

MADISON COUNTY ORDINANCE NO.: 422

AN ORDINANCE OF MADISON COUNTY PROVIDING FOR UPDATED PARK FEES FOR THE MADISON COUNTY PARKS OF BEAVER DICK AND TWIN BRIDGES PARKS; PROVIDING THE FEE THEREON; PLACING A USE LIMITATION ON THE PARKS AND PROVIDE FOR A PARK CLOSURE WHEN APPROPRIATE; PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Madison County is well known for its beauty and nature. Madison County operates two parks: Beaver Dick and Twin Bridges, which are utilized throughout the year;

WHEREAS, the maintenance fees for both parks are covered by the Madison County budget and as usage increases, so does the expenses to maintain the parks and update the facilities as needed;

WHEREAS, Madison County currently charges a minimal fee to use its shelters and parks;

WHEREAS, both Madison County parks have boat docks that are maintained by Madison County with some funding from Bureau of Land Management (BLM) for Twin Bridges;

WHEREAS, the Madison County Parks Department is proposing a fee change for camping sites and also realign the shelter use fees to be more in line with the numbers of people that are using the shelters for events;

WHEREAS, Madison County's parks offer pads for both R.V.s and tents, fire rings, picnic tables, rest rooms, site seeing, boating docks and nature up close;

WHEREAS, Madison County believes a modified fee schedule would allow Madison County to continue to maintain the parks and provide a good environment for the public;

WHEREAS, Madison County believes it prudent to modify its fees for both camp sites and a penalty for any violations thereon; and,

WHEREAS, Madison County believes it is in the parks' and citizens' of Madison County's best interest to provide a use limitation and authorized closure of Madison County's two parks when appropriate; and,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY, IDAHO:

1. Fee Schedule. The following fees will be collected with the honor system, and Madison

County will continue to monitor the self-pay fee stations at the parks. Madison County employees will continue to assist with helping to educate the public on this system. Madison County may also include a survey with the fee document to try and monitor the park use and address any concerns that may arise.

The following is the fee schedule for the parks:

- a. The fee for both of the Madison County parks is ten dollars (\$10.00) per day/night per campsite stay, and forty dollars (\$40.00) for a five day/night per campsite stay.
- b. The fees for both Madison County shelters located in the parks will be twenty-five dollars from one persons to twenty five (1-25) persons per shelter; fifty dollars (\$50.00) dollars per shelter for larger groups of twenty six to fifty (26-50) people; one hundred (\$100.00) dollars for over fifty (50) occupants. Larger groups than fifty (50) occupants will need to be approved by the Board of County Commissioners.
- c. No person or group of persons will be allowed to stay in the Madison County parks for longer than a five day/night timeframe per stay, per month.

2. Pay Details. When patrons fill out their pay fee stub, a survey/questionnaire about their stay may be included, asking the following: where they are from, and hear about their opinions and suggestions on how to better Madison County's parks.

3. Failure to Pay. Any patron(s) who fail to pay the required fees herein will be subject to immediate expulsion from the Madison County parks, to include temporary and/or permanent bans in the future from the parks at the discretion of the Madison County Commissioners.

4. Closure of Parks and Use Limitations.

a. The Parks and Recreation Department is hereby authorized to close to the public's use any County Park or portion thereof, restrict the times when the same shall be opened to such use, and/or limit or prohibit persons' recreation use whenever such action is necessary to protect the health or safety of the public or the safety of the park or its facilities. Cause for park closure or limitations on park use includes, but are not limited to: fire hazard, dangerous weather or water conditions, sanitary protection of the watershed, park construction or repairs, conservation of fish and wildlife, excessive boat traffic, unsafe or overcrowded shoreline, ramp, parking or road conditions, the prevention of damage to the park or any of its facilities or any dangerous, unsafe or unhealthful conditions.

b. Any person(s) using the Madison County parks may be removed for any reason by Parks and Recreation Department personnel. Actions leading to expulsion from the parks may include but are not limited to the following: disturbing the

peace or quiet of any family or person using the park(s) by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or firing a gun or pistol.

c. Any park closure for day or night usage areas shall be posted as appropriate.

d. No person shall enter any Madison County park or area which has been closed once notice of closure has been posted.

e. No person shall be allowed to use any parks after their expulsion unless permission is subsequently given by the Madison County Parks and Recreation Department prior to that person(s) next use.

5. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

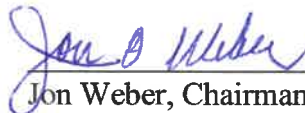
6. Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded, including but not limited to Ordinance 374.

7. Penalties. If any person violates this ordinance, upon conviction, may be punished by a fine of up to three hundred dollars (\$300), or by up to one hundred eighty (180) days in jail, or both.

8. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE MADISON COUNTY COMMISSIONERS this 14th day of January, 2019.

APPROVED:



Jon Weber, Chairman



Todd Smith, Commissioner

Brent Mendenhall, Chairman

ATTEST:



County Clerk

