

ORDINANCE 18-O-70 amending the Murfreesboro City Code, Chapter 21 – Offenses and Miscellaneous Provisions, Section 21-47 dealing with the closing hours for Civic Plaza, City parks, parking lots, school grounds and trespassing.

WHEREAS, recent administrative changes have consolidated the management of Civic Plaza within the Parks and Recreation Department; and,

WHEREAS, updated operating hours for this and other property managed by the Parks and Recreation Department will promote consistency and align with the current structure and needs of a growing parks system; and,

WHEREAS, the Parks and Recreation Commission recommended this Code amendment at its December 5, 2018 meeting and the City Manager and City Attorney agree with this recommendation.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Section 21-47, Closing hours for City parks, parking lots, school grounds, and Cannonsburgh; trespassing, of the Murfreesboro City Code is hereby amended by deleting the heading and section in its entirety and substituting in lieu thereof the following:

Section 21-47 - Closing hours for Civic Plaza, City parks, parking lots, school grounds; trespassing.

- (A) No person is allowed to be on the grounds of any City school between the hours of 10:00 p.m. and 5:00 a.m., except as authorized by the Director of Schools or the Director's designee.
- (B) No person is allowed to be in a City-owned parking lot or garage between the hours of 12:00 midnight and 6:00 a.m. except to park or retrieve a motor vehicle. A person parking or retrieving a motor vehicle may remain in the vehicle for no more than five minutes before exiting the parking lot or garage. There shall be no congregating or loitering in a City parking lot or garage between the hours of 12:00 midnight and 6:00 a.m.
- (C) No person is allowed to be on the grounds of any City park in violation of the hours of operation for that park established by the Parks and Recreation Commission and posted at the park's primary entrances. These hours may change seasonally and may vary for different areas within a park. In the absence of more restrictive hours, no person is allowed to be on the grounds of any City park between the hours of 11:00 p.m. and 6:00 a.m., provided, however, that any person in a park attending an event authorized by the Parks and Recreation Department is allowed to be on the grounds of that park for one-half hour after the conclusion of the event.
- (D) No person is allowed to be on the grounds of Civic Plaza between the hours of 9:00 p.m. and 7:00 a.m., except as is reasonably necessary to enter or exit City Hall, Linebaugh Library, or the parking garage below Civic Plaza. In addition, no person or persons shall loiter, gather, congregate, or hold any event on Civic Plaza between the hours of 9:00 p.m. and 7:00 a.m., except as authorized by the City Manager or the City Manager's designee by way of a permit or other agreement with the City.
- (E) The provisions of this section shall not be applicable to:
 - (1) City or other government employees on the premises acting in the course of their employment; and
 - (2) Persons on designated park property during special events, activities, or programs approved by the Department.
- (F) Any person who violates this section shall be a trespasser and subject to punishment in as provided in Code §§ 1-8 and 21-46.

SECTION 2. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

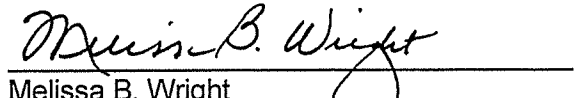
Passed:

1st reading December 20, 2018

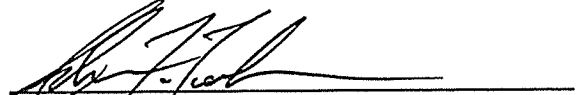
2nd reading January 17, 2019


Shane McFarland, Mayor

ATTEST:


Melissa B. Wright
City Recorder

APPROVED AS TO FORM:


Adam F. Tucker
City Attorney

SEAL