

Alvarez for  
need 30 days  
a permit

25 people  
no charge

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO LIMIT LARGE GROUP FEEDING IN PARKS AND PARK FACILITIES OWNED OR CONTROLLED BY THE CITY OF LITTLE ROCK, ARKANSAS; AND FOR OTHER PURPOSES.**



**WHEREAS**, the City owns, operates, and maintains, numerous parks that are not regularly programmed for the purpose of feeding large groups, and especially not to feed such groups on a consistent basis; and,

**WHEREAS**, the City has developed through the Jericho Way, and in cooperation with other organizations, special programs to provide shelter and food to groups such as the homeless; and,

**WHEREAS**, the City does not intend to forbid the ability of any person to provide food to the needy, or to seek help from those more fortunate, while still being able to utilize City parks and parks facilities for the overall purposes of exercise and recreation; and,

**WHEREAS**, certain City park facilities including, but not limited to, the sculpture garden in the Julius Breckling Riverfront Park, are not conducive to conducting large group feeding events due to the number of participants, limited available space and the potential for damage to occur.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:**

**Section 1. Definitions.** As used in this ordinance, the following words shall have the following meanings:

*Large Group Feeding* shall mean each instance in food services are provided to more than 25 individuals without charge.

*Park District* shall mean any part of any park located within the City of Little Rock. In order to maximize the effective use of the available space within the parks included in the Park District, the Director of the Department of Parks and Recreation shall designate the areas within the parks where large group feedings may be conducted. A permit granted for a large group feeding shall contain a description of this area.

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1 An event does not occur in the Park District if any of the following applies:

- 2 a. The event is sponsored by a City entity;
- 3 b. The event is sponsored by an entity that has all or a portion of a park within the Park
- 4 District under lease or contract entered into only after a competitive selection process;
- 5 c. The event is held in a River Market Pavilion pursuant to the protocols established by
- 6 the Little Rock Advertising & Promotion Commission and the Little Rock Convention
- 7 and Visitors Bureau (LRCVB) staff.

8 **Section 2.** Except for activities of a governmental agency within the scope of its governmental

9 authority:

- 10 (a) It is unlawful to knowingly sponsor, conduct or participate in the distribution
- 11 or service of food at a large group feeding at a park or park facility owned or
- 12 controlled by the City of Little Rock within the boundaries of the Park District
- 13 without a Large Group Feeding Permit issued by the City;
- 14 (b) It is unlawful to fail to display onsite the Large Group Feeding Permit.
- 15 Provided, it is an affirmative defense to this violation if the offender can later
- 16 produce a Large Group Feeding Permit issued to the offender, or the group with
- 17 which the offender is acting, which was valid at the time of the event.
- 18 (c) The City shall issue a Large Group Feeding Permit upon application and
- 19 payment of the application fee as established by the City, provided that not more
- 20 than two (2) Large Group Feeding Permits shall be issued to the same person,
- 21 or to a group or organization including one that includes the same person, for
- 22 large group feedings within the same park in the Park District in a twelve (12)
- 23 consecutive month period.
- 24 (d) Any applicant shall have the right to appeal the denial of a Large Group Feeding
- 25 Permit pursuant to the appeal procedure set forth in Section 5 below upon
- 26 written notice to the City Manager with a copy to the City Clerk.

27 **Section 3. Contents of Large Group Feeding Permit Application.** An application for a Large

28 Group Feeding Permit must be submitted to the Parks and Recreation Department no more than

29 ninety (90) days and at least thirty (30) days before the event is to occur and shall conclude the

30 following:

