

ORDINANCE NO. 13-97

FINANCE CREATING CHAPTER 939 OF THE CODIFIED ORDINANCES OF THE CITY OF ORRVILLE RELATING TO PARKS AND RECREATION.

ADOPTED by the Council of the City of Orrville, County of Wayne, and State of Ohio.

That Chapter 939 of the Codified Ordinances of the City of Orrville shall read as follows:

MEANING OF WORDS AND PHRASES

Unless otherwise defined, the words and phrases when used in this Chapter except as otherwise provided, shall have the meanings respectively ascribed to them in this section.

Park means any land or water area owned, leased or otherwise controlled by the City of Orrville for purposes of recreational use.

Park manager shall mean the Superintendent of the Streets, Parks, and Cemetery Department or his designee.

Police officer shall mean a police officer of the City of Orrville, and every other law enforcement officer of the State of Ohio or of any political subdivision thereof, including, but not limited to State Highway patrolmen, sheriffs, deputy sheriffs, and Division of Wildlife game protectors.

Person shall mean any individual, company, partnership, corporation, or association, or any combination of individuals, or any employee, agent, or representative thereof.

Vehicle shall mean everything on wheels, including but not limited to, motor vehicles, bicycles, skate boards, and any other means of propulsion, whether mechanical or human powered. Vehicles does not include wheelchairs or motorized carts used by the physically handicapped, and does not include horse-drawn wagons.

HOURS

Each park shall be open to the public during posted hours except that at specified times, selected areas shall be permitted to remain open after posted hours for specific groups with written permission of the Safety-Service Director. The park manager and/or the police department shall be authorized to close all or any part or portion thereof if it is determined that the public safety, the good order of the community or other emergency requires such closure.

No person shall enter into or remain in an area of a park at a time when such area is not open to the public.

The park manager, his designee and/or any police officer shall be authorized to remove any person(s) from a park property for any specified purpose if it is determined that public safety, the good of the community or other emergency requires their removal. No person shall enter into or remain in a park after hours unless required to leave.

No person shall be in any park between the hours of 12 a.m. (midnight) and 6 a.m. without having first obtained written permission from the Safety-Service Director, his designee, or the police department. (See Section 509.12)

PERSONAL CONDUCT

Disorderly Conduct. No person shall conduct himself, by word or by act, in a riotous, disorderly, boisterous or other manner so as to disturb the good order of a park.

Noise. No person(s) shall disturb the good order and quiet of a park by creating or causing unnecessary and/or unreasonable clamor or noise by means of boom boxes, "boom boxes," radios, the playing of recorded music, the use of sound systems or any other means at a level and/or volume which interferes with the enjoyment of others within or near the immediate area. Properly sponsored public functions are excluded from this provision (see Section 529.03)

No person shall use insulting, abusive, threatening, profane or indecent language in a park.

No person shall congregate with others within any park, recreation areas, or facilities with intent to provoke a breach of the peace; or act in such a manner as to provoke a breach of the peace; or whereby a breach of the peace may be occasioned by the serious annoyance to park patrons or the general public by threatening, insulting or abusive conduct toward them; and refuse to move on when ordered by a police officer or park employee. (see Section 529.03)

ALCOHOL

No person shall consume, have in his possession or under his control any container of beer, intoxicating liquor, or any type of alcoholic beverage that is not opened or sealed, on the premises of any public park (see Section 529.09). This applies to possessing or having under control any type of alcoholic beverage that is opened or sealed that is stored in a cooler or any other container on park grounds.

FIRE

Open fires shall be permitted in a park only in a fireplace, a charcoal burner, or established charcoal grills.

No person shall scatter coals in other than receptacles provided.

FIREWORKS

No person shall bring into a park, or have in his possession or under his control, or use in a park, any fireworks or explosives of any kind.

Properly sponsored and sanctioned public functions are excluded from this provisions.

VEHICLES

Motor vehicles shall be permitted only in established parking areas. Motor vehicles must use marked and designated parking spaces where established. No person shall operate a motor vehicle on any area of a park except a gravel or macadam roadway or parking area.

No person shall drive or park any vehicle over a park's grassy areas, walkways, paths, or any other area not established for vehicles.

No person shall park or leave a vehicle in a park after the established closing hours of the park.

No person shall operate a vehicle in a park at a speed in excess of 15 m.p.h. or in such a manner as to endanger the operator or any other person.

Emergency vehicles and park maintenance equipment are excluded from these prohibitions.

Any such vehicle parked or stopped in violation hereof may be removed or towed away upon order of the park manager, his designee, or any police officer. In addition to being subjected to a parking fine.

