

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 245 PARKS RESERVATION AND USER FEES; SECTION 210.2250 PERMIT TO DISCHARGE, SECTION 245.040 PARKS RESERVATIONS AND USER FEES, SECTION 245.050 VENDING AND CONCESSIONS AS SET FORTH.

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

Section 1. Within the City Code there are hereby enacted new Sections with material repealed and replacing set forth below with new material set out in **RED** and deleted material struck as follows:

ARTICLE II

Section 210.2250. Permit To Discharge.

- A. A permit shall be obtained from the City for the discharge of fireworks. Each permit shall specify the date, time, location, property owner, and party responsible conducting the display. No permit shall be issued for any display earlier in the day than 6:00 P.M. or later in the day than 10:00 P.M. Permits may also be issued under this Chapter for a display from December thirty-first (31st) beginning at 11:50 P.M. to January first (1st) at 12:10 A.M.
- B. Applications for permits shall be made in writing at least seven (7) working days in advance of the date of the display or discharge of fireworks and shall be accompanied by an application fee of ~~twenty-five dollars (\$25.00)~~ **set by the City Clerk**. The sale, possession, use and distribution of fireworks for such display shall be lawful under the terms and conditions approved with the permit and for that purpose only. A permit granted hereunder shall not be transferable, nor shall any such permit be extended beyond the dates set out therein.
- C. Applications for display of fireworks shall be approved by the Chief of Police and issued by the City Clerk. Applicants must first obtain a permit from either the State Fire Marshal or the Osage Beach Fire Protection District and provide a copy of said permit with the application.

Park Reservations and User Fees

Section 245.040. Park Reservations and User Fees.

The City of Osage Beach's sports fields, **courts, pavilions**, and other park facilities (~~pavilions and softball/baseball and soccer fields~~) at **all City Parks** ~~both Peanick Park and the Osage Beach City Park~~ are available for reservation by the public when not otherwise scheduled.

(1) *Reservations.*

a. *Reservation procedures.*

- (1) Reservations for park facilities may be made throughout the year based on availability. The Parks and Recreation Department must approve all reservations.
- (2) Reservations shall be made **online through the City's website or by**

~~contacting the Parks and Recreation Department. by submitting a park use application for permit prior to the event by fax, e-mail, postal mail, or in person at the City of Osage Beach — City Hall, Parks and Recreation Department, 1000 City Parkway, Osage Beach, Missouri, 65065, during normal business hours, excluding legal holidays.~~

- (3) Reservations requested the day of the event may be taken at the discretion of the Parks and Recreation Department.
 - (4) **Basic f**Field reservations **do not** include field preparation **or** ~~and~~ field lights **but are available for an additional fee as needed.**
- b. *Inclement weather.* The City's Parks and Recreation Department will determine field playability. In the event inclement weather occurs after the Parks and Recreation Department's business hours, the applicant will be responsible for determining if the event occurs or is canceled.
- (1) If an event is canceled prior to starting due to inclement weather, user fees will be reimbursed in full.
 - (2) If an event is shortened due to inclement weather, user fees will be charged based on time used.
- c. *Maintenance schedule.*
- (1) All sports fields may be closed for maintenance starting December — February and periodically throughout the year for routine maintenance.
 - (2) The Parks and Recreation Department shall make available to the public dates and times of park closings. However, if determined by the Parks and Recreation Department, dates and times of scheduled park closings change, reservations shall resume and shall be made on a first come, first serve basis.

2. User fees.

- a. Fee schedule — ~~All City Parks Peanick Park and Osage Beach City Park.~~ **Fees for park services shall be contained in the Osage Beach Parks Fee Schedule, a copy of which shall be maintained by the City Clerk. This schedule may be updated from time to time with the approval of the City Administrator. The City Administrator shall provide copies of all changes to the Fee Schedule to the Board and Mayor at least twenty (20) business days prior to implementing such changes.**

~~Peanick Park and Osage Beach City Park Fees~~

Pavilion Rental

1/2 day (4 hours)	\$20.00
Full day (8 hours)	\$35.00

Sports Fields — soccer and baseball/softball

Field use/per field

Per hour/per field	\$15.00
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½ day (4 hours)	\$50.00
Full day (8 hours)	\$100.00

~~Youth associations/little league and other private league play~~

~~Game play—per team/per season \$45.00~~

~~Practice play—per hour \$5.00~~

City Sponsored Leagues

City sponsored league play—adult

Game play—per team/per season \$325.00

Practice play—per hour \$5.00

Vendors

Vendor fee Minimum of \$15.00
Or 3% of gross sales, if greater

b. *Payments and deposits.*

- (1) Park user fees shall be paid **upon reservation of the** ~~prior to~~ event. The City reserves the right to request a non-refundable security deposit if deemed necessary by the City.
- (2) A minimum vendor fee of fifteen dollars (\$15.00) shall be paid prior to the event.
- (3) Other applicable fees determined to be owed by the applicant at the conclusion of the event may be invoiced and paid within ten (10) days from the event date, if agreed to by the City.

