

ORDINANCE NO. 1161

AN ORDINANCE AMENDING THE NICHOLS HILLS CITY CODE TO PERMIT THE CARRYING OF WEAPONS IN PARKS IN ACCORDANCE WITH THE OKLAHOMA SELF-DEFENSE ACT; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

**EMERGENCY ORDINANCE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 34-49 of the Nichols Hills City Code is hereby amended as follows, with new language underlined, to wit:

**Sec. 34-49. Use of parks and facilities; prohibited activities; permit required for some activities.**

(a) The proposed activities in or use of parks shall not reasonably interfere or detract from the general public enjoyment of the park.

(b) The activities in and use of the parks must not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.

(c) The activities and the use of the parks shall not be of a nature reasonably anticipated to excite violence, crime or disorderly conduct.

(d) The proposed activities in and the use of the park shall not entail unusual, extraordinary or burdensome expense or police operation by the City.

(e) Activities prohibited in parks and all other public grounds and public places include:

- (1) Commercial or business activities of any kind, including the solicitation or sale of goods or services;
- (2) Possessing or using illegal drugs of any kind;
- (3) Violations of the regulations with respect to intoxicants as set out in Chapter 4, *Alcoholic Beverages*, Section 4-1, *Consuming or inhaling intoxicants in public places*;
- (4) All forms of smoking, including electronic cigarettes and similar devices, and the use of tobacco products;

- (5) Possession or use of firearms, guns, explosives, bows and arrows, air or gas guns and all other weapons and devices capable of injuring or killing any person or animal or damaging property, except for those weapons carried in accordance with the Oklahoma Self-Defense Act;
- (6) The discharge of fireworks of any kind;
- (7) Placing litter or debris anywhere other than in designated containers;
- (8) Placing any kind of portable structure for recreational purposes, including inflatable bounce houses, slides, moon walks, trampolines, and the like;
- (9) Removal of or damage to any turf, soil, grass, trees, shrubs or plants (except work that may be done by authorized City employees or agents);
- (10) Injuring, disturbing or removing any native animals, including all violations of Section 6-87, *Hunting, trapping, injuring or killing animals prohibited*;
- (11) Violation of the regulations with respect to dogs and cats as set out in Chapter 6, *Animals*, Division 2, *Dogs and cats*.
- (12) Tampering in any way with any park irrigation system, park structure or other facility of any kind;
- (13) Placing advertising in or on park property;
- (14) Violation of the regulations with respect to public morals as set out in Chapter 32, *Offenses*, Article IV, *Offenses Against Public Morals*, and regulations with respect to the public peace and order as set out in Article V, *Offenses Involving Public Peace and Order*;
- (15) Spreading ashes of cremated human remains;
- (16) Burying dead animals.

(f) Permits are required for all private social activities in parks and all other public grounds and public places at which 20 or more people are anticipated to be present, including events such as school picnics, birthday parties, weddings, and the like. The fee to be paid for a permit provided under this section shall be as established in the City Fee Schedule. Requirements for permits for parades, public meetings, public celebrations, and demonstrations are addressed in Chapter 38, *Streets, Sidewalks and Other Public Places*, Article VI, *Parades, Street Meetings and Other Gatherings*.

(g) At least 48 hours before any person intends to host any such private social activity at which 20 or more people are anticipated to be present, written application for a permit therefor shall be filed with the City Manager. The application shall be accompanied by a written statement giving the name of the host, the date and time of the event, and the approximate number of persons anticipated to be present, the area to be occupied, and the nature and the purpose of the activity. It shall be the duty of the City Manager to then determine whether the permit should be granted or denied. Any permit granted by the City Manager shall be revocable at any time by the City Manager or the Chief of Police if, in their discretion, it is determined that the activity has or will unduly hamper or interfere with any

regular municipal service, general traffic, public convenience or will otherwise be in violation of this Section.

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 4. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the 12<sup>th</sup> day of February, 2019.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the 12<sup>th</sup> day of February, 2019.

ATTEST:

Kristi Horst  
City Clerk



E. Peter Hoff  
Mayor

Reviewed as to Form and Legality:

John Michael Wilton by Michael D. O'Neil  
City Attorney