

# *Athens Township, Athens County, Ohio*

## **POLICY FOR USE OF THE PLAINS COMMUNITY PARK**

*Ohio Revised Code §505.261*

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### **Section 1. Hours of Operation**

The Plains Community Park (hereinafter “the park”) shall be open daily from sunrise until 10:00 p.m. or at other hours approved by the Athens Board of Township Trustees (hereinafter “the Board”). The term “the Board” shall also include any agent or representative authorized in writing by the Board to act on its behalf. The closing or restriction of hours of the park or any field or facility shall be at the sole and absolute discretion of the Board. No person shall be permitted in any area of the park outside of the identified time or specified hours, including any shelter house or building, without the prior approval of the Board.

### **Section 2. Reservations**

Residents of Athens Township or organizations may reserve an outdoor or indoor area of the park up to three (3) months in advance of an event. An individual or organization may reserve space in any park area, pavilion, shelter house or building of The Plains Community Park but no more than three (3) times per month. At all other times, outdoor areas of the park are on a first come, first served basis unless a reservation has been secured. Rules and regulations for reservations of grounds and/or buildings shall be established and administered by the Board or their designated agent, including the Plains Lions Club, by separate document and procedure. Residents or organizations reserving an outdoor or indoor area of the park shall ensure that the area used is left in a safe, clean and sanitary condition.

### **Section 3. Parking**

No person shall park a motor vehicle outside designated areas and overnight parking is prohibited without prior approval of the Board.

### **Section 4. Loitering**

No person shall loiter, linger or hang around or within the park, on the grounds or in or near any building, structure or motor vehicle with no particular or legal purpose.

### **Section 5. Supervision**

No child under the age of ten (10) shall use the park except with supervision of a person sixteen (16) years old or older.

### **Section 6. Littering and Dumping**

No person shall discard or dump within the park, any papers, garbage, ashes, bottles, cans, refuse or foreign materials of any kind, except for activities authorized by the Board and in receptacles as provided. No household garbage, yard waste or foreign materials generated outside of the park shall be discarded or disposed of in any park receptacle. No person shall place, throw or drain any noxious or offensive materials into any park drain, ditch, ground or water.

### **Section 7. Defacement of Property**

No person shall, in any way, injure, deface, destroy, disturb, or remove any part of a building, sign, equipment or other structure or property within the park, including plants and or other vegetation. No

park fixtures or equipment, including but not limited to picnic tables and waste receptacles, shall be moved to other locations within the park or removed from park property without the prior approval of the Board.

#### **Section 8. Fires and Portable Grills**

No open burning or bonfires shall be permitted within the park. No person without written permission from the Plains Volunteer Fire Department shall start a fire in the park, except small confined fires for cooking purposes in park grills or other approved cooking apparatus or facilities. Before leaving the immediate vicinity of any fire, it shall be extinguished by the person or persons starting or using the same. When necessary for the protection of park property, the Board may prohibit fires for limited periods of time in any location or for any purpose within the park.

#### **Section 9. Controlled Substances**

No person shall within the park or within a vehicle located in the park possess, obtain, or use any controlled substance as defined by *Ohio Revised Code Sections 3719.01 or 2925.01*.

#### **Section 10. Alcoholic Beverages**

No person shall possess, distribute, consume or offer for sale any alcoholic beverage or intoxicating liquor in the park. No person shall be intoxicated or permitted to be in a state of intoxication within the park.

#### **Section 11. Disturbing the Peace**

No person shall threaten violence to the person or property of others or indulge in any fighting, noisy, boisterous, disorderly, lascivious, lewd, or improper act or indecent conduct, or use obscene, profane or abusive language in the park in any manner which disturbs the peace or good order of the community, adjacent property owners or users of the park.

#### **Section 12. Designated Tobacco-free Areas**

No person shall use any form of tobacco including E-Cigarettes and smokeless tobacco in any indoor or outdoor area of the park, including but not limited to the restrooms, athletic fields, playgrounds, shelter houses and concession areas, except where specifically permitted.

#### **Section 13. Pets and Other Animals**

No person shall permit within the park any dog, cat or other animal to run at large. Animals, including service dogs, shall only be permitted if confined or controlled or on a leash no longer than twelve (12) feet in length. Dogs and cats are not permitted on athletic fields, playground areas or landscaped areas nor permitted to defecate or urinate on any athletic field, playground area or any walkway or pathway. All dog and cat feces must be removed from the park immediately by the person in control of the animal.

