting, standing, or kneeling on the vessel rather than inside the vessel.

**Section 2. Additional Definitions:** All words or phrases pertaining to the parks or activities in the park that are not specifically defined in this or other Harvey County resolutions shall have the meaning as defined by K.S.A. 32-101, K.A.R. 115 or other Kansas State laws. Any words or phrases not defined by Kansas State Laws shall have the meaning as defined by any commonly accepted dictionary.

## Article II – Public Peace and Safety

- Section 1. Closed Hours:** Parks are closed to the public and for all public uses from one half hour after sunset until one half hour before sunrise.  
**Exception:** Holders of current camping permits, individuals fishing with a valid state fishing license and people attending events at reserved shelters or Park sponsored events are allowed within in the parks during closed hours. Holders of, and participants in, current Special/Large Event permits are allowed within the parks during closed hours if such permit so specifies.
- Section 2. Swimming, Bathing, and Wading, and Floating:**
- A. Swimming is prohibited in all areas except those designated for swimming.
  - B. Bathing is prohibited in all areas except within private temporary accommodations or within structures specifically designated for bathing or showering.
  - C. Persons may wade or float along the shoreline in no wake zones only.
  - D. Swimming from an anchored vessel/watercraft is only allowed at Harvey County East Park Lake in no wake zones. There is no swimming from an anchored vessel/watercraft in the Walton's Landing and Sunset Ridge area's of Harvey County East Park Lake. An orange flag, with no less than 144 square inches of visible surface, must be displayed from the vessel/watercraft whenever an individual is in the water.
  - E. Swimming, wading, or floating from or around (minimum 30 foot distance) docks is prohibited.
- Section 3. Intoxicating Liquors and Beverages:** Harvey County Parks are exempted from Subsection (c) of K.S.A. 41-719 except as follows:
- A. The possession and/or consumption of alcoholic liquor or cereal malt beverage containing any percent alcohol are prohibited in and/or near designated swimming areas.
  - B. A Harvey County Special/Large Event permit is required prior to the sale of alcoholic liquor or cereal malt beverages containing any percent alcohol (must be in compliance with all county and/or state liquor regulations).
  - C. A Harvey County Special/Large Event permit is required prior to the possession of alcoholic liquors or cereal malt beverages containing any percent alcohol if such beverages are in containers greater than 40 ounces.  
**Exception:** Containers greater than 40 ounces are allowed at reserved shelters with appropriate deposit(s) being made.
- Section 4. Disorderly Conduct:** Disorderly conduct is prohibited in the parks and shall include but is not limited to, the following:
- A. Engaging in brawling or fighting; or
  - B. Disturbing an assembly, meeting or procession, not unlawful in its character; or
  - C. Using offensive, obscene, or abrasive language or engaging in noisy conduct, tending reasonably to arouse alarm, anger or resentment in others; or
  - D. Creating or contributing to excess noise as determined by a Park Ranger.
- Section 5. Weapons:**
- A. Weapons shall not be discharged or thrown within the parks' boundaries.

**Exception:** Park Rangers may discharge a firearm for the purpose of eradicating varmints or nuisance animals within the park. Those weapons that are legally used for bowfishing and hunting during East Park Special Use hunting season. Other exceptions may be made with prior approval from Parks Director.

- B. All law enforcement personnel, on or off duty, shall have the legal right to possess, display or discharge their firearms, and other gear in the parks if such action is in accordance with their normal duties and procedures.

**Section 6.** **Fireworks:** The possession and/or the discharge of any fireworks in the parks is prohibited.

**Section 7.** **Fires:** The building or starting of fires in the open or in any other area except within fireplaces, grills or park fire pits is prohibited.

**Exception:** The use of a personal type grill and/or portable fire pits, with a bottom and are elevated off the ground 2 inches or more, is permissible. All fires are subject to no-burn policies issued by a Park Ranger and may be subject to no-burn policies issued by the Harvey County Board of Commissioners.

