

DOUGLAS COUNTY PARKS AND RECREATION PARK ORDINANCES



WHEREAS, the Douglas County Board of Commissioners has determined that it would be advantageous to create an ordinance governing the use of Douglas County's Parks.

NOW THEREFORE BE IT ORDAINED by the Douglas County Board of Commissioners that a new Chapter 12.5 of the Douglas County Code relating to parks and recreation be enacted as follows:

"Sec. 12.5-1. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Department means the county parks and recreation department, a department under the jurisdiction of the board of commissioners.

Parks means all parks and all facilities located thereon, owned and/or controlled by the county and operated under the jurisdiction of the county parks and recreation department.

Person means any individual, citizen, group, association, firm, corporation or other legal entity that is authorized to use and enjoy the county's parks and any structure or facility located therein.

Sec. 12.5-2. Penalties

(a) Any person violating any of the provisions of this chapter shall be punished in accordance with section 1-8.

(b) Any person violating any of the provisions of this chapter may be ejected, barred or suspended by the department from using any or all parks, if in the department's sole discretion, such action is necessary to protect a park, the facilities located therein, or the public's health, safety or welfare.

Sec. 12.5-3. Authority to issue citations for violations.

For the purpose of issuing citations for violations of this chapter or any rule or regulation as may be hereafter promulgated by the department, the director of the department, his designee or a law enforcement officer shall be authorized to prepare, issue and serve citations on any person that in the opinion of the department director has committed a violation.

Sec. 12.5-4. Use of grounds and facilities generally.

Every person using the parks shall clean up all debris, extinguish all permitted fires, and leave the premises in good order and the facilities located thereon in a neat and sanitary condition.

Sec. 12.5-5. Prohibited acts.

It shall be unlawful for any person using the parks, grounds, or facilities to either perform or permit to be performed any of the following acts:

(1) Willfully mar, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables and benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices, or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.

(2) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to a park or tributary, stream, storm sewer, or drain flowing into such water, any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters.

(3) Damage, cut, carve, transplant, or remove any tree or plant or any part thereof.

(4) Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal, or remove or have in one's possession the eggs, nest, or young of any wild animal.

(5) Bring in, dump, deposit, or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash or debris in a park or waters in or contiguous to a park other than in designated containers.

(6) Disturb the peace, or use any profane, obscene or inflammatory language.

(7) Commit any assault or battery, engage in fighting, or commit any other offense in violation of federal, state or county law.

(8) Endanger the safety of any person by any conduct or act.

(9) Prevent any person from using a park, or any of its facilities, or interfere with such use in contravention of the provisions of this chapter and rules applicable thereto.

(10) Dress or undress in a park, or in any vehicle, toilet, or other place located within a park, except in such bathing houses or structures as may be provided for such purpose.

(11) Apply any chemical or fertilizer to any lawn, athletic field, soil, structure or facility of a park.

(12) Introduce any plant material, seed, sod, tree, shrub to any lawn, athletic field, forest or soil of a park.

(13) Violate any rule or regulation promulgated by the department relative to the use of a park.

Sec. 12.5-6. Hours of operation.

Unless otherwise posted by the Director, all parks shall be open daily to the general public between the hours of 8:30 a.m. and 11:00 p.m. It shall be unlawful for any person other than county personnel conducting county business therein to come onto or be present in a park during any other hours. A park or section of a park may be closed to the public by the department at any time and for any length of time, either temporarily or at regular or state intervals.

Sec. 12.5-7. Group activity.

Whenever more than 15 members of any group desire to use a park for a particular purpose, such as a picnic, party, sports event or theatrical or other entertainment performance, a representative of such group shall first obtain a permit from the department for such purpose, unless the group is sponsored by the department as one of its scheduled programs. The department shall grant the application for a permit if it appears that the group will not interfere with the general use of the park by individual members of the public, and if the group meets all other reasonable conditions which may be imposed by the department. Such application may contain a requirement for an indemnity bond and/or on site security to protect the county from liability of any kind or character and to protect county property from damage.

Sec. 12.5-8. Picnic areas and use.

Unless otherwise permitted pursuant to Sec. 12.5-7, no person shall use any picnic area or any facility located in a park for the purpose of holding picnics or other activities to the exclusion of other persons, nor shall any person use such area or facility for an unreasonable length of time if the area is crowded.

Sec. 12.5-9. Games.

