

delegated may prohibit parking or may designate specific portions of the easements for limited use for vehicle parking; may prescribe the limitations of such use for specified periods of time; may fix and collect a fee or charge for such limited and special use by vehicle operators, which fee or charge may be required to be paid in advance for each specified period of time; may lease designated portions of the easements for the operation of limited vehicle parking thereon upon the condition that the lessee under any such lease shall make no greater charges for vehicle parking on the leased portion or different periods of parking use than shall be specified in the lease. Each municipality, by ordinance, may protect any self-operated or leased parking stations or any portions of the easements designated for prohibited or limited vehicular parking from unauthorized trespass, may penalize violations, and authorize the removal and impoundment and sale for costs of removal and penalties of any trespassing vehicle. All revenues derived from fees and charges by any municipality and all lease rentals from the leasing of the easements shall be received by the municipality as compensation for its management of the easements.

D. Any lease made pursuant to this article shall constitute an enforceable contract between the respective municipality and its lessee, and shall not be impaired by any action of the municipality during its effective term. Nothing herein appearing to the contrary shall imply any surrender, divestiture, limitation or impairment of any lawful governmental power of the state or any of its political subdivisions in relation to any subject whatsoever.

Laws 1977, c. 256, § 32-116, eff. July 1, 1978.

§11-32-117. Disposal of parking station property.

If any parking station so acquired and improved shall become unsuitable or unusable as a parking station, the governing body, by ordinance, may discontinue the use of the land as a parking station and use the same for other municipal purposes or sell the same as provided by law.

Laws 1977, c. 256, § 32-117, eff. July 1, 1978.

§11-33-101. Purpose of Oklahoma public parks and recreation law.

The purpose of Sections 33-101 through 33-115 of this title is to promote the establishment, operation and support of public recreational facilities for the welfare of the people by local governmental units of Oklahoma either singly or jointly.

Laws 1977, c. 256, § 33-101, eff. July 1, 1978.

§11-33-102. Definitions.

For the purposes of Sections 33-101 through 33-115 of this title, the term "governing body" means any city council, city commission, town board of trustees, board of county commissioners,

school board, or other body acting in lieu thereof, in the State of Oklahoma. The term "governmental unit" means any city, town, school district, or county in the State of Oklahoma. Laws 1977, c. 256, § 33-102, eff. July 1, 1978.

§11-33-103. Powers of cities, towns, counties and school districts.

Any city, town, school district or county may establish, provide, maintain, construct, set apart and conduct, either singly or jointly in cooperation with one or more of the other governmental units specified herein, parks, playgrounds, recreation centers, athletic fields or grounds, swimming pools, social and community centers, and other facilities and activities in public schools, parks, buildings and facilities now owned or acquired. For such purposes the governing body of the governmental unit may dedicate and set apart for use as playgrounds, recreation centers and other recreational purposes any lands or buildings, or both, owned or leased by the governmental unit and not dedicated or devoted to another public use. The governmental unit may, in such manner as may now or hereafter be authorized or provided by law for the acquisition of lands or buildings for public purposes by the governmental unit, acquire or lease lands or buildings, or both, within or beyond the corporate limits of the governmental unit for playgrounds, recreation centers and other recreational purposes. When the governing body of the governmental unit shall dedicate, set apart, acquire or lease buildings for such purposes, it may on its own initiative provide for their conduct, equipment and maintenance according to the provisions of this subarticle by making an appropriation from the general revenues of the governmental unit as for other current expenses of the governmental unit. Any governing body is hereby authorized and empowered to establish, provide, maintain, construct and conduct recreational activities on local nongovernmental properties as well as on publicly-owned facilities. Laws 1977, c. 256, § 33-103, eff. July 1, 1978.

§11-33-104. Joint establishment and conduct of system of recreation.

Any two or more governmental units may jointly establish and conduct such a system of recreation, including recreation centers, parks, swimming pools, playgrounds and any and all other recreational facilities and activities, and may exercise all the powers given by Sections 33-101 through 33-115 of this title. The respective governing bodies operating such a joint program or programs may provide by agreement among themselves for all matters connected with the program and determine what items of cost and expense shall be paid by each. All such facilities and activities shall be governmental in nature, and no liability for negligence shall accrue against any participating governmental unit.