**Section 8.** **Vandalism:** Any act of vandalism is prohibited in the parks.

**Section 9.** **Littering:**

- A. Garbage, rubbish, trash or waste of any kind shall not be thrown, placed or left in any area in the parks.

**Exception:** Garbage or trash generated from lawful activities occurring in the parks shall be placed in barrels and/or dumpsters that have been designated for trash. Park fire pits are not to be utilized for trash. Trash deliberately placed into fire pits will be considered littering.

- B. Human waste generated within the parks and stored within proper receptacles shall only be disposed of at designated waste dump stations.
- C. Tires, used oil, dangerous or poisonous chemicals, appliances, batteries, or environmental pollutants shall not be spilled, placed in trash barrels or dumpsters or in any other area within the parks.
- D. Park trash receptacles are for park patron and park staff use only.

**Section 10.** **Unattended Minors:** It shall be unlawful for any person to leave any minor under the age of 16 years unattended in the parks.

**Section 11.** **Domestic Animals:**

- A. No person shall bring or allow dogs, cats or other pets in the parks unless said animals are penned, caged, on a leash, or chained to a tree or ground stake. Leashes can be no more than 10 ft. long. If the animal is chained to a tree or ground stake the length of chain shall not allow animal to enter into neighboring camp sites or be more than 20 ft. long, whichever is shorter. Pens, cages, leashes, or chains used to restrain the animal must be of sufficient strength and condition to keep the animal restrained without concern of failure. All animals must be physically restrained at all times. Handlers of aggressive or nuisance animals will be required to remove said animal from Park property immediately. Proof of current rabies vaccination must be immediately available.

**Exceptions:** Holders of current Activity permits may exercise or train dogs, cats or other pets that are not physically restrained within the area and during the times specified on the permit. Also, free ranging hunting dogs are allowed in the designated hunting areas during designated hunting seasons if

the handler holds a current Harvey County Parks hunting permit. Pets do not have to be restrained while confined in the East Park Pet Swim Park area.

- B. No person shall allow any animal to impede or restrict the otherwise full and free use of any portion of the parks, including roadways.
- C. All animals and pets are prohibited in or near designated public swimming areas, in sanitary facilities and in any other permanent buildings in the parks. Pets are allowed to swim in the designated East Park Pet Swim Park only.  
**Exception:** Properly trained, certified and identified service animals are permitted in designated swimming areas, in sanitary facilities and in any permanent buildings in the parks.
- D. Unclaimed, unattended or free-roaming animals are subject to immediate impoundment and removal by Park Rangers or other duly authorized law enforcement officials in accordance with local laws.
- E. Persons bringing or allowing dogs, cats, or other pets in the parks shall be responsible for the removal of any waste produced by these animals from the parks, or shall dispose of waste within designated trash barrels or dumpsters.
- F. No person shall bring or allow horses, cattle or other livestock within the parks except as may be determined under agricultural contracts or a Special Use permit.  
**Exception:** Horses are allowed at East Park and West Park in designated areas on designated trails only, with the proper Harvey County Park permit.

**Section 12. Radio Controlled Recreational Devices:**

- A. The operation of any radio-controlled recreational device including but not limited to planes, helicopters, drones, cars or trucks is allowed only within the confines of the Radio Control Park at Harvey County East Park.
- B. Pilots of Radio Controlled Model Aircraft or driver of Radio Controlled Overland Model Vehicles are encouraged, but not required, to be members of the "Harvey County Radio Control Club" before using the grounds of the Radio Control Park. If nonmembers use the Grounds, such persons who are pilots are required to be an A.M.A. Member.
- C. All pilots shall comply with "Flying Site Safety and Operational Rules" of the A.M.A.
- D. All model aircraft must remain within the airspace of the Radio Control Park grounds area and within line of sight of the pilot.
- E. Hours of operation for the Radio Control Park shall be from sunrise to half hour after sunset. Night time flights for Radio Controlled Model Aircraft are allowed for special events and upon approval by the Harvey County Parks and Recreation Department.