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- (a) The signature under oath of the applicant;
  - (b) The name, place of residence, mailing address, telephone number, mobile telephone number if applicable, and email address of the person seeking to conduct the large group feeding; if the large group feeding is to be conducted for, on behalf of, or by an organization, the application shall also contain the name, address and telephone number of the headquarters for the organization, and of the authorized person to speak for and make contractual commitments for the organization that relate to the permit;
  - (c) If there is a separate person who will be responsible for the conduct of the group that provides the large group feeding, then the application shall contain the name, address of residence, and telephone number, of that person;
  - (d) The date the large group feeding will occur;
  - (e) The date of the last large group feeding conducted by the applicant, the applicant's organization, or any person expected to participate with the applicant in the large group feeding;
  - (f) The hours at which the large group feeding will begin, including set up, and will end;
  - (g) The names and addresses of any persons expected to participate with the applicant, or the organization, in the conduct of the large group feeding;
  - (h) If the large group feeding is conducted by an organization, a letter from a person with authority to bind the organization that it is aware of the large group feeding being held in its name, the date and proposed hours of such activity, and that the organization wishes to participate;
  - (i) The exact location in the City park or park facilities where the large group feeding will occur, provided this information shall be provided by a scaled drawing of the location within the City property;
  - (j) Any public facilities that may be used in conjunction with the large group feeding such as pavilions, tables, or other such amenities;
  - (k) A non-refundable permit fee of \$25.00;

1 (l) A refundable \$500.00 security deposit made payable to the City of Little Rock  
2 to cover the cost of repairing any damage to the hardscape, furnishings, and  
3 landscape, in the designated area of the large group feeding;

4 (m) A copy of any appropriate health permit required for the distribution of  
5 prepared food.

6 **Section 4. *Trash containment.*** Any person, group, or association, with conducts a Large  
7 Group Feeding shall provide adequate personnel, trash receptacles, and trash containment and  
8 removal measures to contain all trash, refuse, and litter on the side of the event and to remove all  
9 trash, refuse, litter, unused foods, and any biologic material from the specific area identified in the  
10 permit as the site at the conclusion of the event. The failure to do so may result in the loss of the  
11 any or all of the security deposit, and may be a basis for denial of a Large Group Feeding permit  
12 for a period of one (1) year within the City.

13 **Section 5. *Police Protection.*** For any group anticipated to be in excess of 25 persons by the  
14 applicant, including those persons who will be fed, the applicant shall notify the Office of the Chief  
15 of Police of the time and place of the large group feeding; provided, if the applicant wishes to have  
16 police protection assigned to the event which requires the use of off-duty certified law enforcement  
17 officers, the costs of such protection shall be borne by the applicant.

18 **Section 6. *Appeal of Denial of Permit.*** An applicant shall have the right to appeal the denial  
19 of a large group feeding permit to the City Manager upon written notice provided to the City Clerk  
20 in person no later than five (5) business days after the denial of thee permit. The City Manager  
21 will make a decision on the appeal within \_\_\_ calendar days. The decision on the appeal is final,  
22 but shall not negate the ability of the applicant to seek judicial review.

23 **Section 7. *Authority to Cancel Event.*** Notwithstanding compliance with the provisions of  
24 this ordinance, if the City Manager determines that it is inappropriate to permit a large group  
25 feeding to go forward because of weather, public health conditions, public safety conditions, or  
26 because of an intervening event that was not foreseen at the time the large group feeding  
27 application was filed, then the permit may be deferred to a future date, not to exceed 15 days from  
28 the original date for the permit unless otherwise mutually agreed to by the parties.

29 **Section 8. *Severability.*** In the event any title, section, paragraph, item, sentence, clause,  
30 phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such

1 declaration or adjudication shall not affect the remaining portions of the resolution which shall  
2 remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional  
3 were not originally a part of the resolution.

4 **Section 9. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are  
5 inconsistent with the provisions of this resolution, are hereby repealed to the extent of such  
6 inconsistency.

7 **ADOPTED:**

8 **ATTEST:**

**APPROVED:**

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**Susan Langley, City Clerk**

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**Mark Stodola, Mayor**

12 **APPROVED AS TO LEGAL FORM:**

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**Thomas M. Carpenter, City Attorney**

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