

CLARKE COUNTY ORDINANCE # 20

AN ORDINANCE ESTABLISHING THE HOURS OF OPERATION OF THE ROTARY CLUB BANDSTAND

BE IT RESOLVED THIS, 28th DAY OF MARCH, 2005, BY THE BOARD OF SUPERVISORS OF CLARKE COUNTY, IOWA THAT THE FOLLOWING ORDINANCE ESTABLISHING THE HOURS OF OPERATION OF THE ROTARY CLUB BANDSTAND BE ADOPTED.

Section I. Applicability and Purpose.

Tremendous volunteer time and effort, along with substantial monetary donations from the citizens of Clarke County, Iowa, were used to renovate and construct the Rotary Club Bandstand (hereinafter sometimes referred to as "Bandstand") on the lawn of the Clarke County Courthouse, and countless citizens enjoy cultural activities in and around the Bandstand, and the Bandstand has been the victim of vandalism in recent months, resulting in a potential for deterioration of the structure. The Board finds that instituting hours of operation for the Bandstand will reduce the vandalism inflicted upon the structure.

Section II. Definitions.

1. The terms "trespass" shall mean entering upon or in the Bandstand between the hours of 6:00 p.m. and 7:00 a.m., inclusive, without the express permission of the Clarke County Board of Supervisors.

Section III. Hours of the Bandstand.

The Bandstand shall be open to the public from 7:00 a.m. to 6:00 p.m. each day.

Section IV. Approval for Use After Hours.

Citizens may obtain approval to use the Bandstand after 6:00 p.m. by submitting a request to the Clarke County Board of Supervisors.

Section V. Trespass.

It shall be unlawful for anyone to trespass upon the Rotary Club Bandstand.

Section VI. Violations.

Any person who violates this Ordinance shall be guilty of simple misdemeanor punishable by a fine of at least fifty dollars but not to exceed five hundred dollars, and imprisonment not to exceed thirty days.

Section VII. Severability.

If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section VIII. Effective Date.

This Ordinance being deemed of immediate importance shall become effective upon passage and publication.

First reading: March 14, 2005 (Date)

Second reading: approved March 21, 2005 (Date) waived _____ (Date)

Third reading: approved March 28, 2005 (Date) waived _____ (Date)