It shall be unlawful for any person to endanger the general public in a park by taking part in or abetting the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes except in areas set apart for such forms of recreation. The playing of rough or potentially dangerous games such as football, baseball, and soccer is prohibited except on the fields, courts, or areas provided therefor. Park areas other than those designated as golf clubs or driving ranges may not be used for golf practice, driving ranges, or putting greens.

Sec. 12.5-10. Camping.

It shall be unlawful for any person to set up a tent, shack, or any other temporary shelter for the purpose of overnight stay, or to leave in a park after closing hours any movable structure or vehicle to be used or that could be used for overnight stay, such as a use trailer, camp trailer, wagon, or the like, unless authorized by the department.

Sec. 12.5-11. Swimming.

It shall be unlawful for any person to swim, bathe, or wade in any waters or waterways in or adjacent to a park except in such waters and at such locations as are designated therefor. Such swimming activity shall be in compliance with regulations pertaining thereto as set forth in this chapter or hereafter adopted.

Sec. 12.5-12. Boats and rafts.

It shall be unlawful for any person to use a boat or raft or other flotation device on any waterway, stream, lake or pond in a park unless written authorization allowing such activity is received by the department.

Sec. 12.5-13. Fires.

It shall be unlawful for any person to build or attempt to build a fire except in such areas and under such regulations as determined by the department; to drop, throw, or otherwise scatter lighted matches, burning cigarettes, or cigars, tobacco paper, or other inflammable material within a park or on any highway, road, or street abutting, contiguous or adjacent thereto.

Sec. 12.5-14. Animals.

It shall be unlawful for any person to bring a dangerous animal into a park; to permit a dog to be in a park unless such dog is on a leash of not more than six feet in length; to bring any animal onto an athletic or sports field or enclosed playground area within a park; to ride, graze or walk a horse or other type of hoofed animal within a park without obtaining written authorization from the department, unless the park is specifically designated for such use; to fail to immediately remove from the park and dispose in a sanitary manner excrement deposited by an animal in the person's possession and control while in a park; to fail to have in such person's possession, having possession and control of an animal, a device or equipment for the collection and removal of animal excrement. The provisions of this section shall not apply to a person having possession or control of an animal aiding the handicapped (i.e., guide dog) or to police or rescue personnel.

Sec. 12.5-15. Automobiles and off-road vehicles.

(a) It shall be unlawful for any person to drive or park any automobile or off-road vehicle except on a street, driveway, or parking lot in a park; or to leave any such vehicle in any place other than one established for public parking.

(b) The speed limit for all vehicles shall be 15 miles per hour within all parks.

(c) The parking of automobiles shall be permitted in areas designated by the appropriate signs in the public parks of the county as long as such parking is in accordance with the traffic laws, rules and regulations of the parks and the occupants of automobiles do not create a disturbance or violate any law or ordinance of the county or the state.

(d) It shall be unlawful for any automobiles or trucks to be parked on any of the drives, avenues or parking lots in any public park between the hours of 12:01 a.m. and 7:00 a.m. daily.

(e) It shall be unlawful for any person to park any vehicle upon any of the drives, avenues or parking lots or at any other place within any park when such person is not a user of the park or any of its related facilities.

Sec. 12.5-16. Sales.

It shall be unlawful for any person to vend, sell, peddle, or offer for sale any commodity or article within a park, unless such activity is authorized in writing by the department.

Sec. 12.5-17. Alcoholic beverages.

It shall be unlawful for any person to sell, possess or consume alcoholic beverages within a park unless a special permit for alcoholic consumption of beer and/or wine has been issued by the department.

Sec. 12.5-18. Signs.

It shall be unlawful for any person to paste, glue, tack, post, erect or cause to be erected any sign, placard, advertisement, or inscription whatsoever within a park or highway or street adjacent to a park. This provision shall not apply to any properly authorized government official in pursuit of his official duty or by a person having received written authorization from the department. Any sign, placard, advertisement, or inscription authorized to be erected shall be in compliance with the county's sign ordinance and other applicable county regulations.

Sec. 12.5-19. Firearms.

It shall be unlawful for any person to discharge a firearm on or about Douglas County recreation facilities, sports fields, parks, or nature trails in accordance with the authority vested in Douglas County by the General Assembly in accordance with O.C.G.A. § 16-11-173. Provided, however, it shall not be unlawful to discharge any firearm to defend one's self or another person pursuant to O.C.G.A. § 16-3-21.

Sec. 12.5-20. Fees.

A user fee shall be charged for any special or sports event, or other extraordinary program or activity as may be hereafter established by the department.

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Sec. 12.5-21. Smoking.

There shall be no smoking in parks except in designated areas.