

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI AMENDING CHAPTER 245 PARKS AND RECREATION SECTION 245.060 PARKS ~~SPONSORSHIPS~~ ADVERTISING FEES AS SET FORTH.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS:

Section 1. That the section entitled Osage Beach Design amendments as set forth below with new material set out in **RED** and deleted material struck as follows:

Section 245.060. Park Sponsorships Advertising

~~Event Sponsorship Advertising And Signage.~~ Only banners and signs for permitted events shall be allowed within the City's parks or on City property and must be approved by the Parks and Recreation Department. Approval shall be done through the park use application for permit process.

- ~~1. Banners and signs for permitted events shall only be temporary in use and not permanently constructed, installed or built on City property.~~
- ~~2. Event Applicant agrees to comply with all City codes, applicable laws and regulations.~~
- ~~3. The City reserves the right to edit advertising for content. All advertising shall be approved by the Parks and Recreation Department.~~

~~B. Park Sponsorship Advertising.~~ The City Administrator or his/her designee is authorized to accept sponsorships for the Parks and Recreation Department's programs, facilities, and events, and to recognize sponsors appropriately using signage or other City media. The City's advertising program will allow businesses various opportunities to advertise at either Osage Beach City Park or Peanick Park.

- ~~1. Sponsorships shall be generally available to individuals and businesses provided that no recognition of a sponsor shall violate state and/or federal laws or regulations.~~
- ~~2. Sponsorships for youth-specific or youth-focused programs, facilities, or events (including but not limited to youth sports, playgrounds, Easter egg hunts, youth fishing derbies, etc.) shall not be accepted from sponsors which derive more than 60% of their gross revenues from the sale of products which cannot be consumed or purchased lawfully by minors (including but not limited to alcohol, marijuana, and tobacco/vape products).~~
- ~~3. The purpose of sponsor recognition shall be to express the City's gratitude for the sponsor's support. Recognition shall identify the sponsor only and shall not open a forum for a sponsor's message or other speech. Acceptance and recognition of a sponsorship shall not constitute an endorsement of the sponsor.~~

~~1. Terms of agreement.~~

- ~~a. Businesses shall contract with the City for advertising space and will be reserved on a first come, first served basis and shall be subject to the terms of the contract.~~
- ~~b. Minimum term of advertising shall be for at least one (1) year and shall include first~~

~~right of refusal or opportunity to enter into a new contract.~~

- ~~e. Rates are non-exclusive, allowing competing products or services to purchase advertising.~~
- ~~d. Rates are due and payable upon receipt of invoice by the City. Annual fees are due at the beginning of each calendar year.~~
- ~~e. If the City has, or will acquire, naming rights to a City facility, such naming rights may impact the ability of a competitive advertiser in that City facility and/or in the areas associated directly with that facility.~~
- ~~f. Advertising contracts shall be based on available advertising space, advertising product, ad copy and graphics.~~
- ~~g. The City reserves the right to edit advertising for content. All advertising shall be approved by the Parks and Recreation Department.~~
- ~~h. The City Administrator or his/her designee shall have the authority to enter into a one (1) year sports board, location sign or scoreboard advertising contract pursuant to the terms and conditions set out in this Code. The City Administrator shall notify the Board of Aldermen of each contract executed under this authority and provide to the Board, the advertising copy, artwork and content approved for each advertiser. This Section shall not obligate or compel the City Administrator to execute any contract.~~

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgement or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval by the Mayor.

READ FIRST TIME: April 17, 2025

READ SECOND TIME: May 1, 2025

I hereby certify that Ordinance No. 25.41 was duly passed on May 1, 2025, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 1

This Ordinance is hereby transmitted to the Mayor for his signature.

May 1, 25
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

C. Bradbury
Cole Bradbury, City Attorney
I hereby approve Ordinance No. 25.41.

Michael Harmison
Michael Harmison, Mayor

May 1, 25
Date

Tara Berreth
Tara Berreth, City Clerk