**Article III – Traffic Regulations**

- Section 1. Standard Traffic Regulations:** There is hereby incorporated by reference for the purpose of regulating traffic within the parks that certain standard traffic ordinances known as the "Standard Traffic Ordinance for Kansas Cities" and/or "Kansas Statutes" for the current calendar year be part of this resolution. Any violations of this section shall come under penalties provided by the Standard Traffic Ordinance or Kansas Statutes and may be enforced by duly authorized law enforcement authorities.

**Section 2. Special Regulations:**

- A. All moving motorized vehicles shall remain upon the paved or graveled roadways except when parking said vehicle.
- B. No motor vehicle shall be parked more than one car length off the roadway, except when in designated parking or camping areas.
- C. No motor vehicle shall be parked or left unattended upon any roadway.
- D. No motorized vehicle, camper, trailer, tent, personal watercraft or boat, etc. shall be parked upon any park property and left unattended for more than 24 hours or overnight. Any motorized vehicle, camper, trailer, tent, personal watercraft and boats, etc. left unattended shall be removed at the owner's expense. A valid permit is not an exemption to this rule.  
**Exception:** Motorized vehicles, camper, or trailers, personal watercraft and boats, etc. may be parked and left unattended for periods longer than 12 hours or overnight in the designated storage area only. Applicable storage fees must be paid in advance and a valid storage agreement must be on file.
- E. Duly commissioned Law Enforcement officers are hereby authorized to issue citations for any traffic violation occurring in the parks.
- F. **Motorized Off-Road Type Vehicles:** Any 2-wheeled motorized vehicle, including mini-bikes and mopeds, shall fall under the classification of a motorcycle, and all county laws shall apply. Three-wheel and 4-wheel ATV's/Golf Carts ARE allowed on our roadways only during day light hours. Those equipped with legal lights may be operated after sundown. All vehicles must remain on roadways in the park and follow the posted speed limit and all applicable traffic laws. Operators must be 16 years old or older and be a licensed driver. Safety equipment is highly recommended at all times but is not required unless specified by state law.

**Article IV – Amplified Sound, Demonstrations and Solicitation**

**Section 1. Amplified Sound:** Amplified sound is to be turned down to an acceptable level as determined by a Park Ranger. Amplified sound will not be allowed during quiet hours.

**Exception:** Amplified sound is allowed, during quiet hours, at reserved shelters, with prior approval by a Park Ranger. During quiet hours, an acceptable level will be determined by a Park Ranger and may/will be different than times outside of quiet hours.

**Section 2. Demonstrations:** Any organized gathering for the purpose of showing support for or against a political party or other special interest group is prohibited, except by prior written authorization from the Parks Director.

**Section 3. Solicitations:** The solicitation of any business, service or political campaign is prohibited. No person is permitted to offer or advertise merchandise or other goods for sale or hire, or to maintain any concession or use any park facilities, buildings, trails, roads, or other park property for commercial purposes or political campaigning, except by prior written authorization from the Parks Director.

## Article V – Camping and Campsites

### Section 1. Camping:

- A. Camping is permitted in the parks, provided the camper has legally obtained a current Harvey County Park Camping Permit within one hour of arrival and must be displayed for the Park Ranger to view fully. Any permit purchased beyond the one hour time limit or purchased directly from a Park Ranger will be subject to additional charges. Camping permits are valid until 3pm the day after purchase.
- B. If an R.V. is of a size and/or weight to require to be registered with the state said registration must be current while camping at Harvey County Parks.
- C. Persons under the age of 18 are not allowed to camp overnight without a legal guardian present at all times.
- D. Camping is permitted in designated areas only.
- E. Camping on fishing jetties or within 30 feet of the entrance to the jetty is prohibited.
- F. A Harvey County Park seasonal camping sticker shall be placed on the driver's side of the rear bumper of each R.V. or entrance of tent for which a seasonal camping permit has been issued. A seasonal camping pass is not valid until correctly placed on R.V. or tent the pass was purchased for. Daily camping rates will apply until the pass is correctly placed on R.V or tent.
- G. Seasonal Camping Permits: These are good for an unlimited number of days camping during the Season but do not include utility fees. Seasonal Camping Passes are only valid for use on campsites with electrical hookups. Daily electrical fees will apply. Seasonal Camping Passes are not valid for primitive camping sites. A "Season" will refer to the dates April 1<sup>st</sup> through November 15<sup>th</sup>. All daily rates will apply during the Off Season. "Off Season" will refer to the dates November 16<sup>th</sup> through March 31<sup>st</sup>. Camping in the Off Season will be limited. Dates are subject to change with weather conditions.