Laws 1977, c. 256, § 33-104, eff. July 1, 1978.

§11-33-105. Powers of governing body - Creation and powers of recreation board or commission.

The governing body of any governmental unit may establish a system of supervised recreation and it may, by resolution or ordinance, vest the power to provide, maintain and conduct playgrounds, recreation centers and other recreational facilities and activities in a board, department or commission as it may determine. Any agency so designated shall have the power to maintain and equip playgrounds, recreation centers and the buildings thereon, and it may, for the purpose of carrying out the provisions of this subarticle employ play leaders, playground directors, supervisors, recreational superintendents, and such other officers and employees as may be deemed proper. However, all appropriations for such purposes shall remain and be vested in the governing body of the governmental unit.

Laws 1977, c. 256, § 33-105, eff. July 1, 1978.

§11-33-106. Public recreation board or commission - Membership - Appointment.

A. If the governing body or bodies of any governmental unit or units shall determine that the power to provide, establish, conduct and maintain such recreation centers, facilities and playgrounds shall be exercised by a board or commission acting through a public recreation department, the governing body or bodies shall, by resolution or ordinance, singly or jointly, establish in the governmental unit or units a public recreation board which shall possess all the powers necessary to the carrying out of the provisions of this subarticle, and the planning and providing of a comprehensive program of public recreation. However, the financial and fiscal affairs of the board or commission and the public recreation program shall be under the supervision and control of the governing body or bodies of the governmental unit or units.

B. If a public recreation board or commission is established, it shall consist of not less than five (5) persons serving without pay, to be appointed jointly by a majority of the members of the governing body or bodies of the governmental unit or units. The term of office of each of the members of the board or commission shall be fixed by the governing body or bodies or the governmental unit or units; however all terms shall not expire at the same time. Immediately after their appointment, the members of the board or commission shall meet and organize by electing one of their members chairman, and such other offices as the board may deem necessary. The board or commission shall elect officers annually and may appoint permanent or temporary committees, who may or may not be members of the board or governing body, to advise and assist it in

the conduct of its affairs. Vacancies on the board or commission occurring otherwise than by expiration of their term of office shall be filled by the presiding officer of the governing body or bodies only for the unexpired term of the member whose vacancy is being filled.

Laws 1977, c. 256, § 33-106, eff. July 1, 1978.

§11-33-107. Public recreation board or commission - Functions - Superintendent.

If a public recreation board or commission shall be established, it shall discharge its functions through a public recreation department, as provided in Section 33-106 of this title, shall make annual reports, shall adopt rules and regulations and establish general policies for the conduct of its business and for the operation of public recreational activities and services. It shall make an annual report to the governing body or bodies and such special reports as may be requested in writing by the governing body or any of the governing bodies; provided that a copy of all reports shall be furnished to each governing body if there be more than one. The public recreation board or commission, in order to carry out the provisions of this subarticle, shall recommend a superintendent of recreation, not of its own membership or of the membership of the governing body or bodies, who is trained in public recreation and who shall be responsible for formulating the recreational program and community organization for recreation and who shall be the administrative head of the public recreation department. The superintendent shall be secretary of the public recreation board or commission, but shall have no vote. The superintendent shall:

1. Suggest and participate in planning public recreation and deciding upon matters of policy adopted by the board or commission;
2. Recommend appointment of trained personnel within the budgetary limits of the department;
3. Be in charge of all employees, and make all contracts and expenditures subject to the policies, rules and regulations of the board or commission;
4. Direct and be responsible for the work performed;
5. Make an annual report to the board or commission and such special reports as may be requested in writing by the board or commission; and
6. Prepare annually a budget for the operation of the recreation program for the succeeding fiscal year.

Salaries of all employees, including that of the superintendent, shall be determined by the board or commission. When the recreation program budget has been approved by the board or commission, it shall be presented to the governing body or bodies for approval. All funds credited to the public recreational board or commission shall be paid out as are other public funds.

Laws 1977, c. 256, § 33-107, eff. July 1, 1978.

§11-33-108. Parallel systems within same area not authorized.

