

## ORDINANCE #388

### CITY PARK RULES AND REGULATIONS AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS FOR ALL MUNICIPAL PARK AND RECREATION AREAS

BE IT ORDAINED by the City Council for the City of New Hope, Alabama, that Ordinance #388 – City Park Rules and Regulations, is adopted, as follows:

SECTION 1.     **Applicability.** This ordinance shall apply in all parks and recreation areas under the jurisdiction of the City of New Hope, Alabama. General administration of the ordinance shall be performed by the Parks Department.

As used in this ordinance, the term “*person*” includes natural persons, firms, and corporations.

SECTION 2.     **Hours of Operation.** Parks will operate daily from dawn until 1 hour after sunset, except for scheduled events.

SECTION 3.     **Structures, facilities, plants, trees, trash.** It shall be unlawful for any person in a public park or recreation area to:

1. Deposit any rubbish, refuse, garbage, trash or debris other than in trash receptacles provided therefore, or take into, carry through, or put into any park or recreation area any rubbish, refuse, garbage, trash or debris. Where receptacles are not provided, all such materials shall be carried away from the park or recreation area by the person responsible for its presence and properly disposed of elsewhere. Persons reserving park or recreation facilities shall leave the area in a clean and uncluttered condition after the use.
2. Bring any animal to any park or recreational facility; except leashed animals, only, may be brought to the New Hope Walking Trail. Said leash shall be no longer than six feet, and animals shall not be tied or hitched to any tree or plant. The owner or person having custody of said animal shall be responsible for control of the animal and removal of any animal solid waste. Aggressive animals (biting, snapping, growling) are to be removed from City property immediately. No animals are allowed on the Kid Zone Playground or Athletic Fields.
3. Use any athletic fields by any formally organized group or entity for any purpose, including practice, regular season scheduled event, tournament, or special event, without prior registration with the City of New Hope, which will keep a log identifying the group, field, and date and hour the field will be used. Registration will be recorded on a first come, first served basis.
4. Plant or remove any flowers, trees, shrubs, or other plants without prior written approval from the City of New Hope; or damage, cut, carve, mark, or transplant any tree or plant, or injure the bark or pick flowers or seed of any tree or plant, dig in or otherwise disturb grass

areas, or in any other way injure the natural beauty or usefulness of any park or recreation area.

5. Construct, erect, alter, perform maintenance upon, or repair any structure or facility, permanent or temporary, without prior written approval from the City of New Hope.
6. Mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railings, pavings or paving materials, water lines or other public utilities or parts thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities, or park or recreation property whatsoever, either real or personal.

SECTION 4.     **Vehicles.** It shall be unlawful for any person in a public park or recreation area to:

1. Operate any motorized vehicle in excess of 15 miles per hour.
2. Park any vehicle in any area other than specifically designated parking areas, and then only during the times such areas are open for public use.
3. Operate any motorcycle, motorbike, bicycle, skateboard, skates/roller blades, ATV or UTV on any walking track, athletic field, parking lot, or other area not specifically designated for such purpose, except to park a vehicle in an approved parking area.

SECTION 5.     **Weapons, firearms, explosives, fireworks.** It shall be unlawful for any person in a public park or recreation area to possess or carry any weapon, firearm, BB gun, air gun, spring gun, slingshot, bow, or other weapon in which the propelling force is gunpowder, a spring, or air; fireworks or explosives; except that:

- (a) law enforcement officers may possess their weapons.
- (b) firework displays may be officially conducted or specifically authorized by the City of New Hope.

SECTION 6.     **Alcoholic beverages, controlled substances, gambling.** It shall be unlawful for any person in a public park or recreation area to:

1. Use, solicit, possess, or distribute any controlled substance as defined in the *Code of Alabama*.
2. Possess, consume, or distribute any alcoholic beverage.
3. Be under the influence of alcoholic beverage or controlled substance.

4. Play any game of chance or possess any instrument or device for gambling.
5. Play, engage or take part in any game or competitive sport for money or other thing of value, without prior written permission from the City of New Hope.

SECTION 7.     **Miscellaneous conduct.** It shall be unlawful for any person in a public park or recreation area to:

1. Engage in threatening, abusive, insulting or indecent language or behavior, or engage in any disorderly conduct or behavior tending to breach the peace.
2. Bring any glass container into any park or recreation area.
3. Climb any tree, or walk, climb, stand or sit upon monuments, vases, planters, fountains, railings, fences or upon any other property not designated or customarily used for such purpose.
4. Enter an area posted as closed to the public.
5. Erect or occupy any tent, stand or other structure in any park or playground, or see or give away from any such tent, stand or other structure any food, drink or other thing, without a permit from the City of New Hope.
6. Play radios, compact disc players, tape players, televisions, or any other devices which play recorded, transcribed, or broadcast music, news, play music either amplified or not, speak or sing through amplifiers, or emit other audio matter at a volume which interferes with the enjoyment of the facilities by others except at event sanctioned and permitted by the City of New Hope.
7. Camp or stay overnight.

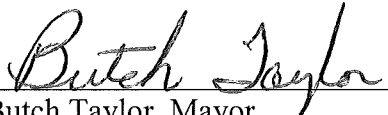
SECTION 8.     **Approvals and permits, insurance, reservations.**

- (a) Applicants seeking to reserve park pavilions or facilities may be required to pay a usage fee for certain facilities as established by the New Hope City Council for use, and may be required to deposit a cleanup fee in an amount as established by the New Hope City Council, which deposit is to be returned if the area is clean and unlittered after the use.
- (b) Written public records shall be kept of all reservations. Public notices shall be posted of the scheduling policy and of the telephone number to call to make reservation of any area.
- (c) No one institution, group or league shall have exclusive use of any park area or facility during any season.


SECTION 9. **Severability.** If any section, sentence, clause, phrase, word, or part of this ordinance is for any reason declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such decision shall not affect any remaining sections, sentences, clauses, phrases, words, or parts of this ordinance.

SECTION 10. **Penalty.** Any person violating any provisions of this ordinance may be barred from the public parks and recreation areas of the City, and may, upon conviction, be guilty of a misdemeanor and shall be punished by a fine of not less than \$1.00 nor more than \$500.00.

ADOPTED this the 1st day of June, 2015.

  
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Butch Taylor, Mayor

ATTEST:

  
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Kimberly Passalacqua, City Clerk