BICYCLES, ROLLER BLADES, SKATEBOARDS, AND OTHER SELF-PROPOSED DEVICES

Any person shall operate a bicycle on or over a grassy areas, walkway, path or any other area not established for vehicle operation within a park.

If the operator of any bicycle violates provisions of this section, such bicycle may be impounded by any police officer or park employee and held for a period not exceeding ten days, as determined by the Park Manager, the Chief of Police, or their designees.

Any person shall ride, operate or use a skateboard, skates, roller blades, or other similar devices within or upon the grounds of a park.

ADMINISTRATIVE

Any person violating any of the provisions of this chapter or conducting himself in a disorderly manner shall, in addition to any other penalties herein, be subjected to immediate eviction from the park by park personnel or any official or police officer of the City.

Any person violating any of the provisions of the established and posted park and/or pool rules shall be subject to immediate eviction from the park by park personnel or any official or police officer of the City. This eviction shall be in effect for the remainder of the particular day on which the violation occurred.

Any person violating either a provision of this chapter or the established and posted park and/or pool rules on more than one occasion may be denied the use of a park and its facilities for an extended period of time as determined by the Park Director. Such denial of use shall be issued in writing to the offending party within seven days of the violation.

Penalties. Whoever violates any of the provisions of this Chapter is guilty of a minor misdemeanor and subject to a maximum \$100 fine for the first offense. Whoever refuses to obey and comply with the provisions of this Chapter after being issued a minor misdemeanor citation is guilty of a misdemeanor of the second degree.

That this ordinance shall be in full force and in effect after the earliest period allowed by law.

Witness my hand and seal this 17th day of March, 1997.

Attest: Dave Handwerk, President of Council
Julie Leathers, Clerk of Council
Dennis R. Steiner, Mayor

OTHER ORDINANCES

UNLAWFUL CONGREGATION ON SIDEWALKS, PUBLIC GROUNDS

Person shall congregate with others on the sidewalk, street corner, or within the parks or public grounds, with intent to provoke a breach of the peace or a breach of the peace may be occasioned by the serious annoyance to move on when ordered by a police officer. (Ord. 24-68. Passed 9-3-6

Whoever violates this section is guilty of a minor misdemeanor.

CURFEW; CITY, ORR PARK, AND CEMETERY

Curfew.

No child under the age of 14 years shall be on the streets or other public places in the City between the hours of 10 p.m. and 5 a.m., except on Friday and Saturday the hours shall be 11 p.m. to 5 a.m. No child between the ages of 14 and 18 years shall be on the streets or other public places between the hours of 11 p.m. and 5 a.m., except on Friday and Saturday the hours shall be 12 midnight to 5 a.m. However, the provisions of this section do not apply to a child accompanied by his parent, guardian or other adult person having the legal care, custody and control of such child when such child is working within the scope of lawful employment; or when such child is carrying written permission by his parent, legal guardian or other adult person having the legal care, custody and control of such child and is attending school functions at night or some other type of lawful meeting or entertainment.

No parent, guardian or other person lawfully entitled to the care, custody and control of any child shall allow such child to be unlawfully upon the streets or other

public places in the City in violation of subsection (a) hereof. (Ord. 19-66. Passed 5-2-66.)

Orr Park Curfew. No person shall be in Orr Park between the hours of 12 midnight and 6 a.m. without having first obtained permission from the Mayor or the Police Department. (Ord. 15-75. Passed 5-19-75.)

Crown Hill and Orr Cemetery Curfew. No person shall be in Crown Hill Cemetery or Orr Cemetery after sunset or before sunrise without first obtaining permission from the Superintendent of Streets, Parks, and Cemeteries.

Misdemeanor Classification. Any person under 18 years of age violating the provisions of subsection (a)(1), (b) or (c) hereof shall be taken into custody by the Police Department and turned over to the Juvenile Court of Wayne County to be dealt with under State laws.

Any person violating the provisions of subsection (a)(2) hereof and any person eighteen years of age or older violating the provisions of subsection (a)(1) hereof shall be guilty of a minor misdemeanor. (Ord. 34-74. Passed 8-26-74.)

POSSESSION OF LIQUOR PROHIBITED ON PARK PROPERTY

No person shall have in his possession any container of beer or intoxicating liquor on the premises of any public park or on the premises of any other public property.

Whoever violates this section is guilty of a minor misdemeanor. (Ord. 38-78. Passed 5-22-78.)

d April 1997

PARK ORDINANCES
Rules and Regulations

The City of Orrville

City Hall
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