The provisions of Sections 33-101 through 33-115 of this title shall not be deemed to authorize a parallel system of general public recreation to be carried on by a governmental unit within the same area in which another governmental unit is located and operating a similar program.

Laws 1977, c. 256, § 33-108, eff. July 1, 1978.

§11-33-109. Grants and devises of real property - Gifts and bequests.

Any governmental unit which may provide for or establish any recreation center or facilities as provided herein may accept any grant or devise of real estate, or any gift or bequest of money or other personal property or any donation to be applied (either principal or income) for either temporary or permanent use for playground or recreational centers or recreational purposes; but if the acceptance thereof for such purpose will subject such governmental unit to additional expense for improvement, maintenance or otherwise, the acceptance of any grant, devise or gift shall be subject to the approval of the governing body of such governmental unit. Money received for such purpose, unless otherwise provided by the terms of the gift or bequest, shall be deposited with the treasurer of the governmental unit to be a special account of the recreation center or activity and shall be considered as a continuing fund to be used for such purpose and shall not be considered as a part of the cash surplus on hand of the governmental unit for the purpose of making appropriations and levying taxes for the governmental unit.

Laws 1977, c. 256, § 33-109, eff. July 1, 1978.

§11-33-110. Bonds - Power to issue - Manner of issuance.

The governing body of the governmental unit may issue bonds, pursuant to law, provided that bonds of the governmental unit may be issued in the manner provided by law for the issuance of bonds for other functions, for the purpose of acquiring land or buildings for playgrounds, recreation centers, swimming pools and other recreational purposes, and for the equipment thereof.

Laws 1977, c. 256, § 33-110, eff. July 1, 1978.

§11-33-111. Petition for recreation programs - Submission of question to voters.

Whenever a petition is signed by at least five percent (5%) of the registered voters of a governmental unit requesting its governing body to provide, establish, maintain, conduct, either singly or jointly with one or more of the other governmental units

specified herein, a recreation system and an appropriate amount of funds necessary for the establishment thereof, it shall be the duty of the governing body of the governmental unit to cause the question of establishment, maintenance and conduct of the recreational system or facilities to be submitted to the registered voters of the governmental unit, and the proposition of the issuance of bonds therefor to be voted on in a special or general election. Upon the adoption of the proposition, the governing body of the governmental unit shall by appropriate resolution or ordinance provide for the establishment, maintenance and conduct of such recreation center or other recreational purposes or facilities.  
Laws 1977, c. 256, § 33-111, eff. July 1, 1978.

§11-33-112. Limitation of indebtedness - Approval of bonds and proceedings by Attorney General.

Any indebtedness created or bonds issued under authority of Sections 33-101 through 33-115 of this title shall be within the limitations and provisions of Sections 26 or 27, Article X of the Oklahoma Constitution. Any bonds or proceedings incident to the issuance shall be submitted to and approved by the Attorney General of Oklahoma, in the manner and with the effect provided in Sections 11, 13 and 14 of Title 62 of the Oklahoma Statutes.  
Laws 1977, c. 256, § 33-112, eff. July 1, 1978.

§11-33-113. Buildings - Tax levy.

The governing body of a governmental unit may provide for the erection of buildings for any such recreational purposes or functions by providing for a tax levy therefor under the provisions of Section 10, Article X of the Oklahoma Constitution.  
Laws 1977, c. 256, § 33-113, eff. July 1, 1978.

§11-33-114. Department of Tourism and Recreation - Aid and assistance - Existing authority not impaired.

The Oklahoma Tourism and Recreation Department may provide, upon request, to the governmental units of Oklahoma or to any nongovernmental agency or organization, aid and assistance in planning for the development of wholesome and adequate community recreation programs. The Department may provide a supervisor of recreation, who is technically trained, with adequate administrative experience in the field of community recreation, to encourage, consult with, aid and assist such governmental units and agencies in establishing recreation programs. The supervisor of recreation may encourage and render assistance in the promotion of training programs for volunteer and professional recreation leaders in cooperation with other agencies, organizations and institutions, and may encourage the establishment of standards for recreation personnel. The Department may act jointly with other state

agencies, institutions, departments, boards or commissions, to coordinate the park and recreational functions at the state level of government. Nothing in Sections 33-101 through 33-115 of this title shall be construed as limiting or impairing the authority or responsibility of any other department or agency of the State of Oklahoma under any other act.