c. *Modifications and refunds.*

- (1) Applicants may cancel reservations no less than forty-eight (48) hours prior to reserved date to receive full refund, otherwise no refund or credit will be given.
- (2) Applicants may modify reservations forty-eight (48) hours prior to reserved date to receive any refund or credit due. Any additional user fees due to the City shall be paid at the time of modification. The Parks and Recreation Department must approve all modifications.
- (3) Cancellations and modifications shall be made by phone, email, ~~postal mail~~ or in person at the City of Osage Beach — City Hall, Parks and Recreation Department, 1000 City Parkway, Osage Beach, Missouri, 65065, during normal business hours, excluding legal holidays.
- (4) The City reserves the right to postpone, cancel or delay any activity on City property.

d. *Use terms of agreement.*

- (1) Reservations are only for designated area/facility ~~requested~~ ~~permitted~~ and limited to activity listed. Use of other areas/facilities not listed on the ~~reservation permit~~ may result in user fees assessed and may be grounds for immediate removal from City property.
- (2) Reservations requiring the use of scoreboards and/or locked facilities after business hours may require a deposit by the ~~permitted~~ applicant. The ~~permitted~~ applicant shall be responsible for turning on and turning off all scoreboards and unlocking and locking the appropriate facilities under their care.
- (3) Admission fees shall not be charged to the general public to any City facility for any event without prior approval from the City. Vendor fees apply as set forth in 245.040(A)(2).
- (4) It is unlawful for any material such as sand, dirt or other substances to be added or taken off any sports fields at any time. All sports field preparation shall be done by the Parks and Recreation Department. The Parks and Recreation Department may authorize field preparation by permitted event applicants.
- (5) ~~Large tents~~, awnings, canopies and temporary structures or fences are not allowed without prior approval in writing by the Parks and Recreation Department. ~~Small shade tents are permitted during sports games in non-prohibited areas.~~
- (6) Applicant ~~shall be~~ is responsible for cleaning, trash disposal and any repairs necessary as a result of the event.
- (7) The City reserves the right to cancel or revoke any ~~reservations permit~~ at its discretion.
- (8) Applicant ~~shall agree to~~ indemnify and hold harmless the City of Osage Beach, its employees and agents for all liability claims arising out of the event.
- (9) The City reserves the right to request a certificate of insurance showing the City as additional insured with specific liability coverage as deemed necessary by the City.
- (10) Applicant ~~shall agree to~~ comply with all City codes, applicable laws, regulations and orders of the City Administrator.

Section 245.050. Vending and Concessions.

A. No business or individual shall sell or offer for sale, any food or beverage in any City park unless permitted by the City. No business or individual shall sell or offer for sale, merchandise or service, including admissions or other like service, in any City park or on any City property without an approved vendor permit from the City.

1. The City shall manage park concessions and has the first right to sell or offer for sale, any food or beverage in any City facility, area/location, at various dates and times, and may provide vending services within the City parks. Event organizers/individuals may request authorization from the City for vendor rights to sell or offer for sale, any

merchandise, admission fees, food, beverage or service, in any City park facility, area/ location, at various dates and times within the parks.

2. *Vendors.*

- a. Permitted events requesting vendor rights within the City parks, included, but not limited to, merchandise, food and beverage items, and admissions, must submit a vendor application, for prior approval by the City.
- b. Permitted events with authorized vendor concession rights shall obtain all necessary licenses, permits and insurance and shall comply with all City codes, applicable laws and regulations by Federal, State or local governmental agencies and the park rules and regulations of the City.
- ~~e. A minimum vendor fee of fifteen dollars (\$15.00) shall be paid prior to the event. A total vendor fee of fifteen dollars (\$15.00) or three percent (3%) of gross sales (whichever is greater) shall be charged to each applicant for each permitted event with authorized vendor use. Vendor fees determined to be owed by the applicant at the conclusion of the event may be invoiced and paid within ten (10) days from the event date.~~

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 judgment 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 of the Mayor.

READ FIRST TIME:

READ SECOND TIME: September 4, 2025

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 245 PARKS RESERVATION AND USER FEES; SECTION 210.2250 PERMIT TO DISCHARGE, SECTION 245.040 PARKS RESERVATIONS AND USER FEES, SECTION 245.050 VENDING AND CONCESSIONS AS SET FORTH.

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~~application for permit prior to the event by fax, e-mail, postal mail, or in person at the City of Osage Beach — City Hall, Parks and Recreation Department, 1000 City Parkway, Osage Beach, Missouri, 65065, during normal business hours, excluding legal holidays.~~

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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 of the Mayor.

READ FIRST TIME: August 21, 2025

READ SECOND TIME:

I hereby certify that Ordinance No.25.75 was duly passed on by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.75.

Michael Harmison, Mayor

Date

Tara Berreth, City Clerk

I hereby certify that Ordinance No.25.75 was duly passed on September 4, 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.

Sept. 4, 25
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

ClB
Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.75.

Michael Harmison
Michael Harmison, Mayor

Sept. 4, 25
Date

Tara Berreth
Tara Berreth, City Clerk