### Section 2: Camp Sites:

- A. Campsites are only for employing a tent, R.V., vehicle or other similar device for establishment of temporary accommodations.
- B. Campsites are located on numbered camping pads or other areas as designated by a Park Ranger.
- C. Campsites shall not be left unattended for a period to exceed 24 hours.
- D. Campsites are prohibited within 50 yards of any shelter except by prior written authorization from a Park Ranger.
- E. Campsites shall be kept in a neat and orderly fashion as determined by a Park Ranger, and includes but is not limited to the prohibition of lawn carpets, lawn ornaments, and animal cages larger than 12 cubic feet.
- F. No person shall establish temporary accommodations at any campsite or combination of campsites in the same area, within any one park for more than 15 consecutive days. There is no limit to the total number of days a person may spend within any one park provided no area is used for more than 15 consecutive days and each area must be used for a full 15 days before occupying another area within the same park. Once a person leaves the park, they must be absent from the park for a minimum of five days

before returning to occupy the same area from which they left. If a different area is used upon return to the park, there is no minimum absence requirement.

- G. No person shall use the park's water supplies for other than drinking, cooking or bathing, and such uses shall be within the park by park patrons only.
- H. No person shall hook up to any piped water supply for longer than 15 minutes to fill water reservoirs on their R.V., or to fill other portable containers. Only portable containers holding less than 10 gallons are allowed.
- I. All human waste generated and temporarily stored within R.V.'s and portable toilets shall be properly disposed of at designated waste dump stations or removed from the premises. It shall be allowed to dump gray water ONLY, away from camping area into the grass.
- J. When a person abandons a recreational vehicle or any other personal property in the parks for 48 hours or longer or when the recreational vehicle or other personal property interferes with the public use of the parks, Harvey County Parks Department may remove and impound the recreational vehicle or any other personal property. Impounding, storage and dispositions of any recreational vehicle or other personal property shall be pursuant to K.S.A. 8-1102.

## **Article VI – Hunting**

**Section 1.** **Hunting:** Hunting and trapping in the parks is prohibited.

**Exception:** Hunting is allowed in designated areas, at designated times, for designated game at East Park. Park personnel may conduct targeted trapping for educational purposes or for elimination of nuisance animals.

**Section 2.** **Hunting Permit:** Contact the Harvey County Parks and Recreation Department to inquire about current requirements.

**Section 3.** **Laws:** Hunting at East Park is subject to all the laws and regulations of the Kansas Department of Wildlife & Parks.

**Section 4.** **General Prohibition:** No bird, fish, mammal, reptile, or other form of wildlife, including their homes, dens, nests and eggs in the parks shall be molested, pursued, taken, hunted, trapped, marked, enticed, poisoned, killed, transported, stored, bought, sold, given away, accepted, possessed, propagated, imported, exported, or liberated to the wild in any manner, number, part, parcel, or quantity, at any time except as specifically permitted by this Harvey County Resolution.  
**Exception:** Any form of wildlife determined to be a public nuisance by a Park Ranger. Hunting as noted in exception of Article VI section 1.

## **Article VII – Fishing and Bowfishing**

**Section 1.** **Laws:** Fishing and Bowfishing (carp only) at any Harvey County Park is subject to all the laws and regulations of the Kansas Department of Wildlife & Parks. Additionally, the following shall be prohibited:

- A. Seining and/or the use of trotlines, bank lines, limb lines and throw nets in the parks.