Laws 1977, c. 256, § 33-114, eff. July 1, 1978.

§11-33-115. Public recreation law cumulative.

The provisions of Sections 33-101 through 33-115 of this title shall in no manner supersede or repeal any laws now in force or effect or any charter provisions of any municipality relating to municipal parks or park boards, but shall be cumulative to all such laws and charter provisions thereof.

Laws 1977, c. 256, § 33-115, eff. July 1, 1978.

§11-33-201. Municipality may lease or grant fishing and hunting privileges or licenses.

The governing body of any municipality owning or controlling lakes, ponds, streams or reservoirs for the purpose of furnishing water to the municipality may let, lease or rent, or issue privileges or licenses upon the water courses, lakes, ponds or reservoirs for the purpose of hunting, fishing and propagating fish, subject to rules and regulations as may be provided by the municipal governing body.

Laws 1977, c. 256, § 33-201, eff. July 1, 1978.

§11-33-202. Terms of leases - Exclusion of commercial propagation of fish.

No lease issued under the authority of Section 33-201 of this title shall be for a longer period than ten (10) years, nor shall any lease be given to any individual, corporation, or stock company which has for its purpose the propagation of fish for commercial purposes unless the governing body of the municipality determines that the lake, pond, stream, water course or reservoir has not been used for at least three (3) years for amusement or recreational purposes. However, if a lease contains a provision that the premises described in the lease shall be open to the public for free hunting and fishing privileges, then the lease may be for any period of time, not to exceed twenty-five (25) years.

Laws 1977, c. 256, § 33-202, eff. July 1, 1978; Laws 1991, c. 313, § 1, eff. Sept. 1, 1991.

§11-33-203. Repealed by Laws 1991, c. 124, § 35, eff. July 1, 1991.

§11-33-204. Docks, boathouses and boats - Powers of municipalities.



The governing body of any municipality owning lands, inside or outside of the corporate limits, which adjoin and abut upon a lake or large body of water capable of being used by a motor-propelled boat may own, construct, maintain, operate, and equip docks, boathouses, and boats for amusement and recreational purposes. The governing body may also lease or rent to any person lots or spaces and provide permits for the construction or use of privately owned boathouses or docks or other recreational purposes on such property for amusement and recreational purposes pursuant to such terms as the governing body deems proper. Said governing body may fix and collect fares, rents, tolls, or other revenues for the use of said facilities, lots and spaces, and the issuance of permits. The right of a municipality to own, construct, maintain, operate and equip said docks, boathouses, and boats, and to rent or lease such spaces and lots and the issuance of permits for the construction or use of such privately owned docks or boathouses for amusement and recreational purposes is hereby declared to be a public right and use. Rent and lease of such lots and spaces shall be at fair market value. Except in cases of rentals and leases authorized herein, said right and facilities shall constitute a public benefit. The municipal governing body may do all things necessary and proper in its discretion pursuant to the authority granted to it by the Constitution and laws of this state to further the ability of the municipality to provide for the amusement and recreational services authorized by the provisions of this section. Amended by Laws 1984, c. 126, § 63, eff. Nov. 1, 1984; Laws 1991, c. 152, § 1, eff. Sept. 1, 1991.

§11-33-205. Establishment of fish and game commission - Appointment - Powers.

The governing body of any municipality having a municipally-owned lake or lakes may provide by ordinance for the creation of a municipal Fish and Game Commission, and establish the number of members, their terms, and manner of appointment. The municipal Fish and Game Commission shall exercise control and supervision over the hunting and fishing privileges on and around such lake or lakes and the improvement of such lake or lakes for hunting and fishing. The Commission shall fix the fees to be charged for hunting and fishing, and have such other power and authority as may be provided by the ordinances of the municipality. Laws 1977, c. 256, § 33-205, eff. July 1, 1978.

§11-34-101. Police officers.

A. A municipal police officer shall at all times have the power to make or order an arrest for any offense against the laws of this state or the ordinances of the municipality. The officer shall have