ORDINANCE NO. 861

AN ORDINANCE OF THE MAYOR AND PAYSON TOWN COUNCIL, AMENDING SECTION 93.04(J) OF THE PAYSON TOWN CODE RELATING TO THE USE OF SIDEWALK CHALK IN TOWN PARKS.

WHEREAS, on September 18, 2014, the Town Council amended Chapter 93 of the Payson Town Code relating to Parks; and

WHEREAS, at the time such amendment was approved, the Council asked staff to bring back to Council at a future meeting an amendment to Section 93.04(J) relating to the use of sidewalk chalk that was not an outright prohibition on the use of sidewalk chalk; and

WHEREAS, based upon Council direction, such an amendment has been prepared; and

WHEREAS, the Town of Payson desires to amend Section 93.04(J) of the Town Code,

NOW, THEREFORE, THE MAYOR AND TOWN COUNCIL, ORDAIN AS FOLLOWS:

Section 93.04(J) of the Payson Town Code is amended and shall read as follows:

93.04 Usage Rules

(J) Use of Sidewalk Chalk.

(1) Sidewalk Chalk may be used on the concrete sidewalk adjacent to children's playground equipment in any Park. Use of Sidewalk Chalk in other areas of any park is prohibited.

(2) Sidewalk Chalk shall not (a) be used to depict or mimic regulatory signage; or (b) depict pornographic images.

(3) Persons using Sidewalk Chalk shall not impede pedestrian access or usage of a sidewalk.

(4) A violation of this subsection is a civil violation and may be punished in accordance with Section 10.99(C).

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this ____ day of November, 2014, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____

Kenny J. Evans, Mayor

First Public Hearing NOV 0 6 2014 D. 7

ATTEST:

Silvia Smith, Town Clerk

APPROVED AS TO FORM:

Timothy M. Wright, Town Attorney