#### **Section 14. ATV's, Snowmobiles, Go-carts, Mini-bikes, Mopeds, Golf Carts and motorized skateboards**

No person shall operate within the park a licensed motor vehicle outside a designated park drive or parking area and said vehicle shall at all times be in compliance with all motor vehicle laws of the State of Ohio. No person shall drive or operate within the park any unlicensed motor vehicle, all-terrain vehicle (ATV), snowmobile, mini-bike, go-cart or motorized skateboards, except by prior written approval of the Board.

**Section 15. Vending, Peddling, Soliciting and Begging**

No person shall in any manner within the park beg, solicit, sell, advertise for sale or offer for sale with future delivery any goods, merchandise or service, including but not limited to yard sales, flea markets and parties for sale of new merchandise, without the prior approval of the Board.

**Section 16. Camping**

No person shall within the park camp or sleep overnight nor erect any tents or occupy any temporary lodging without the prior written approval of the Board.

**Section 17. Gambling**

No person shall gamble or conduct games of chance in any form within the park, except for civic or community events and/or organizations authorized by the Ohio Revised Code to conduct the same and only upon prior written approval of the Board.

**Section 18. Firearms, Fireworks, Explosives and Dangerous Ordinance**

No person shall carry or discharge any firearm, air, gas, pellet or paint gun, bow, crossbow, slingshot, fireworks or any other dangerous ordinance of any kind within the park, except officers, agents, and employees of a state agency or the federal government or law enforcement officers authorized and acting in the scope of their employment or for activities or events with the prior approval of the Board.

**Section 19. Hunting and Trapping**

No person shall hunt, pursue or trap or in any way molest or harm any wild bird or animal within the park, except trapping of nuisance animals by a vendor contracted by the Board.

**Section 20. Safety, Unsafe Condition and Imminent Danger**

The Plains Community Park exists for the benefit and use of residents and the general public. The Board will make every effort to ensure that reasonable care is taken to make the parks safe. Users of the park are hereby advised that their use of all park grounds and facilities is at their own risk. Any person recognizing an unsafe condition in the park should contact the Board as soon as possible. Unsafe conditions that create imminent danger or a life threatening situation should be immediately reported to Athens 911. For the purpose of protecting public health, safety and welfare, the Board shall have the authority to identify any action or activities outside those specifically enumerated in these rules and regulations and create conditions, restrictions or prohibitions to address the action or activity until such time as the Board shall amend these rules and regulations by resolution.

**Section 21. Severability**

If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

**Section 22. Liability**

Athens Township, the Athens Township Board of Trustees, nor any employee or designee representing Athens Township assumes liability for any accident, injury, illness, disease, or death, or loss or damage of personal property of any individual or group associated, employed, or in conjunction with use of the park. Park users shall indemnify the same against all claims by any individual, group, associate, employee, agent, or guest.

**Section 23. Conflicts**

All resolutions, orders or parts thereof previously adopted or established for use of the Plains Community Park which are in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given full force and effect.

**Section 24. Other Regulations**

In addition to these rules and regulations, all park visitors are also subject to State, Federal and other local regulations, as applicable.

**Section 25. Failure to Comply and Penalties**

No person shall refuse to comply with any the rules and regulations set forth herein or any other reasonable order of any Township officer, employee or any person authorized by the Board to enforce these rules, including but not limited to Athens County Sheriff Deputies or any other authorized law enforcement officer. When, in the opinion of any person authorized to enforce these rules and regulations, any person is not complying with rules and regulations or is participating in any activity that constitutes a hazard to themselves or others or is in any way being a nuisance or disturbing the peace, may be removed from the park by the appropriate authority and subject to fines and prosecution as set forth in this section. Any violation of these rules and regulations shall be immediately reported to the Athens County Sheriff's Department. Violation of these rules and regulations may result in permanent expulsion from the park and prosecution in a court of law. Pursuant to *Ohio Revised Code Sections 505.261* and *511.32*, any person violating any of the foregoing rules and regulations and any amendments or additions thereto or any directive from any authorized personnel as set forth above, may be subject to prosecution as a minor misdemeanor offense and upon conviction shall be fined in a sum not exceeding one hundred fifty dollars (\$150.00) for the first offense, nor more than five hundred dollars (\$500.00) for a second and subsequent offense.

(Section 22, Liability, Revised March 19, 2020)