**Exception:** The use of trotlines, bank lines, and limb lines is permitted in the Little Arkansas River at West Park. Throw nets for bait fish at East Park by application only.

- B. The taking of minnows and/or bait fish from the parks, except by park personnel for park use.

**Exception:** Holders of Special Use permits for throw nets as noted in Article VII, Section 1, Part A

- C. Fishing from any floating or stationary dock unless such dock has been designated by the Parks Director as a fishing dock.
- D. Fishing from or employing the use of a float tube or other similar device within any designated ski area.

**Section 2. Valid State Licenses:** A valid Kansas State Fishing license is required prior to fishing in any Harvey County Park.

**Section 3. Creel and Length Limits:** Creel and length limits will be determined by the Kansas Department of Wildlife & Parks and posted within each park.

**Section 4. Penalties:** Any violation of the laws of the Kansas Department of Wildlife & Parks concerning fishing shall come under the penalties provide by state law.

### **Article VIII – Boating and Water Safety**

**Section 1. Laws:** Boating and water safety at any Harvey County Park is subject to all the laws and regulations of the state of Kansas (Kansas Boating Act KSA Chapter 32), with the following stringent regulations:

- A. No watercraft shall utilize more than two separate tow ropes at any one time at Harvey County East Park Lake.
- B. All watercraft pulling a person or persons using water skis, tubes or similar devices shall display an orange flag with no less than 144 square inches of visible surface when a person or persons being towed are “down” in the water rather than being actively pulled by the vessel.
- C. Motorized watercraft are prohibited at Harvey County West Park Lake and Camp Hawk, except those powered only by electric trolling motors while on those waters. All vessels must remove gas-powered motors prior to entering the water at Harvey County West Park and Camp Hawk.
- D. All vessels shall only be launched from designated launch areas.
- E. All watercraft, except personal watercraft, shall only operate at no-wake speed between the times of sunset until sunrise. Personal watercraft are not allowed to operate on the water between the time of sunset until sunrise.
- F. All watercraft shall travel in a counter-clockwise direction only while in the designated ski area at East Park.
- G. Watercraft traveling at speed above no-wake shall only be operated in areas designated as ski areas.
- H. Personal Watercraft (PWC) shall only be operated in areas specially designated for them, except to travel at no-wake speed from designated launch areas directly to the specified PWC operation area and vice versa.
- I. Personal Watercraft shall not be launched or operated between sunset and sunrise.
- J. No watercraft and/or other vessel shall be parked on any park property or left unattended for more than 12 hours or overnight. Watercraft and/or other

vessels may be parked and left unattended for periods longer than 12 hours or overnight provided they are left in the designated storage area, have paid for storage space and a valid storage agreement is on file.

- K. At the Park Ranger's discretion, certain boat docks may be designated as boat loading and unloading locations. Wherever docks are so designated, vessels shall not be moored for longer than 30 minutes at a time.
- L. When a person leaves a watercraft abandoned in the park for 48 hours or longer or when the watercraft interferes with the public use of the park, the Harvey County Parks Department may remove and impound the watercraft. Impounding, storage and disposition of any watercraft shall be pursuant to K.S.A. 8-1102.
- M. Waterfowl hunters may retrieve downed birds with their boat within the designated waterfowl hunting area and in accordance with Kansas State Waterfowl Hunting Rules and Regulations. A Harvey County Parks & Recreation Boat Permit will not be required for Waterfowl Hunter boats.

**Section 2. County Permit:**

- A. A Harvey County gas powered boating/personal watercraft permit is required **before** any gas powered boating/personal watercraft may be placed on the water of any park. Any gas powered boating/personal watercraft placed on the water before a valid permit is purchased may/will be subject to additional charges.

**Exception:** No permit is required for any gas powered boating/personal watercraft used strictly for fishing or to retrieve downed birds in the designated Waterfowl hunting area.

