

CHAPTER 23

PARKS AND CEMETERIES.

Reference: Neb. Rev. Stat. Sections 16-241 to 16-245; Sections 12-401 to 12-403, and Sections 16-695 to 16-697.02.

Article I. Cemeteries.

- 23-101. Repealed. (Ord. No. 3685-6/99)
- 23-102. Repealed. (Ord. No. 3685-6/99)
- 23-103. Repealed. (Ord. No. 3685-6/99)
- 23-104. Damaging property, etc., in parks and cemeteries.
- 23-105. Perpetual Care Trust Fund.

Article II. Parks.

- 23-201. Parks; defined.
- 23-202. Parks; closing hours.
- 23-203. Parks; closing hours, exceptions.
- 23-204. Parks; special closing hours.

Article I. Cemeteries.

- 23-101. Repealed.** (Ord. No. 3685-6/99)
- 23-102. Repealed.** (Ord. No. 3685-6/99)
- 23-103. Repealed.** (Ord. No. 3685-6/99)
- 23-104. Damaging property, etc., in parks and cemeteries.**

No person shall cut down, injure or destroy any tree, plant or shrub, or shall injure or destroy any building, equipment, paraphernalia, marker to monument belonging to or under the supervision of the City and installed in its parks or cemeteries, or shall commit any waste of any kind therein.
(Code 1973, 9-4; Ord. No. 2259)

23-105. Perpetual Care Trust Fund.

There is hereby created a separate and distinct fund for the care and maintenance of Parkview Cemetery, to be known as the "Perpetual Care Trust Fund," which fund shall be administered as follows:

(1) The City Treasurer shall, as custodian of the Perpetual Care Trust Fund, receive by gift, grant, deed of conveyance, assignment, bequest or devise, money, stock, bonds or other valuable personal property, or real estate, from any person, firm or corporation for the purpose of endowing Parkview Cemetery with a permanent fund.

(2) All money and property received by the City Treasurer shall be held in trust in perpetuity and shall be maintained separate and distinct from any other funds of the City. The funds received shall be invested as conditioned by the donor, or as directed by the Perpetual Care Trust Fund Board.

(3) The Perpetual Care Trust Fund Board shall consist of the Mayor, Treasurer and Clerk of the City of Hastings. The principal of the Perpetual Care Trust Fund shall be invested and, from time to time reinvested, and kept invested, by the Board in securities authorized by Neb. Rev. Stat. 1943, Section 24-601.04 (Reissue 1979).

(4) The income derived from the investment of said trust fund shall be used solely for the general care, maintenance, ornamentation and embellishment of Parkview Cemetery, and shall be applied in such manner as the Perpetual Care Trust Fund Board may from time to time determine to be for the best interests of Parkview Cemetery. The Board shall in all cases abide by the wishes of the donor in applying the income derived from bequests or donations accompanied by conditions of special directions.
(Code 1973, 9-5; Ord. No. 2772)

Article II. Parks.

Hastings City Code

23-201. Parks; defined.

Parks shall mean and include any park, playground, swimming pool, recreation center, or any other park or recreational use or facility within or without the limits of the City, which is under the City ownership or control.

(Ord. No. 2870)

23-202. Parks; closing hours.

Except as hereinafter provided, all parks shall be opened daily to the public during the hours of 6:00 a.m. to 11:30 p.m. It shall be unlawful for any person to occupy or be present in any park during any hours during which said park is not opened to the public.

(Ord. No. 2870)

23-203. Parks; closing hours, exceptions.

(1) Lake Hastings. Persons utilizing the Lake Hastings public areas for camping or fishing shall be exempt from the foregoing closing hours.

(2) Special exceptions. The City Council or the Director of Parks and Recreation may, upon request by any resident of the City of Hastings, grant exceptions to the normal park closing hours for special activities, or where special circumstances arise.

(Ord. No. 2870)

23-204. Parks; special closing hours.

Any park may be declared closed to the public by the Mayor or the Director of Parks and Recreation at any time or at regular or stated intervals when necessary for:

- (1) The care and maintenance of the parks; or
- (2) The health, safety and welfare of the public; or
- (3) The protection or preservation of park property.

When so closed, the Director of Parks and Recreation shall cause notice to be posted at the entrance of said park to notify the public that the park is closed, and when so posted it shall be unlawful for any person to enter said park; and it shall be unlawful for any person to remain in said park after oral notice by the Director of Parks and Recreation, or any police officer of the City of Hastings, or other duly authorized representative of the Director of Parks and Recreation, that said park is closed, regardless of whether or not any signs have been posted.

(Ord. No. 2870)

As a result of the latest revisions, pages 201-202 have been deleted.