

# **“EXHIBIT A”**

## **Attachment to Resolution 07-11-2023A**

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

No person shall be permitted in any area of The Plains Community Park (hereinafter “the park”) outside of identified times, locations or specified hours, including any shelter house or building. The park shall be open daily from sunrise until 10:00 p.m. or at other hours approved by the Athens Township Board of 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, including but not limited to The Plains Lions Club. 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.

### **Section 2. Reservations**

Residents of Athens Township, individuals, groups, for profit, not-for-profit or nonprofit organizations may reserve an outdoor or indoor area of the park up to three (3) months in advance of an event but not for more than three (3) events in a month with fees for such use specified by separate agreement and document. Individuals, groups, for profit and not-for-profit groups may not conduct activities that are of a fundraising/revenue generating nature or purpose. Nonprofit organizations may reserve areas of the park at no charge and events and activities may be of a fund raising nature or purpose. 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 agreement, document and procedure. Residents or organizations reserving or using an outdoor or indoor area of the park shall ensure that the areas used are left in a safe, clean and sanitary condition.

### **Section 3. Parking**

No person shall park a motor vehicle outside designated parking areas of the park and overnight parking is prohibited except with prior written 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 or be within 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 any papers, garbage, ashes, bottles, cans, refuse or foreign materials of any kind within the park, except for activities authorized by the Board and in receptacles as provided. No person shall place, throw or drain any noxious or offensive materials into any park drain, ditch, ground or water within the park. No household garbage, yard waste or foreign materials generated outside of the park shall be discarded or disposed of in any park receptacle.

### **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 except with prior written approval of the Board.

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

No person shall kindle an open burn or bonfire within the park. No person shall start a fire in the park without written permission from the Plains Volunteer Fire Department, 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 or permit 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 §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 within 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 within 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 in areas where specifically designated.

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

No person shall permit any dog, cat or other animal to run at large within the park. 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. Any dog or cat feces must be removed from the park immediately by the person in control of the animal.

### **Section 14. Vending, Peddling, Soliciting and Begging**

No person shall in any manner beg, solicit, sell, advertise for sale or offer for sale with future delivery any goods, merchandise or service within the park, including but not limited to yard sales, flea markets and parties for sale of new merchandise except with prior written approval of the Board.

### **Section 15. ATV's, Snowmobiles, Go-carts, Mini-bikes, Mopeds, Golf Carts and motorized skateboards**

No person shall operate a licensed motor vehicle outside a designated drive or parking area within

the park 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 skateboard except with prior written approval of the Board.

#### **Section 16. Camping**

No person shall camp or sleep overnight nor erect any tents or occupy any temporary lodging within the park except with 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 except with prior written 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 animal or bird within the park except trapping of nuisance animals by a vendor contracted by the Board.

#### **Section 20. Portable or Temporary Devices or Displays**

No person shall erect or permit to be erected any inflatable devices such as and including bounce houses and/or similar devices unless approval of the Board is obtained prior to an exterior grounds "first come, first served" use of the park or by its designated agent, including the Plains Lions Club, as part of a building and/or grounds use associated with a reservation. Any person or group proposing use of such devices must provide proof of public liability insurance in an amount no less than one million dollars (\$1,000,000.00) naming Athens Township and/or The Plains Lions Club as additionally insured. Notification or application for such an event, device or display shall be given at least fifteen (15) calendar days prior to the event or building reservation. If the use of such equipment is approved it shall not be inside of a shelter house and may only be used outdoors and at pre-approved locations.

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

The Plains Community Park exists for the benefit and use of residents of Athens Township and the general public. The Board will make every effort to ensure that reasonable care is taken to maintain the park in a safe condition. 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 or The Plains Lions Club as soon as possible. Unsafe conditions that create imminent danger or a life threatening situation should be immediately reported to Athens 911 or the Athens County Sheriff. 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 violate or 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 the Athens County Sheriff and Deputies, any other authorized law enforcement officer such as the Ohio State Highway Patrol, or any member of The Plains Lions Club authorized to safeguard the use of the park. When, in the opinion of any person authorized to enforce these rules and regulations, any person violating or not complying with these rules and regulations or 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 §505.261* and *§511.32*, any person violating any of the foregoing rules and regulations or 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.