- B. Daily gas powered boat and/or personal watercraft permits must be displayed on the tow vehicles dash in a manner that allows the permit to be read fully through the windshield of the tow vehicle.  
Seasonal gas powered boat and/or personal watercraft permits shall be applied to the trailer hoist, on the driver's side.

**Section 3. Penalties:** Any violation of the Kansas Boating Act shall come under the penalties as provided by State Law.

**Article IX – Special/Large Event Permits**

**Section 1. General:**

- A. All Special/Large event permit applications are due a minimum of 45 days prior to planned event date.
- B. Special/Large Event permits are required when:
  - 1. Any event that charges a fee and/or is organized/hosted by any entity or person other than the Harvey County Parks and Recreation Department;  
or
  - 2. If other park regulations require a Special/Large Event permit; or
  - 3. If any beverages containing any percent alcohol will be sold (must be in compliance with all county and/or state liquor regulations); or
  - 4. At any time the Parks Director would deem it necessary because of the unusual activity of the group, regardless of the number of people involved. Unusual activity may include, but is not limited to the following

park regulations: Article II, Sections 3, 4, 5, 6, and 11; Article IV, Sections 1, 2, and 3; Article VI.

- C. A Special/Large Event permit may be approved by the following:
  - 1. The Parks Director is authorized to approve a Special/Large Event permit when the estimated size of a group is not more than 250 people and the activity is not in violation of any park rules and regulations.
  - 2. The Park Advisory Board is authorized to recommend approval to the Parks Director for a Special/Large Event permit when the estimated size of the group is more than 250 people, but not more than 1,000 people. This board may also review any Special/Large Event permits upon request of the Parks Director.
  - 3. The Harvey County Commission may, at their discretion, review any Special/Large Event permit request. Only the County Commission has the authority to approve Special/Large Event permits when the estimated size of the group is more than 1,000 people or if any beverages containing any percent alcohol will be present, sold or consumed, regardless of size of group. The Commission may also review any Special/Large Event permit upon the request of the Parks Director, or the Park Advisory Board.
- D. Park facilities will not be rented to any person under the age of 21 years of age.
- E. Special/Large Event permit issuance is dependent upon the compatibility of the event with other park uses. The event must not interfere with other users within the park. Certain events may be restricted to specific areas of the park. The entire park will not be rented to any one single group. The Parks Director may also establish additional rules as deemed necessary. The issuance of a Special/Large Event permit is not authorization for the permit holder to ignore or violate any other park rules or regulations, unless so stated on the Special Use permit. Liability insurance will be required for any size group.  
**Exception:** West Park is closed to the public for one weekend in January for the Annual Trappers Rendezvous.
- F. Portable toilets and additional trash containers may be required when the estimated size of the group exceeds 250 people. This may also depend on the nature, size, location, and length of time of the event. The arrangement and payment of these services will be the responsibility of the permit holder.
- G. When required by the Parks Director, the permit holder shall provide adequate security for the event. Any additional security costs incurred by the parks as a result of the event will be assessed to the permit holder.
- H. Special/Large Event permit fees and deposits will be as follows;
  - 1. All fees and deposits will be collected 30 days before the event is to occur.
  - 2. The amount of the fees and deposits will be set by the Harvey County Commission.
  - 3. Fees and deposits may be paid by cash, ~~or~~ check or valid credit/debit card at the discretion of the Parks Director. Credit/debit card transactions may incur additional fees.

