

# **PARKS & RECREATION ORDINANCE**



**TOWN OF SEVEN DEVILS**

**NORTH CAROLINA**

**ADOPTED SEPTEMBER 13, 2016**

## Article 1 – Title & Purpose

### 1.1 Short Title

This ordinance shall be known and may be cited as the Town of Seven Devils Parks and Recreation Facilities Ordinance.

### 1.2 Purpose

The purpose of this Ordinance is to govern the use and operation of the Town of Seven Devils Parks and Recreation Facilities and to protect the Town of Seven Devils Parks and Recreation Facilities.

## Article 2 – Authority and Jurisdiction

### 2.1 Authority

The Town of Seven Devils is empowered to enact and enforce the provisions of this Ordinance by the North Carolina General Statutes, Chapter 160A, Article 18 Section 354.

### 2.2 Jurisdiction

The provisions of this Ordinance shall apply throughout the Town of Seven Devils Town limits.

### 2.3 Conflicting Ordinances

For all other Ordinances of the Town of Seven Devils that are in conflict with this Ordinance, this Ordinance shall supersede the other Ordinances.

### 2.4 Amendments

The Town Council may, from time to time, amend this Ordinance as necessary.

### 2.5 Effective Date

The provisions of this Ordinance shall become effective on September 13, 2016.

## Article 3 - Definitions:

### 3.1 Definitions

- A. "Town Council": Governing Board of Elected Officials of Seven Devils
- B. "Town Parks": Shall include all Parks, Playgrounds, Recreation areas, Greenways, Water Areas, Natural Preserves, Conservancy Areas, & Mini-Parks
- C. "Police Department": Sworn Public Safety Officers (LEO) employed by the Town of Seven Devils
- D. "Town Manager": Administrative Manager of the Town of Seven Devils

## Article 4 - Rules & Regulations:

1. Town Parks shall be open for public recreation from dawn to dusk year-round.
2. No soliciting or commercial enterprise is permitted in Town Parks, except by the approval of Town Council.
3. Disorderly conduct, abusive language, noisy disturbances, or disregard for these rules & regulations will be grounds for immediate removal of person(s) from the Town Park by the Police Department or as authorized by the Town Manager.
4. Park users are responsible for the conduct of, and any damage to the park or its equipment caused by their legal dependents or other minors in their care at the time.
5. No person shall consume, or have in their possession, any intoxicating beverage, or other drug or narcotic, except by prescription, and as prescribed while in a Town Park.
6. Air rifles, BB guns, Bows & Arrows, or other guns, and dangerous objects, may not be used while in a Town Park.

7. No overnight camping is allowed in any Town Park, except by approval of the Town Council.
8. The Town, its representatives, and its employees, are not responsible for accidents, injuries, or loss of property by fire, theft, wind, flood, or other natural forces of nature which are beyond their control.
9. All equipment furnished within the Town Parks are solely for the convenience of the user, and is utilized at the risk of the user.
10. All Park users should immediately notify the Police Department of hazardous conditions in any Town Park, which are alleged to be in violation of these Rules & Regulations.
11. Motorized vehicles shall be operated and parked only in designated areas. Motor vehicles operated or parked elsewhere on walkways or on grass without prior approval of the Town Council shall be in violation of this Ordinance, and shall be towed at the owner's sole expense.
12. Bicycles, roller skates, skateboards, and other types of non-motorized vehicles must be used safely, and in compliance with all posted rules in Town Parks.
13. Careless operation of motorized or non-motorized vehicles shall be grounds for removal from Town Parks, and/or citation issued by the Town Police.
14. No animals are permitted in Town Parks unless they are on a leash, except in specifically designated off-leash areas, and shall be kept under supervision at all times. Animals are not to be allowed to run at large, or to commit any nuisance. All animal fecal matter shall be picked up by the owner and placed in an appropriate container and removed from the Town Park.
15. All garbage and trash shall be deposited in appropriate receptacles and no person shall bring non-park generated garbage or trash into the Town Park for the purpose of discarding or disposing of such.

16. No open fires are permitted in any Town Parks.
17. Trees and shrubs are not to be climbed or hung on, or used as poles for game nets or swings, or used for the purpose of displaying signs, banners, or other objects; nor any nails, screws, or other foreign objects be inserted into Town Park vegetation.
18. No persons other than duly authorized Town employees, or their designees, shall in their performance as Town employees, dig, remove, destroy, injure, mutilate, or cut any trees, plants, shrubs, blooms, flowers, or any portion of vegetation growing in a Town Park, except by approval of the Town Manager.

#### Article 5 - Preservation of Parks

1. No person shall willfully and intentionally remove, destroy, cut down, scar, mutilate, injure, take, or gather in any manner, any tree, flower, fern, shrub, rock, artifact, or other plant in any Town Park
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation
2. No person shall willfully and intentionally in any manner injure, deface, disturb, destroy, or disfigure any part of any Town Park or any Town building, Town sign, Town equipment, or other Town property herein.
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation
3. No person shall bathe, or swim in any water feature in any Town Park, or dress or undress in any place in Town Parks, except in designated bathrooms or bath houses.
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation
4. No person shall deposit in any part of any Town Park, any garbage, sewage, refuse, waste, fruit, vegetable, foodstuffs, boxes, tin cans, glass, crockery, paper, or other litter or obnoxious material, except in containers designated for that purpose.
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation

5. No person shall, in streams, lakes, or other water features of Town Parks, bathe dogs or other animals, wash vehicles, wash clothing, or throw, cast, lay, drop, or discharge into or leave in the streams, lakes, or other water features of the Town Parks, any substance, matter, or thing, liquid or solid, which may or may not result in pollution of the waters. Fishing is permitted in accordance with the laws and rules administered by the North Carolina Wildlife Resources Commission.
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation
  
6. No person shall drive a vehicle in any Town park, upon a walking path, trail, service road, or any part of the Town Park that is not designated for vehicular traffic.
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation
  
7. All persons shall obey Police Officers or other Town Personnel who enforce this Ordinance in regard to traffic and posted Park regulations.
  - ❖ Civil Penalty for Violation - \$50 for first offense; penalty doubles for each subsequent violation