

ORDINANCE NO. 1096

AN ORDINANCE AMENDING ORDINANCE 1011 SECTION 1 CODIFIED AS FAIRFIELD MUNICIPAL CODE CHAPTER 9.92.040 (d) CONCERNING SWIMMING AT WATERWORKS PARK AND RESERVOIR AND BEACH (BONNIFIELD LAKE) SPECIFICALLY.

BE IT ORDAINED BY THE CITY COUNCIL OF FAIRFIELD, IOWA:

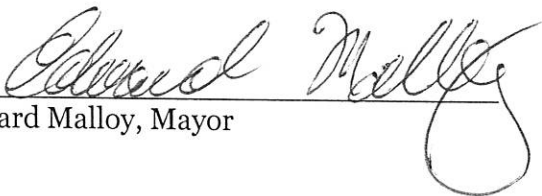
SECTION 1. AMENDMENT. Chapter 9.92.040 (d) (1) is amended by the addition of the following.

- a. Swimming is only allowed in Bonnifield Lake in designated areas and is prohibited in all other city owned Reservoirs (ie., #2 Pond adjacent to Pleasant Plain Road, Walton Lake adjacent to the Walton Golf Course). Swimming will be “swim at your own risk.”
- b. Swimming is allowed from sunrise to sunset in designated areas only at Bonnifield Lake. The yearly swim season will be from April 1st to October 31st, depending on weather or other exigent circumstances or conditions.
- c. Swimming is only allowed within two designated areas. The first designated swim area is adjacent to the beach within the area delineated by buoys and ropes. The second designated swim area is lane swimming for open swimming delineated by the colored buoys. Buoys are positioned to establish boundaries of designated swimming areas and for swimming safety purposes.
- d. The beach may be closed for swimming at the discretion of the Parks and Recreation Director or his/her designee for safety or health reasons, as well as other exigent circumstances. Beach Closed signs will be posted in the event of a beach closing and swimming will be prohibited while such signs are posted.
- e. The City of Fairfield will have emergency rescue equipment adjacent to the beach for emergency use.
- f. Written or verbal warnings for unlawful or improper conduct may be issued by Parks and Recreation staff, law enforcement, or other City employees so empowered. All criminal citations will be issued by law enforcement.
- g. Swimmers must obey city employees enforcing these ordinances. Swimmers shall not attempt to avoid enforcement of swimming rules and regulations. Attempts to avoid enforcement will result in citation and / or a loss of swimming privileges.
- h. Individuals having three or more written violations may be banned for the swim season. Anyone violating the ban notice will be cited for trespassing.

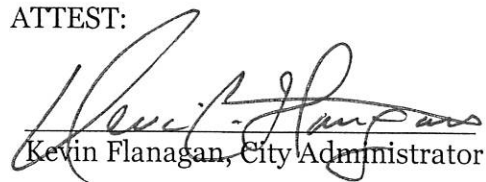
SECTION 2. **Severability Clause.** If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such an adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. **Effective Date.** This Ordinance shall, after its final passage, approval and publication as provided by law, be in full force and effect.

Passed and Approved by the Council on the 25th day of March, 2013.


Edward Malloy, Mayor

ATTEST:


Kevin Flanagan, City Administrator

The above Ordinance No. 1096 having come before the City Council of Fairfield, Iowa on the 25th day of March, 2013, having been moved by Councilperson Boyer and seconded by Councilperson Revolinski is adopted by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Rasmussen	<u>X</u>	_____	_____	_____
Revolinski	<u>X</u>	_____	_____	_____
Hammes	<u>X</u>	_____	_____	_____
Halley	<u>X</u>	_____	_____	_____
Hamilton	_____	<u>X</u>	_____	_____
Boyer	<u>X</u>	_____	_____	_____
Ledger-Kalen	_____	_____	_____	<u>X</u>