

**ORDINANCE NO. 204**

**AN ORDINANCE TO ESTABLISH PARK RULES FOR THE MILL BRANCH PARK AND PENALTIES FOR VIOLATIONS OF THIS ORDINANCE**

**WHEREAS**, the City of Goshen created, developed and maintains the Mill Branch Park.

**WHEREAS**, the City Council of the City of Goshen deems it necessary to establish rules and penalties to govern the patrons of the Mill Branch Park.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSHEN:**

**SECTION 1: PURPOSE**

This ordinance is intended to:

- A. Protect the integrity of Mill Branch Park for the prolonged enjoyment by the public.
- B. Establish rules that will aid in providing a safe and clean environment for the patrons of Mill Branch Park.
- C. Establish penalties for failure to abide by the rules established herein.

**SECTION 2: RULES**

The following rules and regulations will be applicable to the patrons of Mill Branch Park:

- A. **Park Hours** – The park hours are from sunrise to sunset. Access to and use of the park is limited to the park hours. Exceptions to this rule for special events are subject to the written approval from the Mayor.
- B. **Motorized Vehicles** – The use of motorized vehicles is strictly prohibited, except in those cases associated with the maintenance and safety of the park.
- C. **Trail Use** – The trails located in Mill Branch Park may be used only by individuals that are walking, running, or cycling.
- D. **Trash** – It shall be a violation of this ordinance for trash to be left and/or dumped on the premises of the Mill Branch Park.
  - a. The word “trash” shall be construed to mean yard waste, construction debris, or any other item, that if left in the park, would detract from the natural beauty of the area.
  - b. Any trash created/brought in by a patron, must be packed out or disposed of properly by said patron.

- E. **Hunting and Firearm Use** – Hunting of any kind is prohibited within the boundaries of the Mill Branch Park. The use of firearms or archery is prohibited within the boundaries of the park.
- F. **Fishing** – Fishing is authorized in the ponds located within Mill Branch Park. However, the ponds are catch and release only. Patrons of the Mill Branch Park are not allowed to harvest any fish that they catch withing the boundaries of the park.
- G. **Pet Use** – Pets may accompany the owner and must be kept under control. This ordinance does not purport to create a leash law within the confines of the park, but it does intend to require owners to ensure that their pets are watched over and controlled.
  - a. “Controlled” shall be construed to mean that owners shall not let their pets become a nuisance to other park patrons and their pets. Owners should be aware of their pet’s demeanor and shall “control” their pets accordingly as to prevent any injury that may arise from any pet related incident.
  - b. Any pet waste shall be cleaned up and disposed of by the owner.
- H. **Trees and Native Vegetation** – Trees, woody shrubs, wildflowers, and any natural vegetation is to be left unharmed.

SECTION 3: PENALTIES

Any person, subject to this ordinance, who acts contrary to the requirements of this ordinance, shall be considered in violation of this ordinance. Any person who violates this ordinance shall be subject to a fine or penalty up to \$500 for each violation. Any violation may form the basis of a citation to be issued by law enforcement or may be enforceable by appropriate civil action and for such may be referred to the City Attorney who shall apply to the appropriate court for relief, seeking either penalties or injunctive relief as sanctions, attorneys fees and any other costs related to any civil action.

SECTION 4: SEVERABILITY CLAUSE

In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

SECTION 5: EMERGENCY CLAUSE

It is declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 11<sup>th</sup> day of October, 2022.

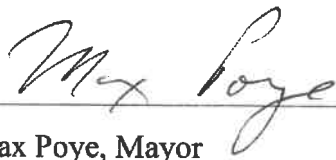
**ROLL CALL VOTE ADOPTING THE ORDINANCE**

Name Of Those Voting YEA

Names of Those Voting NAY

Paula Anderson  
Bill Hewat  
Colton Martin  
Jamie Van Becelaere  
John Vaillancourt  
Birch Wright


Absent

  
\_\_\_\_\_  
Max Poye, Mayor

ATTEST:

  
\_\_\_\_\_  
Micheal Thompson, City Recorder

APPROVED AS TO FORM:

  
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Brin C. Hogue, City Attorney