- a. *Clean up/Security Deposit:* A clean up/security deposit must be paid by the permit holder. The cleanup/security deposit will not be refunded until at least 24 hours after the conclusion of the event. This deposit may not be refunded if, at the sole discretion of the Parks Director, park policies and regulations were not adhered to such as, but not limited to:
  - That no vandalism or damage to any park property has occurred.
  - That all vehicles have remained in designated parking areas.
  - That the level of noise was kept to an acceptable level as determined by the Park Ranger alone.
  - That the group did not use offensive, obscene, or abusive language.
  - That there was no disorderly conduct on the part of any individual attending the event.
  - That Facilities and grounds were left as clean as they were prior to this use and no littering occurred. After cleanup, but prior to leaving the area, the park office must be notified so that a clean up compliance check may be made.
- b. *Alcohol Usage Deposit:* An alcohol usage deposit must be paid by the permit holder when any beverage containing any percentage alcohol will be present, sold, or consumed, at the event. The deposit will not be refunded until at least 24 hours after the conclusion of the event. This deposit may not be refunded if at the sole discretion of the Parks Director, the use of the alcohol became excessive, abusive, or resulted in disorderly conduct by any person attending the event.
- c. *Special/Large Event Permit Fee:* A Special/Large Event permit fee must be paid by the permit holder. This is a nonrefundable fee charged for each Special/Large Event permit issued. Fees for groups larger than 1,000 people shall be considered on an individual basis depending upon the nature of the event and may include, but not limited to, a percent of any gate charges, a per-head charge, and/or a flat fee for the event.
- d. *Additionally:* In addition to these Special/Large Event permit fees and deposits, all normal park user fees will be charged to individual persons when applicable. These would include, but are not limited to, camping, boating, fishing, shelter use, and electricity use.

## **Article X – Penalties**

**Section 1.** **Application:** These regulations are established by the Harvey County Board of Commissioners and shall apply to all County Parks within Harvey County, Kansas, and any person who shall violate any of the same shall be guilty of a Class C misdemeanor.

**Section 2.** **Penalty:** Upon conviction for any violation of this Resolution, the sentence shall be in accordance with the sentence specified in the section that defines the violation; if no penalty is provided by such section, the sentence shall be a fine of not more than \$500, or confinement in the Harvey County Detention Center for not more than 30 days, or by both such fine and confinement.

## Article XI – Authority of Park Rangers

- Section 1.** **Authority:** Park Rangers are authorized by the Harvey County Board of Commissioners to uphold and enforce the regulations and policies of Harvey County Parks and are charged with the duty of enforcement of the above-mentioned regulations and policies within the boundaries of Harvey County Parks. Park Rangers may confiscate any item that is directly related to or used to commit a violation of these regulations and/or policies.
- Section 2.** **Closing of Parks:**
- A. Harvey County Park Ranger have the authority to close at any time all or part of any Harvey County Park for any reason they believe to be in the best interest or safety of the public.
  - B. Harvey County Park Rangers have the authority to close a portion of any Harvey County Park to accommodate the participants of events for which a Special/Large Event permit has been issued.
- Section 3.** **Revoking Permits:** Harvey County Park Rangers have the authority to revoke any seasonal, daily, activity or Special/Large Event permit when the Park Ranger feels that a hazardous, negligent, careless, unlawful act or violation of Park regulations has been committed. Revocation of said permit shall be effective for the balance of the permit year or the balance of the calendar year with such determination being made by the Parks Director. The permittee may apply in writing for reinstatement to the Harvey County Board of Commissioners. Fees paid for permits that are revoked will not be refunded.
- Section 4.** **Campsite Removal:** Park Rangers shall have the authority to remove or require Campers to remove any camp when, in the Park Rangers opinion, said removal is in the best interest of the public.

These regulations shall supersede all rules, laws and regulations, if any previously established, and shall govern until such time as amended or repealed by the Board of Harvey County Commissioners.

If any section, subsection, sentence, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this resolution.

The Board of Harvey County Commissioners hereby declares that it would have passed the act, each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more of the same shall be declared unconstitutional.

This resolution shall take effect and be imposed from and after its passage and after its publication once each week for three consecutive weeks and the substance of each rule, law and regulation, together with the penalty for violation thereof, shall be available for public review at Park Offices.

Approved this 14<sup>th</sup> day of March, 2023.

(Seal)

**Board of Harvey County Commissioners**

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Randy Hague, Chairperson

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Becky Reimer, Member

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Don Schroder, Member

Attest:

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Rick Piepho, County Clerk